

CONSTITUTION

PART 1 - PRELIMINARY

Definitions

(1) In these rules:

"ordinary member" means a member of the Association who is not an office-bearer of the association, as referred to in rule 17(2);

"secretary" means:

- (a) the person holding office under these rules as secretary of the association; or
- (b) if no such person holds that office - the public officer of the association;

"special general meeting" means a general meeting of the Association other than an annual general meeting;

"the Act" means the Associations Incorporation Act, 2009 (NSW);

"the Regulation" means the Associations Incorporation Regulation, 2022

(2) In these rules:

- (a) a reference to a function includes a reference to a power, authority and duty; and
- (b) a reference to the exercise of a function includes, if the function is a duty, a reference to the performance of the duty.

(3) The provisions of the Interpretation Act, 1987, apply to and in respect of these rules in the same manner as those provisions would so apply if these rules were an instrument made under the Act.

PART 2 – NAME AND FUNCTIONS

1. Name

The name of this body (hereafter called the Association) is the Association of Industrial Relations Academics of Australia and New Zealand.

2. Functions

- (1) The Association shall promote the study of industrial relations in Australia and New Zealand.
- (2) In particular the Association may:
 - convene conferences at which papers on various aspects of industrial relations will be presented and discussed;
 - inform its members from time to time about developments in the field of industrial relations in Australia, New Zealand and elsewhere;
 - make periodic surveys of its members' research and teaching activities;
 - make representations to appropriate government departments and other relevant institutions to improve the quality and extent of statistical sources, teaching and research in the field of industrial relations in Australia and New Zealand;
 - affiliate to other national and international contacts as may be approved by the Executive Committee;
 - undertake other activities in pursuance of subclause 1 above.
- (3) The Association strongly affirms its support for core labour standards which are internationally recognised in international labour conventions as fundamental human rights; these specifically include.
 - (a) Freedom of Association.
 - (b) Right to Organise and bargain collectively.
 - (c) Prohibition of Forced Labour.
 - (d) Elimination of exploitative forms of child labour.
 - (e) Non-discrimination in employment or occupation.
 - (f) A safe and healthy working environment.

PART 3- MEMBERSHIP

3. Membership Qualifications

A person is qualified to be a member of the Association if but only if

- (a) the person is a person referred to in section 15(1)(a), (b) or (c) of the Act and has not ceased to be a member of the Association at any time after incorporation of the Association under the Act; or
- (b) the person is a natural person who:
 - (i) has been nominated for membership of the Association as provided by rule 4; and
 - (ii) has been approved for membership of the Association by the committee of the Association.

4. Nomination for membership

- (1) Any eligible person may apply to the Secretary/Treasurer for membership.

An eligible person is any person interested in industrial relations and who is engaged in teaching or research in this area within a university, college of technical and further education, other institutions of higher or adult education, or autonomous research institution in Australia or New Zealand or any other person as approved by the Executive Committee.

Such applications shall be granted by the Secretary/Treasurer if he/she is satisfied the applicant is eligible for membership.

- (2) A nomination of a person for membership of the Association:
 - (a) must be made by a member of the Association in writing in the form set out in Appendix 1 to these rules; and
 - (b) must be lodged with the secretary of the Association.
- (3) The secretary must, on payment by the applicant of the amounts referred to in rule 9 within the period referred to in that clause, enter the nominee's name in the register of members and, on the name being so entered, the nominee becomes a member of the Association.
- (4) Members who cease employment in the institutions specified in subclause (1) may, if they wish, continue their membership in the Association.

5. Cessation of membership

A person ceases to be a member of the Association if the person:

- (a) dies; or

- (b) resigns that membership; or
- (c) is expelled from the Association; or
- (d) is more than one year in arrears in payment of membership dues.

6. Membership entitlements not transferable

A right, privilege or obligation which a person has by reason of being a member of the Association -

- (a) is not capable of being transferred or transmitted to another person; and
- (b) terminates upon cessation of the person's membership.

7. Resignation of membership

- (1) A member of the Association is not entitled to resign that membership except in accordance with this rule.
- (2) A member of the Association who has paid all amounts payable by the member to the Association in respect of the member's membership may resign from membership of the Association by first giving to the secretary written notice of at least one month (or such other period as the committee may determine) of the member's intention to resign and, upon the expiration of the period of notice, the member ceases to be a member.
- (3) If a member of the Association ceases to be a member under subclause (2), and in every other case where a member ceases to hold membership, the secretary must make an appropriate entry in the register of members recording the date on which the member ceased to be a member.

8. Register of members

- (1) The secretary of the Association must establish and maintain a register of members of the Association specifying the name and address of each person who is a member of the Association together with the date on which the person became a member.
- (2) The register of members must be kept at the principal place of administration of the Association and must be open for inspection, free of charge, by any member of the Association at any reasonable hour.

9. Fees, subscriptions, etc.

A member of the Association must pay to the Association an amount (which may vary according to different categories of membership) determined from time to time by the Association:

- (a) before 1st July in each calendar year; or

- (b) if the member becomes a member on or after 1st July in any calendar year - on becoming a member and before 1st July in each succeeding calendar year.

10. Members' liabilities

The liability of a member of the Association, including members of the committee, to contribute towards the payment of the debts and liabilities of the Association or the costs, charges and expenses of the winding up of the Association is limited to the amount, if any, unpaid by the member in respect of membership of the Association as required by rule 9.

11. Resolution of internal disputes

Disputes between members (in their capacity as members) of the Association, and disputes between members and the Association, if they are not able to be resolved following discussions between the President and the member(s) concerned, are to be referred to a community justice centre for mediation in accordance with the Community Justice Centres Act, 1983.

12. Disciplining of members

- (1) A complaint may be made by any member of the Association ("the complainant") that some other member of the Association ("the member concerned"):
 - (a) has persistently refused or neglected to comply with a provision or provisions of these rules; or
 - (b) has persistently and wilfully acted in a manner prejudicial to the interests of the association,
- (2) On receiving such a complaint, the committee:
 - (a) must cause notice of the complaint to be served on the member concerned; and
 - (b) must give the member concerned at least 14 days from the time the notice is served within which to make submissions to the committee in connection with the complaint; and
 - (c) must take into consideration any submissions made by the member concerned in connection with the complaint.
- (3) The committee may, by resolution, expel the member concerned from the Association or suspend the member concerned from the Association if, after considering the complaint and any submissions made in connection with the complaint, it is satisfied that the facts alleged in the complaint have been proved and expulsion is justified.
- (4) If the committee expels or suspends a member, the secretary must, within 7 days after the action is taken, cause written notice to be given to the member of the action

taken, of the reasons given by the committee for having taken that action and of the member's right of appeal under rule 13.

- (5) The expulsion or suspension does not take effect:
 - (a) until the expiration of the period within which the member is entitled to appeal against the resolution concerned; or
 - (b) if within that period the member exercises the right of appeal, unless and until the Association confirms the resolution under rule 13(4), whichever is the later.

13. Right of appeal of disciplined member

- (1) A member may appeal to the Association in general meeting against a resolution of the committee under rule 14, within 7 days after notice of the resolution is served on the member, by lodging with the secretary a notice to that effect.
- (2) The notice may, but need not, be accompanied by a statement of the grounds on which the member intends to rely for the purposes of the appeal.
- (3) On receipt of a notice from a member under subclause (1), the secretary must notify the committee which is to convene a general meeting of the Association to be held within 28 days after the date on which the secretary received the notice.
- (4) At a general meeting of the Association convened under subclause (3):
 - (a) No business other than the question of the appeal is to be transacted; and
 - (b) the committee and the member must be given the opportunity to state their respective cases orally or in writing, or both; and
 - (c) the members present are to vote by secret ballot on the question of whether the resolution should be confirmed or revoked.
- (5) A general meeting convened under subclause (3) may be held by electronic means as specified under clause 25(5) if agreed to by a majority of members of the Committee

14. Honorary Life Members

- (1) Honorary Life Membership shall be awarded only rarely in recognition of sustained and outstanding contribution to the advancement of the Association. Such contribution will be by way of exceptional contribution to conference organization above and beyond the usual involvement, or by in other ways enhancing the quality, cohesion or status of the Association well beyond the usual high standards.
- (2) The process of award is as follows:

- (a) Three current financial members nominate jointly a current member for consideration as Honorary Life Member. Such nomination will include reasons for nomination.
- (b) Nominations will be sent to the Secretary who will circulate the nomination to the Executive.
- (c) The Executive will consider the nomination, and vote whether to accept the nomination. The nomination will be accepted if supported by a majority of the Executive.
- (d) If the Executive accepts the nomination it is then put to the annual general meeting of members. Members present at the annual general meeting will vote whether to accept the nomination.
- (e) Following the successful vote, the award of Honorary Life Membership will be made.

PART 4 - THE COMMITTEE

15. Powers, etc. of committee

The committee is to be called the committee of management of the Association and, subject to the Act, the Regulation and these rules and to any resolution passed by the Association in general meeting:

- (a) is to control and manage the affairs of the association; and
- (b) may exercise all such functions as may be exercised by the Association other than those functions that are required by these rules to be exercised by a general meeting of members of the Association; and
- (c) has power to perform all such acts and do all such things as appear to the committee to be necessary or desirable for the proper management of the affairs of the Association.

16. Constitution and membership

- (1) Subject in the case of the first members of the committee to section 21 of the Act, the committee is to consist of:
 - (a) the office-bearers of the Association;
 - (b) a postgraduate representative;
 - (c) the immediate past president; and
 - (d) up to 7 ordinary members.

Each of whom (excepting the immediate past president) is to be elected at the annual general meeting of the Association under rule 17.

- (2) The office-bearers of the Association are to be:
 - (a) the president;
 - (b) the vice president;
 - (c) the secretary
 - (d) the treasurer
 - (e) the public officer
 - (f) the membership officer
 - (g) the communications officer

- (h) the social media officer
- (i) the website officer
- (3) Each member of the committee is, subject to these rules, to hold office until the conclusion of the annual general meeting following the date of the member's election, but is eligible for re-election.
- (4) The President of the Association is eligible to seek re-election but shall serve no more than two consecutive years in office. There is no limit on the number of consecutive terms for which other office-bearers may hold office.
- (5) In the event of a casual vacancy occurring in the membership of the committee, the committee may appoint a member of the Association to fill the vacancy and the member so appointed is to hold office, subject to these rules, until the conclusion of the annual general meeting next following the date of the appointment.
- (6) The Committee may co-opt up to two (2) additional persons to serve on the Committee. Such persons will have the same voting rights as other members of the committee

17. Election of members

- (1) Nominations of candidates for election as either office-bearers of the Association, the post-graduate representative or as ordinary members of the committee:
 - (a) must be made in writing, signed by 2 members of the Association and accompanied by the written consent of the candidate (which may be endorsed on the form of nomination); and
 - (b) must be delivered to the secretary of the Association not less than 48 hours before the date fixed for the holding of the annual general meeting at which the election is to take place.
- (2) If insufficient nominations are received to fill all vacancies on the committee, the candidates nominated are taken to be elected and further nominations are to be received at the annual general meeting.
- (3) If insufficient further nominations are received, any vacant positions remaining on the committee are taken to be casual vacancies.
- (4) If the number of nominations received is equal to the number of vacancies to be filled, the persons nominated are taken to be elected.
- (5) If the number of nominations received exceeds the number of vacancies to be filled, a ballot is to be held.

- (6) The ballot for the election of office-bearers and ordinary members of the committee is to be conducted at the annual general meeting in such usual and proper manner as the committee may direct.
- (7) A member cannot cast a vote by proxy.

18. Secretary

- (1) The secretary of the Association must, as soon as practicable after being appointed as secretary, lodge notice with the Association of his or her address.
- (2) It is the duty of the secretary to keep minutes of:
 - (a) all appointments of office-bearers and members of the committee;
 - (b) the names of members of the committee present at a committee meeting or a general meeting; and
 - (c) all proceedings at committee meetings and general meetings.
- (3) Minutes of proceedings at a meeting must be signed by the chairperson of the meeting or by the chairperson of the next succeeding meeting.

19. Treasurer

It is the duty of the treasurer of the Association to ensure:

- (a) that all money due to the Association is collected and received and that all payments authorised by the Association are made; and
- (b) that correct books and accounts are kept showing the financial affairs connected with the activities of the Association.

20. Casual vacancies

For the purposes of these rules, a casual vacancy in the office of a member of the committee occurs if the member:

- (a) dies; or
- (b) ceases to be a member of the Association; or
- (c) becomes insolvent under administration within the meaning of Corporations Law; or
- (d) resigns office by notice in writing given to the secretary; or
- (e) is removed from office under rule 21; or

- (f) becomes a mentally incapacitated person; or
- (g) is absent without the consent of the committee from all meetings of the committee held during a period of 6 months.

21. Removal of member

- (1) The Association in general meeting may by resolution remove any member of the committee from the office of member before the expiration of the member's term of office and may by resolution appoint another person to hold office until the expiration of the term of office of the member so removed.
- (2) If a member of the committee to whom a proposed resolution referred to in subclause (1) relates makes representations in writing to the secretary or president (not exceeding a reasonable length) and requests that the representations be notified to the members of the Association, the secretary or the president may send a copy of the representations to each member of the Association or, if the representations are not so sent, the member is entitled to require that the representations be read out at the meeting at which the resolution is considered.

22. Meetings and quorum

- (1) The committee must meet at least once in each calendar year at such a place and time as the committee may determine.
- (2) Additional meetings of the committee may be convened by the president or by any member of the committee.
- (3) Oral or written notice of a meeting of the committee must be given by the secretary to each member of the committee at least 48 hours (or such other period as may be unanimously agreed upon by the members of the committee) before the time appointed for the holding of the meeting.
- (4) Notice of a meeting given under subclause (3) must specify the general nature of the business to be transacted at the meeting and no business other than that business is to be transacted at the meeting, except business which the committee members present at the meeting agree by majority to treat as urgent business.
- (5) Any 7 members of the committee constitute a quorum for the transaction of the business of a meeting of the committee.
- (6) No business is to be transacted by the committee unless a quorum is present and if, within half an hour of the time appointed for the meeting, a quorum is not present, the meeting is to stand adjourned to the same place and at the same hour of the same day on the following day.
- (7) If at the adjourned meeting a quorum is not present within half an hour of the time appointed for the meeting, the meeting is to be dissolved.

- (8) At a meeting of the committee:
 - (a) the president or, in the president's absence, the vice-president is to preside; or
 - (b) if the president and the vice-president are absent or unwilling to act as such, one of the remaining members of the committee as may be chosen by the members present at the meeting is to preside.
- (9) The Association may hold a electronic ballot, as determined by the committee, to decide any matter other than an appeal under clause 13. The ballot must be conducted in accordance with Schedule 2 (clause 5) of the Regulation.

23. Delegation by committee to sub-committee

- (1) The committee may, by instrument in writing, delegate to one or more sub-committees (consisting of such member or members of the Association as the committee thinks fit) the exercise of such of the functions of the committee as are specified in the instrument, other than:
 - (a) this power of delegation; and
 - (b) a function which is a duty imposed on the committee by the Act or by any other law.
- (2) A function the exercise of which has been delegated to a sub-committee under this rule may, while the delegation remains unrevoked, be exercised from time to time by the sub-committee in accordance with the terms of the delegation.
- (3) A delegation under this section may be made subject to such conditions or limitations as to the exercise of any function, or as to time or circumstances, as may be specified in the instrument of delegation.
- (4) Despite any delegation under this rule, the committee may continue to exercise any function delegated.
- (5) Any act or thing done or suffered by a sub-committee acting in the exercise of a delegation under this rule has the same force and effect as it would have if it had been done or suffered by the committee.
- (6) The committee may, by instrument in writing, revoke wholly or in part any delegation under this rule.
- (7) A sub-committee may meet and adjourn as it thinks proper.

24. Voting and decisions

- (1) Questions arising at a meeting of the committee or of any sub-committee appointed by the committee are to be determined by a majority of the votes of members of the committee or sub-committee present at the meeting.
- (2) Each member present at a meeting of the committee or of any sub-committee appointed by the committee (including the person presiding at the meeting) is entitled to one vote but, in the event of an equality of votes on any question, the person presiding may exercise a second or casting vote.
- (3) Subject to rule 22(5), the committee may act despite any vacancy on the committee.
- (4) Any act or thing done or suffered, or purporting to have been done or suffered, by the committee or by a sub-committee appointed by the committee, is valid and effectual despite any defect that may afterwards be discovered in the appointment or qualification of any member of the committee or subcommittee.

PART 5 - GENERAL MEETINGS

25. Annual general meetings - holding of

- (1) With the exception of the first annual general meeting of the association, the Association must meet at least once in each calendar year.
- (2) The annual general meeting will be held on the occasion of each conference of the Association.
- (3) The Association must hold its first annual general meeting-within the period of 18 months after its incorporation under the Act;
- (4) Subclauses (1) and (3) have effect subject to any extension or permission granted by the Commission under section 26(3) of the Act.

26. Annual general meetings - calling of and business at

- (1) The annual general meeting of the Association is, subject to the Act and to rule 24, to be convened on such date and at such place and time as the committee thinks fit.
- (2) In addition to any other business which may be transacted at an annual general meeting, the business of an annual general meeting is to include the following:
 - (a) to confirm the minutes of the last preceding annual general meeting and of any special general meeting held since that meeting;
 - (b) to receive from the committee reports on the activities of the Association during the last preceding financial year;
 - (c) to elect office bearers of the Association and ordinary members of the committee;
 - (d) to receive and consider the statement which is required to be submitted to members under section 26(6) of the Act.
- (3) An annual general meeting must be specified as such in the notice convening it.

27. Special general meetings - calling of

- (1) The committee may, whenever it thinks fit, convene a special general meeting of the association.
- (2) The committee must, on the requisition in writing of at least 20 per cent of the total number of members, convene a special general meeting of the Association.

- (3) A requisition of members for a special general meeting:
 - (a) must state the purpose or purposes of the meeting; and
 - (b) must be signed by the members making the requisitions; and
 - (c) must be lodged with the secretary; and
 - (d) may consist of several documents in a similar form, each signed by one or more of the members making the requisition or in the form of electronic mail from members making the request.
- (4) If the committee fails to convene a special general meeting to be held within 1 month after that date on which a requisition of members for the meeting is lodged with the secretary, any one or more of the members who made the requisition may convene a special general meeting to be held not later than 3 months after that date.
- (5) A special general meeting convened by a member or members as referred to in clause (4), or by the committee, may be held by electronic means at a specified date and time, if a majority of the committee so agrees and if the Association, by prior resolution, has agreed to the holding of such meetings by electronic means and has specified the manner in which such meetings should be conducted, the means by which members should be given an opportunity to participate and a fair hearing and the methods by which votes should be counted.

28. Notice

- (1) Except if the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the Association, the secretary must, at least 14 days before the date fixed for the holding of the general meeting, cause to be sent by prepaid post to each member at the member's address appearing in the register of members, a notice specifying the place, date and time of the meeting and the nature of the business proposed to be transacted at the meeting.
- (2) If the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the Association, the secretary must, at least 21 days before the date fixed for the holding of the general meeting, cause notice to be sent to each member in the manner provided in clause (1) specifying, in addition to the matter required under clause (1), the intention to propose the resolution as a special resolution.
- (3) No business other than that specified in the notice convening a general meeting is to be transacted at the meeting except, in the case of an annual general meeting, business which may be transacted pursuant to rule 26(2).
- (4) A member desiring to bring any business before a general meeting may give notice in writing of that business to the secretary, who must include that business in the next notice calling a general meeting given after receipt of the notice from the member.

29. Procedure

- (1) No item of business is to be transacted at a general meeting unless a quorum of members entitled under these rules to vote is present during the time the meeting is considering that item.
- (2) Twenty members present in person (being members entitled under these rules to vote at a general meeting) constitute a quorum for the transaction of the business of a general meeting.
- (3) If within half an hour after the appointed time for the commencement of a general meeting a quorum is not present, the meeting:
 - (a) if convened on the requisition of members, is to be dissolved; and
 - (b) in any other case, is to stand adjourned to the same day on the following day at the time and (unless another place is specified at the time of the adjourned by the person presiding at the meeting or communicated by written notice to members given before the day to which the meeting is adjourned) at the same place.
- (4) If at the adjourned meeting a quorum is not present within half an hour after the time appointed for the commencement of the meeting, the members present (being not less than 20) is to constitute a quorum.

30. Presiding member

- (1) The president or, in the president's absence, the vice-president, is to preside as chairperson at each general meeting of the Association.
- (2) If the president and the vice-president are absent or unwilling to act, the members present must elect one of their number to preside as chairperson at the meeting.

31. Adjournment

- (1) The chairperson of a general meeting at which a quorum is present may, with the consent of the majority of members present at the meeting, adjourn the meeting from time to time and place to place, but no business is to be transacted at an adjourned meeting other than the business left unfinished at the meeting at which the adjournment took place.
- (2) If a general meeting is adjourned for 14 days or more, the secretary must give written or oral notice of the adjourned meeting to each member of the Association stating the place, date and time of the meeting and the nature of the business to be transacted at the meeting.
- (3) Except as provided in subclauses (1) and (2), notice of an adjournment of a general meeting or of the business to be transacted at an adjourned meeting is not required to be given.

32. Making of decisions

- (1) A question arising at a general meeting of the Association is to be determined on a show of hands and, unless before or on the declaration of the show of hands a poll is demanded, a declaration by the chairperson that a resolution has, on a show of hands, been carried or carried unanimously or carried by a particular majority or lost, or an entry to that effect in the minute book of the Association, is evidence of the fact without proof of the number or proportion of votes recorded in favour of or against that resolution.
- (2) At a general meeting of the Association, a poll may be demanded by the chairperson or by not less than 3 members present in person at the meeting.
- (3) If a poll is demanded at a general meeting, the poll must be taken:
 - (a) immediately in the case of a poll which relates to the election of the chairperson of the meeting or to the question of an adjournment; or
 - (b) in any other case, in such manner and at such time before the close of the meeting as the chairperson directs, and the resolution of the poll on the matter is taken to be the resolution of the meeting on that matter.

33. Special resolution

A resolution of the Association is a special resolution:

- (a) if it is passed by a majority which comprises not less than two-thirds of such members of the Association as, being entitled under these rules so to do, vote in person at a general meeting of which not less than 21 days' written notice specifying the intention to propose the resolution as a special resolution was given in accordance with these rules; or
- (b) if it is passed by a majority which comprises not less than two-thirds of such members of the Association as, being entitled under these rules so to do, vote in a postal or electronic ballot; or
- (c) where it is made to appear to the Director - General that it is not practicable for the resolution to be passed in the manner specified in paragraph (a), if the resolution is passed in a manner specified by the Director – General.

34. Voting

- (1) On any question arising at a general meeting of the Association a member has one vote only.
- (2) All votes must be given personally.
- (3) In the case of an equality of votes on a question at a general meeting, the chairperson of the meeting is entitled to exercise a second or casting vote.

- (4) A member is not entitled to vote at any general meeting of the Association unless all money due and payable by the member to the Association has been paid, other than the amount of the annual subscription payable in respect of the then current year.
- (5) In special circumstances the Executive Committee may decide to refer an issue, other than that of the amendment of the rules of the Association, to the whole membership by postal or electronic ballot. A majority of members voting will decide the Association's policy on any issue.

PART 5 - MISCELLANEOUS

35. Funds - source

- (1) The funds of the Association are to be derived from annual subscriptions of members, donations and, subject to any resolution passed by the Association in general meeting, such other sources as the committee determines.
- (2) All money received by the Association must be deposited as soon as practicable and without deduction to the credit of the association's bank account.
- (3) The Association must, as soon as practicable after receiving any money, issue an appropriate receipt.

36. Funds - management

- (1) Subject to any resolution passed by the Association in general meeting, the funds of the Association are to be used in pursuance of the objects of the Association in such manner as the committee determines.
- (2) All cheques, draft, bills of exchange, promissory notes and other negotiable instruments must be signed by any 2 members of the committee or employees of the Association, being members or employees authorised to do so by the committee.

37. Alteration of objects and rules

The statement of objects and these rules may be altered, rescinded or added to only by a special resolution of the Association.

38. Common seal

- (1) The common seal of the Association must be kept in the custody of the secretary.
- (2) The common seal must not be affixed to any instrument except by the authority of the committee and the affixing of the common seal must be attested by the signatures either of 2 members of the committee or of 1 member of the committee and of the public officer or secretary.

39. Custody of books, etc.

Except as otherwise provided by these rules, the public officer or secretary must keep in his or her custody or under his or her control all records, books and other documents relating to the Association.

40. Inspection of books, etc.

The records, books and other documents of the Association must be open to inspection, free of charge, by a member of the Association at any reasonable hour.

41. Service of notices

(1) For the purpose of these rules, a notice may be served on or given to a person:

- (a) by delivering it to the person personally, or
- (b) by sending it by pre-paid post to the address of the person, or
- (c) by sending it by facsimile transmission or some other form of electronic transmission to an address specified by the person for giving or serving the notice.

(2) For the purpose of these rules, a notice is taken, unless the contrary is proved, to have been given or served:

- (a) in the case of a notice given or served personally, on the date on which it is received by the addressee, and
- (b) in the case of a notice sent by pre-paid post, on the date when it would have been delivered in the ordinary course of post, and
- (c) in the case of a notice sent by facsimile transmission or some other form of electronic transmission, on the date it was sent or, if the machine from which the transmission was sent produces a report indicating that the notice was sent on a later date, on that date.

42. Financial Year

(1) The association's financial year is:

- (a) the period commencing on 1 January and ending on the following 31 December, and
- (b) each period of 12 months after the expiration of the previous financial year, commencing on 1 January and ending on the following 31 December.

43. Winding up

(1) Subject to the Act and the Regulation, in a winding up of the Association, the surplus property of the Association must be transferred to another organisation—

- (a) with similar objects, and
 - (b) which is not carried on for the profit or gain of the organisation's members.
- (2) In this clause—*surplus property* has the same meaning as in the Act, section 65.

APPENDIX 1

APPLICATION FOR MEMBERSHIP OF ASSOCIATION

.....Incorporated
(incorporated under the Associations Incorporation Act, 2009)

I,
(full name of applicant)

of
(address)

.....hereby apply to become a
(occupation)

member of the above named incorporated Association. In the event of my admission as a member, I agree to be bound by the rules of the Association for the time being in force.

.....
Signature of applicant

.....
Date

I , a member of the Association,
nominate the applicant, who is personally known to me, for membership of the Association.

.....
Signature of proposer

.....
Date

I , a member of the Association,
second the nomination of the applicant, who is personally known to me, for membership
of the Association.

.....
Signature of seconder

.....
Date