



# RIDING FOR THE DISABLED ASSOCIATION OF QUEENSLAND INC.

## RULES OF ASSOCIATION

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Approved by OFT:

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## 1 INTERPRETATION: IN THESE RULES

- (1) A Word importing singular include the plural and words importing the plural include the singular
- (2) A word not defined a word or expression that is not defined in these model rules, but is defined in the Act has, if the context permits, the meaning given by the Act
- (3) Act means the Associations Incorporation Act 1981.
- (4) Affiliation Fees and Charges as mentioned in [Rule 7 \(2\)](#) refers to service charges, program fees, operating, activity, program and/or event costs, fees and/or levies determined by the Board from time to time
- (5) Attendance at Meetings as mentioned in [Rule 19 \(7\)](#) a member is elected to the Board to ensure that the business of the Association can be discharged. Hence if a volunteer member of the Board attends less than 80% of the meetings called or fails to attend two (2) consecutive meetings without the express and unanimous approval of the Board, their position will be declared vacant under [Rule 20](#). This rule applies regardless of any apology, written or otherwise, that may be submitted. **Appointed Staff** continued or repetitive non-attendance at official Board meetings will be deemed as a serious breach and will be managed as a breach of their employment.
- (6) The Association or Association as mentioned through these rules means the Riding for the Disabled Association of Queensland Inc. (RDAQ).
- (7) Association policies and procedures mentioned throughout these rules means the Association's management, administration and financial policies, procedures operating and industry and governing body legislative requirements and codes of conduct
- (8) Family member as mentioned in [Rule 41 \(8\)](#) refers to those who are related by birth, marriage or adoption, and includes partners and their family. It includes any persons living or cohabitating with the member regardless of their relationship to the member
- (9) Financial Audit Requirements as mentioned in [Rule 31\(f\)](#) means the audit levels determined by the Act from time to time: at the time these rules were approved **Level 1 Association** is defined under the Act as an Association that has current assets of more than \$100,000 or total revenue of more than \$100,000. This level Association requires a certified accountant or auditor to audit the Association's full financial statements
- Level 2 Association** is defined under the Act as an Association that has current assets between \$20,000 and \$100,000 and/or their total revenue is between \$20,000 and \$100,000. This level requires an Auditors Verification Statement. The statement must be provided by a certified accountant or auditor and they must verify they have sighted the Association's financial records and these records show the Association has book keeping processes in place to adequately record the

- Association's income and expenditure and dealings with its assets and liabilities.
- (10) General Meetings referred to throughout these rules means the Annual General Meeting (AGM), General Meetings and Special Meetings of the Association. At such meetings members are provided opportunity to vote on matters put to members for a decision.
- (11) In Person as mentioned in [Rule 34 \(1\)](#) means that proxy voting is not allowed. A member must be in person and or able to participate in the discussion to cast a vote therefore Section 47(1) of the Act does not apply to these rules
- (12) In writing means written, email or printed or partly written and partly printed
- (13) Membership Criteria & Incorporation as mentioned in [Rule 5 \(1\)](#) means Member Centre associations must be a legally **compliant** not for profit incorporated Association as defined by the Queensland's Associations Incorporation Act 1981 and any other criteria set by the members at a General Meeting of the Association.
- (14) Meetings of the Board mentioned in [Rule 22 \(1\)](#) are open to Board Members only. Individual Association members are not entitled to attend these meetings. The Board may from time to time invite a member/s to participate in a specific section of the meeting that is relevant to the member as an invited guest, if 75% of the Board members agree. Members are provided the right to decide on matters affecting the Association by vote at general meetings of the Association as mentioned in [Sub rule \(7\)](#)
- (15) Member and Ordinary Member 'member' means a member of the Association while an 'ordinary' member refers to all member classes provided a vote within the Association as described in [Rule 5](#)
- (16) Membership fee as mentioned in [Rule 7 \(1\)](#) refers to the Association joining fee or Association membership and/or annual subscription only and doesn't refer to activity costs, fees, charges or activity registration
- (17) Notice of Motions, Resolutions for AGM General Meetings as specifically mentioned in [Rule 31 \(j\)](#), [Rule 35 \(1\)](#) and [Rule 39 \(3\)](#) and throughout these rules refers to questions, resolutions, motions or matters for members consideration at an AGM or General meeting of the Association that has been passed by board majority; or those matters that have being requested in writing to the secretary 30 days prior to the meeting signed by at least three (3) sitting Board members; or at least half the number of eligible Voting Members plus 1 when the request is made shall be presented for consideration on the 'Notice of Meeting' if the said notice meets the requirements and timeframes of these rules.

- (18) Position Statements as mentioned throughout these rules means the Association's Board, operational groups and staff and/or volunteers' position descriptions and appropriate position task sheets or work agreements
- (19) Professional Finance Services as mentioned in [Rule 42 \(1\)](#) refers to an independent registered Accountant and/or registered financial services personnel approved by the Association's Board and or Members to oversee finances of the Association
- (20) RDA as mentioned throughout these rules means the sports national body known currently as Riding for the Disabled Australia
- (21) Safe custody of books, documents as mentioned in [Rule 42](#) means documents be stored electronically in an iCloud account or an equally safe electronic environment safe from accidental or malicious destruction or loss
- (22) Staff or Member of Staff as mentioned in [Rule 17 \(5\)](#) and [Rule 26 \(3\)](#) and throughout these rules means a person or persons who has been engaged under contract, or agreement or have received regular financial payment for services provide to the Association, its member organisations or RDA and its members.
- (23) The Chief Executive as mentioned in [Rule 39](#) refers to the government representative for the Office of Fair Trading (OFT) responsible for managing approvals and the compliance with the Act
- (24) Volunteer Board, operational, service delivery and/or general volunteers as referred to in [Rule 5 \(5\)](#) and [Rule 26 \(3\)](#) and as mentioned throughout these rules refers to Board personnel and all volunteers selected or appointed by the Board to deliver the Association's operations, programs and services for the Association in an official capacity
- (25) Member Poll as mentioned in [Rule 48 \(8\)](#) means an electronic Facebook and/or email poll to invited members' opinion on a specific matter or question prepared by the Board. The results of the polling will be used to advise the Board before it takes a decision. All polls will be formulated in a manner that if a response has not been received from a invited member, it would be taken that the member agrees with the proposed question or matter circulated

## 2 NAME

The name of the incorporated Association is the Riding for the Disabled Association of Queensland Inc. (*the Association*).

## 3 OBJECTS

The objects of the Association will be: -

- (1) To operate in accordance with the Associations Guiding Principles, Values and Vision as determined by the Association from time to time.
- (2) To promote and co-ordinate the Riding for Disabled Associations within Queensland and to affiliate with such bodies as are deemed necessary.
- (3) To encourage and assist affiliated bodies and others to provide Riding Therapy, Recreation, Competition, Sporting, Educational and Training Programs for Disabled Persons.
- (4) To raise funds for the advancement of the Association by all available and legal means and to seek to influence governments and government instrumentalities to support and finance the activities of the Association.
- (5) To establish liaison with government and all other bodies having an interest in the care and well-being of disabled persons.
- (6) To be an affiliated member of the sport's recognised governing bodies for Riding for the Disable within Australia.
- (7) To do such things as are incidental or conducive to the attainment of the above objects or any of them.

## 4 POWERS

- (1) The Association has the powers of an individual.
- (2) The Association may, for example
  - (a) enter into contracts; and
  - (b) acquire, hold, deal with and dispose of property; and
  - (c) make charges for services and facilities it supplies; and
  - (d) do other things necessary or convenient to be done in carrying out its affairs.
- (3) The Association may also issue secured and unsecured notes, debentures and debenture stock for the Association.

## 5 CLASSES OF MEMBERS

The membership of the Association shall consist of the following classes of members:

- 1) Affiliated Full Centre Members
- 2) Associate Centre Members
- 3) Honorary Life Members
- 4) Rider Members
- 5) Volunteer Members
- 6) Corporate Members
- 7) Supporter Members.

- (1) AFFILIATED FULL CENTRE MEMBERS shall be any incorporated RDAQ Centre who meets the membership criteria as described in [Rule 1 \(13\)](#) and sign to operate under the Association's Affiliated Centres Membership Agreement on payment of the subscription or such other sum as may be determined from time to time by the Board.

Affiliated Centre Members shall be:

- (a) subject to the provisions of these Rules;
- (b) when providing activities, subject to the Rules and Activity Regulations stipulated by the Association and the Association's governing bodies;
- (c) on signing the membership agreement and on payment of their membership and affiliation fees and charges entitled to one (1) vote if the member Centre is compliant with the Act as described in [Rule 1 \(3\)](#);
- (d) their individual financial members entitled to hold office or otherwise take part in the management of the Association and all privileges connected therewith irrespective of their Centre's legal status.

The Affiliated Centre Members shall be unlimited.

- (2) ASSOCIATE CENTRE MEMBERS shall be any incorporated or non-incorporated Association and such other entities whose aims and objects are compatible with the Association's and shall be eligible on approval of its application and on payment of the subscription or such other sum as may be determined from time to time by the Board.

Associate Centre Members shall be:

- (a) subject to the provisions of these Rules
- (b) eligible to participate in those events and courses determined by the Board open to this class of membership
- (c) when participating in activities provided by the Association, subject to the Rules stipulated by the Association and the Association's governing bodies
- (d) not entitled to attend or vote at General Meetings of the Association
- (e) its members are entitled to hold office or otherwise take part in the management of the Association and all privileges connected therewith irrespective of their Centre's legal status.

The Associate Centre Members shall be unlimited.



- (3) **LIFE MEMBERS** shall be a person who has provided positive and meritorious services to the Association and meets the criteria as set by the Association and whose nomination has been passed by the Board and confirmed by a majority of members present at the Annual General Meeting of the Association.

Life Members shall be: -

- (a) subject to the provisions of these Rules and all Rules of the activity
- (b) exempt from the payment of membership fees only
- (c) if they have been determined by the Board to be an active Life Member as described in [Rule 1 \(17\)](#) shall be entitled to attend all General Meetings of the Association and entitled to speak but not vote, and if a life member has been determined by the Board to be inactive they shall be entitled to attend General Meetings of the Association, but not be entitled to speak or vote.
- (d) be afforded all the entitlements offered to Life Members.

The Life Members numbers shall be limited so that no more than two (2) Life Memberships are nominated in any one year.

- (4) **RIDER MEMBERS** shall be a person who is a member of RDA and a Rider of an Affiliated or Associate Centre Member while the individual remains a fully compliant member of an RDAQ Affiliated or Associate Centre.

Rider Member shall be:

- (a) effected on acceptance of membership by an Affiliated or Associate Centre Member
- (b) subject to the provisions of these Rules
- (c) when participating in activities provided by the Association, subject to the Rules stipulated by the Association and the Association's governing bodies
- (d) if over eighteen (18) years and deemed by law and/or their legal guardian to be mentally competent entitled to hold office or otherwise take part in the management of the Association and all privileges connected therewith
- (e) members under eighteen (18) years and those members over eighteen (18) years not deemed to be a mentally competent adult, their parent or legal guardian aged over eighteen (18) years is entitled to hold office or otherwise take part in the management of the Association and all privileges connected therewith

The Rider Members shall be unlimited.

- (5) **VOLUNTEER MEMBERS** shall be a person who is not a registered rider, life member, who serves on the Board or as a Volunteer described in [Rule 1 \(24\)](#).

Volunteer Member shall be:

- (a) subject to the provisions of these Rules
- (b) exempt from the payment of membership fees
- (c) if a member of the Board at the time of a General Meeting of the Association, then they shall be entitled to attend and speak but not vote at General Meetings of the Association. All other volunteer members shall not be entitled to attend, speak or vote at General Meetings
- (d) members under eighteen (18) years and those members over eighteen (18) years not deemed to be a mentally competent adult, their parent or legal guardian aged over eighteen (18) years is entitled to hold office or otherwise take part in the management of the Association and all privileges connected therewith.

The Volunteer Members shall be unlimited.

- (6) **CORPORATE MEMBERS** shall be a Company, Business, Co-op, Incorporated Group or Individual who supports the Association's objectives and on payment of the subscription or such other sum as may be nominated from time to time by the Board.

**Corporate Members shall be: -**

- (a) subject to the provisions of these Rules while participating at Association functions and activities; and
- (b) not entitled to attend or vote at General Meetings of the Association or to hold office or otherwise take part in the management of the Association.

The number of Corporate Members shall be determined by the Board from time to time.

- (7) **SUPPORTER MEMBERS** shall be any individual or organisation who supports the Association and its members, who on payment of the subscription or such other sum as the Board may from time to time determine.

**SUPPORTER Members shall be: -**

- (a) subject to the provisions of these Rules while participating at Association functions and activities; and
- (b) not entitled to attend or vote at General Meetings of the Association or to hold office or otherwise take part in the management of the Association.

The number of Supporter Members shall be determined by the Board from time to time.

## 6 NEW MEMBERSHIPS

- (1) An applicant for membership of the Association must be proposed by one (1) member of the Association (the proposer) and seconded by another member (the seconder).
- (2) An application for membership must be—
  - (a) in writing as defined in [Rule 1 \(12\)](#) ; and
  - (b) signed by the applicant and the applicant's proposer and seconder; and
  - (c) in the form decided by the Board.

## 7 FEES AND CHARGES

- (1) The membership fee as mentioned in [Rule 1 \(16\)](#)
  - (a) is the amount decided by the members from time to time at a General Meeting; and
  - (b) is payable when, and in the way, the Board decides.
- (2) Affiliation Fees and Charges as mentioned in [Rule 1 \(4\)](#)
  - (a) is the amount decided by the Board from time to time and
  - (b) is payable when, and in the way, the Board decides.
- (3) Annual membership subscriptions shall be payable in advance on a date determined by the Board from time to time and shall be valid until 30 June in any given year.
- (4) No resignation, termination or forfeiture of membership shall entitle the former member to refunds of the current year's subscription or other related fees other than for those members whose membership has been rejected on application, their refunds shall be in accordance with [Rule 11 \(5\)](#).

## 8 ADMISSION AND REJECTION OF NEW MEMBERS

- (1) The Board must consider an application for membership at the next Board Meeting held after it receives, the application for membership; and the appropriate membership fee for the application.
- (2) The Board must ensure that, as soon as possible after the person applies to become a member of the Association, and before the Board considers the person's or organisation's application, the person is advised:
  - (a) whether or not the Association has public liability insurance; and
  - (b) if the Association has public liability insurance, the amount of the insurance.
- (3) The Board must decide at the meeting whether to accept or reject an application for membership and decide whether to accept or reject an application for membership: though any application from an entity or individual under a suspension order for failure to pay and/or under a sanction order from the RDA as described [Rule 1 \(20\)](#) or any another RDA Centre and/or association within Australia shall be denied the privileges of membership for the period of suspension, expulsion or removal.
- (4) If a majority of the members of the Board present at the meeting vote to accept the applicant as a member, the applicant must be accepted as a member for the class of membership applied for.
- (5) The Secretary of the Association must, as soon as practicable after the Board decides to accept or reject an application, give the applicant a written notice of the decision.

## **9 WHEN MEMBERSHIP ENDS**

- (1) A member may resign from the Association by giving a written notice of resignation to the Secretary.
- (2) The resignation takes effect at—
  - (a) the time the notice is received by the Secretary; or
  - (b) if a later time is stated in the notice, the later time.
- (3) The Board may terminate a member's membership if the member—
  - (a) is convicted of an indictable offence; or
  - (b) does not comply with any of the provisions of these Rules; or
  - (c) has membership fees in arrears; or
  - (d) conducts himself or herself in a way considered to be injurious or prejudicial to the character or interests of the Association.
- (4) Before the Board terminates a member's membership, the Board must give the member a full and fair opportunity to show why the membership should not be terminated.
- (5) If, after considering all representations made by the member, the Board decides to terminate the membership, the Secretary of the Board must give the member a written notice of the decision.
- (6) The member is to pay all outstanding membership, activity fees, and any other money due to the Association, if the member withdraws from the Association.

## **10 APPEAL AGAINST REJECTION OR TERMINATION OF MEMBERSHIP**

- (1) A person whose application for membership has been rejected, or whose membership has been terminated, may give the Secretary written notice of the person's intention to appeal against the decision.
- (2) A notice of intention to appeal must be given to the Secretary within seven (7) days after the person receives written notice of the decision.
- (3) If the Secretary receives a notice of intention to appeal, the Secretary must, within fourteen (14) days after receiving the notice, call a General Meeting to decide the appeal.

## 11 GENERAL MEETING TO DECIDE APPEAL

- (1) The General Meeting to decide an appeal must be held within one (1) month after the Secretary receives the notice of intention to appeal. (This allows time to give 14 days' notice of a meeting)
- (2) At the meeting, the applicant must be given a full and fair opportunity to show why the application should not be rejected or the membership should not be terminated.
- (3) Also, the Board and the members of the Board who rejected the application or terminated the membership must be given a full and fair opportunity to show why the application should be rejected or the membership should be terminated.
- (4) An appeal must be decided by a majority vote of the members present and eligible to vote at the meeting.
- (5) If a person whose application for membership has been rejected does not appeal against the decision within seven (7) days after receiving written notice of the decision, or the person appeals but the appeal is unsuccessful, the Secretary must, as soon as practicable, refund the membership fee paid by the person.

## 12 REGISTER OF MEMBERS

- (1) The Board must keep a register of members of the Association.
- (2) The register must include the following particulars for each member—
  - (a) the full name of the member;
  - (b) the postal or residential address of the member;
  - (c) the date of admission as a member;
  - (d) the date of death or time of resignation of the member;
  - (e) details about the termination or reinstatement of membership;
  - (f) any other particulars the Board or the members at a General Meeting decide.
- (3) The register must be open for inspection by members of the Association at all reasonable times.
- (4) A member must contact the Secretary to arrange an inspection of the register
- (5) However, the Board may, on the application of a member of the Association, withhold information about the member (other than the members full name) from the register available for inspection if the Board has reasonable grounds for believing the disclosure of the information would put the member at risk of harm.

### 13 PROHIBITION ON USE OF INFORMATION ON REGISTER OF MEMBERS

- (1) A member of the Association must not—
  - (a) use information obtained from the register of members of the Association to contact, or send material to, another member of the Association for the purpose of advertising for political, religious, charitable or commercial purposes; or
  - (b) disclose information obtained from the register to someone else, knowing that the information is likely to be used to contact, or send material to, another member of the Association for the purpose of advertising for political, religious, charitable or commercial purposes.
- (2) Sub rule (1) does not apply if the use or disclosure of the information is approved by the Association.

### 14 APPOINTMENT OR ELECTION OF SECRETARY

- (1) The Secretary must be an individual residing in Queensland, or in another State but not more than 65km from the Queensland border, who is:
  - (a) a member of the Association elected by the Association as Secretary; or
  - (b) any person who is appointed by the Board.
- (2) If a vacancy happens in the office of Secretary, the Board must ensure a Secretary is appointed or elected for the Association within one (1) month after the vacancy happens.
- (3) If the Board appoints a Secretary, other than to fill a casual vacancy on the Board, the person does not become a member of the Board.
- (4) However, if the Board appoints a person as Secretary to fill a casual vacancy on the Board, the person becomes a member of the Board.
- (5) If the appointed Secretary is not remunerated for the services provided over and above reimbursements for expenses incurred while executing the duties of the position, the Appointed Secretary is deemed to be a volunteer and as such will be subject to [Rule 17 \(9\)](#).
- (6) In this rule— **casual vacancy**, on a Board, means a vacancy that happens when an elected member of the Board resigns, dies or otherwise stops holding office.

### 15 REMOVAL OF SECRETARY

- (1) The Board of the Association may at any time remove a person appointed by the Board as the Secretary.
- (2) The Board of the Association may remove a Secretary elected by the members, though the person remains a member of the Board.

### 16 FUNCTIONS OF SECRETARY

The Secretary's functions include, but are not limited to:

- (a) calling meetings of the Association, including preparing notices of a meeting and of the business to be conducted at the meeting in consultation with the President of the Association; and
- (b) keeping minutes of each meeting; and copies of all correspondence and other documents relating to the Association; and maintaining the register of members of the Association.

## 17 MEMBERSHIP OF BOARD

- (1) The Board of the Association shall be a minimum of four (4) and maximum of six (6). The Board of the Association shall consist of:
  - (1) Chairperson (President)
  - (2) Client Service Director (Vice Chair)
  - (3) RDAQ Administration Officer (Appointed Secretary - non-voting)
  - (4) Finance Director (Treasurer)
  - (5) Marketing Director
  - (6) General Board Member (Spare- internal Board use only if required not for election)
- (2) A member of the Board, other than a Secretary if appointed by the Board, must be a member of the Association.
- (3) The Office Bearers of the Association shall be positions one (1), three (3) and four (4)
- (4) The Board member voluntary and/or paid must be fully independent and as such must not hold a Management Committee position on an Affiliated or Associate Organisation or any other RDA Association unless 75% of voting members of the Association agree to have one (1) individual not fully independent.
- (5) No person who is currently employed or has been employed as a member of staff as defined in [Rule 1 \(22\)](#) within the previous twenty-four (24) months can nominate for any elected volunteer Board positions.
- (6) No Affiliated or Associate Centre shall be represented by more than two (2) representatives on the Board at any one time unless it is agreed to unanimously by the voting members of the Association at a General Meeting.
- (7) At each Annual General Meeting (AGM) of the Association, the members of the Board must retire from office in line with Sub rule (8) and are eligible, on nomination, for re-election in line with Sub rule (9).
- (8) At the Annual General Meeting of the Association held on odd years, all positions with an odd number in the list above, if held by volunteer members of the Board, shall be declared vacant. At the Annual General Meeting of the Association held on even years all even numbered positions similarly held shall be declared vacant. Any Board member whose position has been declared vacant under this sub-rule shall be eligible upon nomination for re-election subject to Sub rule (9).
- (9) No volunteer member of the Board or the appointed Secretary as defined in [Rule 14 \(5\)](#) can hold any position on the Board for more than four (4) consecutive years and must retire for a minimum of one (1) year from the Board before they will be eligible for re-election to any Board position and on said retirement they shall be entitled to hold an operational and/or service delivery volunteer position within the organisation.
- (10) A member of the Association may be appointed to a casual vacancy on the Board under [Rule 20](#).

## 18 ELECTING THE BOARD

A member of the Board may only be elected as follows:

- (1) Any two (2) members of the Association entitled to vote may nominate another member who is the “candidate” to stand as a member of the Board.
- (2) A person may be a candidate only if the person is an adult and is not ineligible to be elected as a member under section 61A of the Act.
- (3) All nominations for membership of the Board are to be in writing and in the hands of the Secretary [sixteen \(16\) days](#) prior to the Annual General Meeting.
- (4) All candidates will be required to indicate in writing their ability to meet the skills, tasks and time required for the applied position as defined by the Association’s ‘Position Statements’. All prospective candidates will be required to fully complete the Board’s Position Statement nomination form within the circulated timeframe.
- (5) Candidate’s application forms must be posted on the Associations website and members notified of its said posting at least fourteen (14) days immediately preceding the Annual General Meeting.
- (6) Each member of the Association present and eligible to vote at the Annual General Meeting may vote for one (1) candidate for each vacant position on the Board.
- (7) In the absence of any valid written nominations, candidates may be called or accepted from the floor of the Annual General Meeting. Those nominating from the floor will be required to verbally provide the members with evidence of their ability to meet skills, tasks and time required for the specified position as defined by the Board’s Position Statements. The members present and eligible to vote will accept or reject the candidate’s nomination based on the information provided by the candidate.
- (8) If any position has only one candidate, the members present and eligible to vote will accept or reject the nomination based on the candidate’s ability to meet the Position Statement duties, if it is known. If there is doubt that the candidate possesses the skills to fill the position, the nomination shall be rejected, the position shall remain vacant until a suitable volunteer can be found under [Rule 20](#) or until such time as the Association has the ability to buy in the services of skilled personnel.
- (9) Balloting lists shall be prepared, if necessary, containing the names of the accepted candidates in alphabetical order for each position and each voting member present at the Annual General Meeting shall be entitled to vote.
- (10) If after a vote has been conducted and candidates for one (1) position remains tied and deadlocked, the members present and entitled to vote can vote to accept or reject both candidates.
- (11) If both candidates are accepted the number of Board members may be increased by one (1) additional position until such time as the position is up for re-election as defined in [Rule 17 \(7\)](#)
- (12) If rejected then the position shall remain vacant until a suitable volunteer can be found under [Rule 20 \(1\)](#) or that the Association has the ability to buy in the services of skilled personnel.



## 19 RESIGNATION, REMOVAL OR VACANCIES OF OFFICE OF BOARD MEMBER

- (1) A member of the Board may resign from the Board by giving written notice of resignation to the Secretary.
- (2) The resignation takes effect at:
  - (a) the time the notice is received by the Secretary; or
  - (b) if a later time is stated in the notice, the later time.
- (3) A member may be removed from office at a General Meeting of the Association if a majority of the members present and eligible to vote at the meeting vote in favour of removing the member.
- (4) Before a vote of members is taken about removing the member from office, the member must be given a full and fair opportunity to show cause why he or she should not be removed from office.
- (5) A member has no right of appeal against the member's removal from office under this rule.
- (6) A member immediately vacates the office of member in the circumstances mentioned in section 64(2) of the Act.
- (7) A member of the Board may be removed from their position but take up a vacant General Board position if it is proven they are unable to deliver their position responsibilities as stipulated in the Association Operational Task Sheets as defined in [Rule 1 \(18\)](#) and or if they fail to attend official meetings of the Board as described in [Rule 1 \(5\)](#).
- (8) A member of the Board may be immediately removed by the remaining members of the Board from office and/or their membership revoked if it is proven that they fail to abide by the Association's Rules, Confidentiality Agreement, Policies, Procedures, Codes of Conduct and Behaviour or that they have seriously breached their position responsibilities or that they have performed a fraudulent or illegal act shall be terminated in accordance with [Rule 9](#) and provided opportunity to appeal as stipulated under [Rule 10](#).

## 20 VACANCIES ON BOARD

- (1) If a casual vacancy happens on the Board, the continuing members of the Board may appoint another member of the Association that has the skills to fill the vacancies in line with [Rule 17 Sub rules 5 to 9](#) on the matters related to position, tenure and candidate limitation.
- (2) The continuing members of the Board may act despite a casual vacancy on the Board.
- (3) However, if the number of Board members is less than the number fixed under [Rule 23 \(1\)](#) as a quorum of the Board, the continuing members may act only to:
  - (a) increase the number of Board members to the number required for a quorum; or
  - (b) call a General Meeting of the Association.

## 21 FUNCTIONS OF BOARD

- (1) Subject to these rules or a resolution of the members of the Association carried at a General Meeting, the Board has the general control and management of the administration of the affairs, property and funds of the Association.
- (2) The Board has authority to interpret the meaning of these rules and any matter relating to the Association on which the rules are silent, but any interpretation must have regard to the Act, including any regulation made under the Act.

Note: The Act prevails if the Association's rules are inconsistent with the Act – see section 1B of the Act.

- (3) The Board may exercise the powers of the Association:
  - (a) to borrow, raise or secure the payment of amounts in a way the members of the Association decide; and
  - (b) to secure the amounts mentioned in paragraph (a) or the payment or performance of any debt, liability, contract, guarantee or other engagement incurred or to be entered into by the Association in any way, including by the issue of debentures (perpetual or otherwise) charged upon the whole or part of the Associations property, both present and future; and
  - (c) to purchase, redeem or pay off any securities issued; and
  - (d) to borrow amounts from members and pay interest on the amounts borrowed; and
  - (e) to mortgage or charge the whole or part of its property; and
  - (f) to issue debentures and other securities, whether outright or as security for any debt, liability or obligation of the Association; and
  - (g) to provide and pay off any securities issued; and
  - (h) to invest in a way the members of the Association may from time to time decide.
- (4) For sub rule (3)(d), the rate of interest must not be more than the current rate being charged for overdrawn accounts on money lent (regardless of the term of the loan) by:
  - (a) the financial institution for the Association; or
  - (b) if there is more than one (1) financial institution for the Association, the financial institution nominated by the Board.

## 22 MEETINGS OF BOARD

- (1) Subject to this Rule, the Board may meet as described in [Rule 1 \(14\)](#) and conduct its proceedings as it considers appropriate.
- (2) The Board must meet a minimum of four (4) times a year to exercise its functions and at least one such meeting must be conducted each quarter.
- (3) The Board must decide how a meeting is to be called.
- (4) Notice of a meeting is to be given in the way decided by the Board.
- (5) The Board may hold meetings, or permit a Board member to take part in its meetings, by using any technology that reasonably allows the member to hear and take part in discussions as they happen.
- (6) A Board member who participates in the meeting as mentioned in sub rule (5) is taken to be present at the meeting.
- (7) A question arising at a Board Meeting is to be decided by a majority vote of members of the Board present at the meeting and, if the votes are equal, the question is decided in the negative.
- (8) A member of the Board must not vote on a question about a contract or proposed contract with the Association if the member has an interest in the contract or proposed contract and, if the member does vote, the member's vote must not be counted.
- (9) The Chairperson of the Board is to preside as Chairperson at a Board Meeting unless the Board unanimously agree another Board member is to preside as Chairperson
- (10) If there is no Chairperson of the Board or if the Chairperson of the Board is not present within ten (10) minutes after the time fixed for a Board Meeting, the members may choose one (1) of their number to preside as Chairperson at the meeting.

## 23 QUORUM FOR, AND ADJOURNMENT OF, BOARD MEETING

- (1) At a Board Meeting a minimum of three (3) elected members are required to form a quorum.
- (2) If there is no quorum within thirty (30) minutes after the time fixed for a Board Meeting called on the request of members of the Board, the meeting lapses, other than on the request of the members of the Board for:
  - (a) the meeting is to be adjourned for at least one (1) day; and
  - (b) the members of the Board who are present are to decide the day, time and place of the adjourned meeting; or
  - (c) If a Board quorum cannot be achieved, the continuing members may act as required under [Rule 20 \(3\)](#).
- (3) If, at an adjourned meeting mentioned in sub rule (2a, 2b), there is no quorum within thirty (30) minutes after the time fixed for the meeting, the meeting lapses.

## 24 SPECIAL MEETING OF BOARD

- (1) If the Secretary receives a written request signed by at least three (3) of the members of the Board, the Secretary must call a special meeting of the Board by giving each member of the Board notice of the meeting within 14 days after the Secretary receives the request.
- (2) If the Secretary is unable or unwilling to call the special meeting, the Chairperson of the Board must call the meeting.
- (3) A request for a special meeting must state:
  - (a) why the special meeting is called; and
  - (b) the business to be conducted at the meeting.
- (4) A notice of a special meeting must state:
  - (a) the day, time and place of the meeting; and
  - (b) the business to be conducted at the meeting.
- (5) A special meeting of the Board must be held within 14 days after notice of the meeting is given to the members of the Board.

## 25 MINUTES OF BOARD MEETINGS

- (1) The Secretary must ensure full and accurate minutes of all questions, matters, resolutions and other proceedings of each Board Meeting are entered in a minute book or a secure iCloud or backup electronic folder.
- (2) To ensure the accuracy of the minutes, the minutes of each Board Meeting must be signed by the Chairperson of the meeting, or the Chairperson of the next Board Meeting, verifying their accuracy.
- (3) The minutes compiled by the Secretary and duly signed by the Chairperson authenticating their accuracy shall be deemed as the official minutes.

## 26 DUTIES OF THE ASSOCIATION AND BOARDS

### (1) The duty of the Association to the Board Personnel

Shall be to:

- (a) ensure all individual Board personnel are compensated for the costs associated with completing their duties in accordance with the 'Association's Board Reimbursement Policy and Procedures'.
- (b) provide the support and training required to complete the tasks required of their position according to the Association's 'Volunteer' policies and procedures by ensuring that all Board personnel receive appropriate:
  - (i) 'Board Induction Training' prior to the commencement of their duties; and
  - (ii) 'Board Task Sheet'; and
  - (iii) 'Education and/or training' required to complete their tasks or position requirements at the Association's cost.

**(2) The duties of the Board to the Association**

Shall be to:

- (a) continue to develop the Association by implementing modern, efficient and effective administration, management and financial practises that support the longevity of the Association;
- (b) develop, approve and administer the Association and Association policies, procedures, the Association's operational framework standards, management and compliance requirements and set the fines penalties and sanctions for breaches or non-compliance;
- (c) provide members with the support they require to develop within the constraints of the Association's financial and human capacity;
- (d) not dismiss or disregard lightly the concepts, issues or advice provided, raised or presented by the Affiliated Centre Members;
- (e) ensure that the differences and variances in usage and volunteer contributions are reflected in the members' affiliation fee/s; and
- (f) ensure NO Affiliated Centre Member is sacrificed or suppressed for the development of another.
- (g) operate in accordance with the legislative obligations of the industry and in accordance with the Association's Governing body policies and procedures

**The individual Members of the Boards duty shall be to:**

- (h) attend meetings, actively and constructively participate in the discussions and decision-making process and know that non-attendance or disruptive behaviour may result in disciplinary action or expulsion;
- (i) effectively and efficiently deliver their roles and responsibilities as stipulated under their Position Statements and Operational Task Sheets;
- (j) deliver their portfolio responsibilities in accordance to the Association's strategic plan and oversee the Board, Staff and operational volunteer service delivery outcomes;
- (k) pay attention to all financial matters, know the financial capacity before decisions are made, monitor the reporting standards and transparency requirements always
- (l) support the majority decisions made by the Board irrespective of personal opinion; and
- (m) make decisions based on what is best for the collective not individuals.

**(3) The duties of the Board to the Association Workforce Paid and/or Volunteer**

The duty to **Staff** as described in [Rule 1 \(22\)](#) shall be to:

- (a) undertake ongoing recruitment to ensure there are appropriately qualified and motivated personnel with sufficient time to fulfil all paid positions in the Association;
- (b) place staff based on experience, skills and/or their potential to develop the skills;
- (c) provide staff with documentation that clarifies the requirements of the paid position such as length of tenure, hours, entitlements, line manager, reporting process, communication, codes of conduct and behaviour, policy and procedure requirements, and review process.
- (d) provide all staff with a Position Description, Task Sheet and Codes of Conduct and Behaviour and conduct appraisals/performance review at least once per annum with the Chairperson and one other.

The duty to **Volunteers** as described in [Rule 1 \(24\)](#) shall be to:

- (e) undertake ongoing recruitment to ensure there are appropriately qualified and motivated personnel with sufficient time to fulfil all volunteer positions in the Association;
- (f) place Association volunteers based on experience, skills and/or their potential to develop the skills in order that no volunteer is placed knowingly in a position or given a task that is beyond his or her known capabilities unless adequate support is provided. If the skills cannot be obtained or supported, the volunteer shall be removed from the position or task with the option of being redeployed to a new position or task that better suits their situation and ability;
- (g) ensure the needs of the Association's most valued resource, its volunteer workforce, are supported by modern volunteer policies, procedures, codes and practises;
- (h) recognise and reward the commitment and contribution of the Association's volunteers according to the Association's volunteer policies, procedures and industry standards; and
- (k) if the Association is unable to recruit personnel with the appropriate skills, time or commitment to key and or high risk positions the Board may buy in the service/s at the members' cost.

**(4) The duty of the Association Workforce Paid and/or Volunteer to the Association: -**

Shall be to:

- (a) effectively and efficiently deliver their roles and responsibilities as stipulated under their work agreement/s;
- (b) uphold the vision, values, goals, policies and procedures of the Association;
- (c) follow the legislative requirements for the industry and the Association's Governing body, and Association's rules, policies, procedures, codes of conduct and behaviour;
- (e) when representing the Association, do so in a manner that reflects and promotes the objectives of the Association and the Association's Governing body; and
- (f) know the Association is empowered to set the standard and penalties for non-compliance.

**(5) The duty of the Association/Board to Affiliated and Associate Centre Members**

The duty to Affiliated/Associate Members within the constraints for the Association's financial and human resources

Shall be:

- (a) Provide a framework that supports their development and growth
- (b) Set the standards for member Centres governance and administration delivery
- (c) Set the standards for facility and program delivery in the state and monitor performance
- (d) Set the standards for education, training and volunteer support
- (e) Support the development of affiliated Centres, their coaches and volunteer systems
- (f) organise and control the organisation's competition/s, selections, representative and development system

**(6) The duty of Affiliated and Associate Centre Members to the Association**

Shall be to: -

- (a) notify the Secretary of the Association of any change in the particulars given on the application form within seven (7) days of the change occurring
- (b) adopt the Association's rules, policies and procedures and matters determined by RDA and RDAQ boards
- (c) refer questions from centres or members pertaining to Riding for the Disabled to the Association for a decision
- (d) provide two (2) members of your association's Committee to represent your organisation and/or to make decisions on behalf of your organisation
- (e) attend meetings, actively and constructively participate in the discussions and decision making process and know that non-attendance or disruptive or disrespectful behaviour may result in individual and/or Centre disciplinary action or expulsion
- (f) follow the Rules of the Association, management, administration, processes, policies and procedures, rules of the sport, code of conduct and codes of behaviour of the Association, and its representatives, land owners and/or land managers
- (g) be responsible for the actions of your organisation's members and those visitors attending or participating in the Association's activities and/or events
- (h) ensure the needs of the Centre's most valued resource, its volunteer workforce, are supported by modern volunteer policies, procedures, codes and practises
- (i) recognise and reward the commitment and contribution of the Centre's volunteers according to the Association's volunteer policies, procedures and industry standards
- (j) when representing the Association or your organisation, do so in a manner that reflects and promotes the objectives of the Association and
- (l) know the Association is empowered to set the standard and penalties for non-compliance at all levels of the Association (State or local).

**(7) The duty of the Board to State Technical Development and Coaching Team:**

Shall be to within the constraints of the Budget:

- (a) provide the support required for the team to achieve the objective/s set by the Board;
- (b) provide the group with realistic objectives;
- (c) seek funds from the state budget and member organisations' budgets to assist the team to deliver approved technical development initiatives;
- (c) empower the team to oversee the implementation of state and Centre technical standards and technical development in the manner determined by the Board from time to time; and
- (d) support the team to meet at least quarterly electronically and at least one of said meetings, if the budget allows, should be face to face at the cost of the Association and all Member Centres.

**(8) The duty of State Technical Development and Coaching Team to the Association: -**

Shall be to:

- (a) attend and actively participate in Official Team meetings;
- (b) contribute to the development of coaching and technical delivery standards, education, training and support;
- (c) provide the Board with realistic options for consideration within the timeframe and in the format required by the Board;
- (d) operate according to the roles, responsibilities and procedures established by the Board; and
- (e) know the Association is empowered to set the standard and penalties for non-compliance.

**(9) The duty of the Board to Association's Other Operational Groups:**

Shall be to:

- (a) provide the support required for the group to achieve the objective/s set by the Board; and
- (b) provide the group with realistic objectives.

**(10) The duty of Association's Operational Groups to the Association: -**

Shall be to:

- (a) attend and actively participate in Official Operational meetings;
- (b) contribute to the development of the Association;
- (c) provide the Board with realistic options for consideration within the timeframe and in the format required by the Board;
- (d) operate according to the roles, responsibilities and procedures established by the Board; and
- (e) know the Association is empowered to set the standard and penalties for non-compliance.



**(11) The duty of all Riders and Members to the Association**

Shall be to:

- (a) follow the rules of the Association, rules of the activity, codes of conduct and codes of behaviour of the Association, the industry and land owners;
- (b) when representing the Association, do so in a manner that reflects and promotes the objectives of the Association and the Association's Governing body; and
- (c) know the Association is empowered to set the standard and penalties for non-compliance.

**(12) The duty of all Family, Friends, supporters of Association Members to the Association**

Shall be to:

- (a) follow the rules of the Association, rules of the activity, codes of conduct and codes of behaviour of the Association, the industry and land owners;
- (b) when attending Association events and activities, do so in a manner that reflects and promotes the objectives of the Association and the Association's Governing body; and
- (c) know the Association is empowered to set the standard and penalties for non-compliance.

**(13) The duty of RDAQ to the Sports National Body - RDA (rough draft)**

Shall be to:

- (a) operate in accordance with the RDA Rules of Association, by-laws, policies, procedures and all matters determined by RDA Board and or its members;
- (b) attend RDA meetings - actively and constructively participate in the discussions and decision making process
- (c) accurately reflect the views of the majority when in discussion or when officially representing the state;
- (d) enable RDA Board the right to have a representative entitled to attend and speak at General Meetings of the Association if deemed by them to be necessary and if invited by the Board of RDAQ they shall be entitled to speak.

**27 APPOINTMENT OF OPERATION GROUPS**

- (1) The Board may appoint a group consisting of members of the Association considered appropriate by the Board to help with the conduct of the Association's operations.
- (2) The Board will determine the manner in which the group will operate and report from time to time.

**28 ACTS NOT AFFECTED BY DEFECTS OR DISQUALIFICATIONS**

- (1) An act performed by the Board, an operational group or a person acting as a member of the Board is taken to have been validly performed.
- (2) Sub rule (1) applies even if the act was performed when:
  - (a) there was a defect in the appointment of a member of the Board, operational group or person acting as a member of the Board; or

- 
- (b) a Board member, operational group or person acting as a member of the Board was disqualified from being a member.

## **29 RESOLUTIONS OF BOARD WITHOUT MEETING**

- (1) A written resolution signed by each member of the Board is as valid and effectual as if it had been passed at a Board Meeting that was properly called and held.
- (2) A resolution mentioned in sub rule (1) may consist of several documents in like form, each signed by one (1) or more members of the Board.

## **30 ANNUAL GENERAL MEETINGS (AGM)**

Annual General Meeting must be held at least once each year and within **6 months** after the end date of the Association's reportable financial year.

## **31 BUSINESS TO BE CONDUCTED AT ANNUAL GENERAL MEETING**

- (1) The following business must be conducted at each Annual General Meeting of the Association:
- (a) Opening, recording of attendance and apologies;
  - (b) Chairperson of the Board's address and welcome;
  - (c) Approval of minutes of the previous Annual General Meeting;
  - (d) Business arising from the minutes;
  - (e) Election of Life Members, Service Award recipients and Merit Certificate recipients;
  - (f) Financial Report and its receipt for the last reportable financial year (audit) as required by Law and mentioned in [Rule 1 \(9\)](#);
  - (g) Appointment of an auditor for the new financial year;
  - (h) Approval of the Association membership fee for the next financial year;
  - (i) Board recommendations;
  - (j) Notice of motions/Resolutions received in the manner described in [Rule 1 \(17\)](#); and
  - (k) Election for members of the Board.

### 32 NOTICE OF ANNUAL GENERAL MEETING AND GENERAL MEETINGS

- (1) The Secretary may call a General Meeting of the Association.
- (2) The Secretary must give at least fourteen (14) days' notice of the meeting.
- (3) If the Secretary is unable or unwilling to call the meeting, the Chairperson of the Board must call the meeting.
- (4) The Board may decide the way in which the notice must be given.
- (5) However, notice of the following meetings must be given in writing:
  - (a) a meeting called to hear and decide the appeal of a person against the Board's decision—
    - (i) to reject the person's application for membership of the Association; or
    - (ii) to terminate the person's membership of the Association;
  - (b) a meeting called to hear and decide a proposed special resolution of the Association.
- (6) A notice of a General Meeting must state the business, [questions](#), [matters](#) or [resolutions](#) to be conducted at the meeting.

### 33 QUORUM FOR, AND ADJOURNMENT OF, ALL GENERAL MEETINGS

- (1) The quorum for a General Meeting is half the number of Affiliated members at the time of the meeting plus one (1) present and eligible to vote.
- (2) No business may be conducted at a General Meeting unless there is a quorum of members when the meeting proceeds to business.
- (3) If there is no quorum within thirty (30) minutes after the time fixed for a General Meeting called on the request of members of the Board or the Association, the meeting lapses.
- (4) In any other case it shall stand adjourned to the same day in the next week at the same time and place, or to such other day and at such other time and place as the Board may determine, and if at the adjourned meeting a quorum is not present within half an hour from the time appointed for the meeting, the members present shall be a quorum.
- (5) The Chairperson may, with the consent of any meeting at which there is a quorum, and must if directed by the meeting, adjourn the meeting from time to time and from place to place.
- (6) If a meeting is adjourned under sub rule (4), only the business left unfinished at the meeting from which the adjournment took place may be conducted at the adjourned meeting.
- (7) The Secretary is not required to give the members notice of an adjournment or of the business to be conducted at an adjourned meeting unless a meeting is adjourned for at least thirty (30) days.
- (8) If a meeting is adjourned for at least thirty (30) days, notice of the adjourned meeting must be given in the same way notice is given for an original meeting.

### 34 PROCEDURE AT GENERAL MEETING

- (1) A member may take part and vote in a General Meeting in person as described in [Rule 1 \(11\)](#), or by using any technology that reasonably allows the member to hear and take part in discussions as they happen.
- (2) A member who participates in a meeting as mentioned in sub rule (1) is taken to be present at the meeting.
- (3) At each General Meeting:
  - (a) the Chairperson of the Board is to preside as Chairperson; and
  - (b) if there is no Chairperson of the Board or if the Chairperson of the Board is not present within fifteen (15) minutes after the time fixed for the meeting or is unwilling to act, the members present must elect one (1) of their number to be Chairperson of the meeting; and
  - (c) the Chairperson must conduct the meeting in a proper and orderly way; and
  - (d) accordingly members must conduct their manner and behaviour properly and according to the direction of the Chair and the majority of members' wishes.

### 35 VOTING AT AGM OR GENERAL MEETING OF THE ASSOCIATION

- (1) At General Meetings only those questions, matters or resolutions as described in [Rule 1 \(17\)](#) that have been circulated to members within the 'Notice of Meeting' issued in accordance within [Rule 32](#) may be discussed and determined by the members present and eligible to vote at the meeting. All matters not circulated within the notice of meeting must not be put to members for a vote.
- (2) At a General Meeting, each question, matter or resolution, other than a special resolution, must be decided by a majority of votes of the members present and eligible to vote.
  - (a) A **special resolution** must be decided by a 75% of votes of the Affiliated Centre Members present and eligible to vote.
- (3) Each Affiliated Centre Member representative present and eligible to vote is entitled to one (1) vote and if the votes are equal, the motion, matter, or resolution shall be determined to retain the status quo.
- (4) The method of voting is to be decided by the Board and in order to protect the voting Member Association/Centre right to view how their representative have cast the Associations vote a secret ballot may not be conducted

### 36 SPECIAL GENERAL MEETING

- (1) The Secretary must call a Special General Meeting by giving each member of the Association notice of the meeting within fourteen (14) days after:
  - (a) being directed to call the meeting by the Board; or
  - (b) being given a written request signed by at least three (3) who at the time of signing the request are members of the Board; or at least half the number of affiliated members plus 1 of the Association when the request is signed;
  - (c) being given a written notice of an intention to appeal against the decision of the Board to reject an application for membership or to terminate a person's membership.

- (2) A request mentioned in sub rule (1)(b) must state:
  - (a) why the Special General Meeting is being called; and
  - (b) the business to be conducted at the meeting.
- (3) A Special General Meeting must be held within three (3) months after the Secretary:
  - (a) is directed to call the meeting by the Board; or
  - (b) is given the written request mentioned in sub rule (1)(b); or
- (4) If the Secretary is unable or unwilling to call the special meeting, the Chairperson of the Board must call the meeting.
- (5) A Special General Meeting called in line with sub rule 1 to 4 must be conducted in accordance with [Rule 34](#) and [35](#).

### **37 MINUTES OF GENERAL MEETINGS**

- (1) The Secretary must ensure full and accurate minutes of all questions, matters, resolutions and other proceedings of each General Meeting are entered in a minute book.
- (2) To ensure the accuracy of the minutes:
  - (a) the minutes of each General Meeting must be signed by the Chairperson of the meeting, or the Chairperson of the next General Meeting, verifying their accuracy; and
  - (b) the minutes of each Annual General Meeting must be signed by the Chairperson of the meeting, or the Chairperson of the next meeting of the Association that is a General Meeting or Annual General Meeting, verifying their accuracy.
  - (c) the minutes compiled by the Secretary and duly signed by the Chairperson authenticating their accuracy shall be deemed as the official minutes.
- (3) If asked by a member of the Association, the Secretary must, within twenty-eight (28) days after the request is made:
  - (a) make the minute book or electronic [file folder](#) for a particular General Meeting available for inspection by the member at a mutually agreed time and place; and
  - (b) give the member copies of the minutes of the meeting.
- (4) The Association may require the member to pay the reasonable costs of providing copies of the minutes.

### 38 BY-LAWS

- (1) The Board may make, amend or repeal By-laws, not inconsistent with these rules, for the internal management of the Association.
- (2) A By-law may be set aside by a vote of members at a General Meeting of the Association.

### 39 ALTERATION OF RULES

- (1) Subject to the Act, these rules may be amended, repealed or added to **by a special resolution** as defined in [Rule 35 \(2\)\(a\)](#) carried at a General Meeting.
- (2) However an amendment, repeal or addition is valid only if it is registered by the Chief Executive as defined in [Rule 1 \(23\)](#).
- (3) [Written notices, as described in Rule 1 \(17\)](#) signed by eligible Members of any proposed addition, deletion or amendment will be given to the Secretary not less than 30 days before the date of the Annual General Meeting and the Secretary will cause the same to be inserted in the circular used for calling such Annual General Meeting.

### 40 COMMON SEAL

- (1) The Board must ensure the Association has a common seal.
- (2) The common seal must be kept securely by the Board and used only under the authority of the Board.
- (3) Each instrument to which the seal is attached must be signed by a member of the Board and countersigned by the Secretary or another member of the Board or by someone authorised by the Board.

## 41 FUNDS AND ACCOUNTS

- (1) The funds of the Association must be kept in an account in the name of the Association in a financial institution decided by the Board.
- (2) The Board is required to keep a separate bank account to general funds for the express purpose of managing the Associations obligations to:
  - (a) grant project funding, facility, office and/or Association assets/equipment maintenance, repair and replacement
  - (b) government taxes (BAS), staff entitlements and superannuation
- (3) The funds as mentioned in sub rule (2)(a) may only be used for the purpose described within this sub rule, unless 75% of members present at a General Meeting determine differently or the grant provider provides written advice that funding can be used for a different purpose.
- (4) The Government taxes mentioned in sub rule (2)(b) may only be used for the purpose described within this sub rule, though all established surpluses at the end of the Government reporting timeframe may be transferred to general funds.
- (5) Records and accounts must be kept in the English language showing full and accurate particulars of the financial affairs of the Association.
- (6) All amounts must be deposited in the financial institution account as soon as practicable after receipt.
- (7) A payment by the Association of one hundred dollars (\$100) or more must be made by cheque or electronic funds transfer that has been pre-approved by the Board.
- (8) If a payment of one hundred dollars (\$100) or more is made by electronic funds, transfer or by cheque, the cheque or transfer must be signed by any two (2) of the following not a family member as defined in [Rule 1 \(8\)](#):
  - (a) the Chairperson (President)
  - (b) the Finance Director (Treasurer)
  - (c) the Vice Chair (Vice President)
  - (d) any other members of the Association authorised by the Board.

However, one (1) of the persons who authorises the payment electronically or signs the cheque must be an executive member of the Board of Directors.
- (9) Use of Cheques within the organisation will be limited to items under \$200 and if used cheques, other than cheques for wages, allowances or petty cash recoupment, must be crossed not negotiable.
- (10) The Association is entitled and authorised under these Rules to hold any number of Bank Debit Cards if determined by the Finance Services personnel and Association Auditor to be required and as such will ensure no individual card value exceeds the value of one thousand dollars (\$1,000) and that the total value of all cards issued does not exceed three thousand dollars (\$3,000) at any one time.
- (11) The use of the debit card will be determined by the Board and Financial Services personnel in line with good financial management practises.
- (12) A petty cash account must be kept on the imprest system, and the Board must decide the amount of petty cash to be kept in the account.
- (13) All expenditure must be approved or ratified at a Board Meeting.

## 42 GENERAL FINANCIAL MATTERS

- (1) The duty of **Professional Finance Services** as mentioned in [Rule 1 \(19\)](#) shall be to:
  - (a) provide the Board with appropriate financial advice that ensures the Association can grow and prosper;
  - (b) set the standard and oversee the implementation of good financial management practise such as budgeting, cash management, financial recording and reporting;
  - (c) review the financial statements and operating budget quarterly and provide the Board with advice where and when required; and
  - (d) assist the Board with the development of the annual budget for the next operational year in consideration of current years' actuals for members' approval.
  
- (2) The duty of **Board** shall be to:
  - (a) ensure the income and property of the Association is used solely in promoting the Association's objects and exercising the Association's powers only;
  - (b) operate in accordance with the standards set by the Professional Finance Service personnel's recommendations, systems and processes and to do anything less would be considered a breach of these Rules;
  - (c) operate within the Approved Budget and to seek Professional Financial Service personnel pre expenditure approval for any budget variations over one thousand dollars (\$1,000);
  - (d) to ensure accountability, transparency and to limit opportunity for fraudulent activity the Board must approve all income and expenditure item codes in conjunction with the financial service personnel and budget and as such the Treasurer and/or financial staff are to seek Board approval to alter or change any new or re-coding of line items item codes
  - (d) administer, manage and oversee the payment and payment compliance in accordance with the Association financial policy and procedures;
  - (e) prepare a budget with the Professional Finance Service personnel for the next operating year for members' approval at the **November** General Meeting.
  
- (3) The duty of **Treasurer and Paid Staff Member responsible for Finance matters** shall be to:
  - (a) keep the financial records electronically and stored in the cloud to mitigate risk; and
  - (b) provide a written financial profit and loss statement at every official meeting that reports at least the budgeted (expected) income and expenditure forecast against the actual income and expenditure for the report period and produce the most recent bank statements for all Board members to view and sign.
  - (c) to ensure accountability, transparency and to limit opportunity for fraudulent activity all income and expenditure items must be coded in the manner determined and approved by the Board and as such the Treasurer and/or financial staff are to seek Board approval to alter or change an item's reporting code and to do anything else will be determined a serious breach of these rules
  - (c) On behalf of the Board, the Treasurer must, as soon as practicable after the end date of each financial year, ensure a financial statement for its last reportable financial year is prepared by staff for the Auditor in the manner required by the Act as defined in [Rule 1 \(3\)](#).



### 43 DOCUMENTS

The Board must ensure the safe custody of books, documents, instruments of title and securities of the Association must be in the manner described in [Rule 1 \(21\)](#)

### 44 FINANCIAL YEAR

The end date of the Association's financial year will be **30 June** in each year and the Association's Annual General Meeting is to be conducted within six (6) months of the end of financial year.

### 45 MEMBER CENTRES/ASSOCIATIONS

- (1) Member Centres/Associations are responsible for their management operations and service delivery requirements in accordance with the Association and its governing body and operating and service delivery requirements, policies and procedures.
- (2) Member Centres/Associations are required to work constructively with the Association's Board and other member organisations.
- (3) If a breach was to occur the Board will determine the action/s required to remedy the breach, the timeframe for compliance, penalties for non-compliance and/or ceasing the agreement and protection offered.

### 46 BOARD AND AFFILIATED/ASSOCIATE MEMBER MEETINGS

- (1) Meetings must be held:
  - (a) at least once a year separate to the AGM and said meeting is to be scheduled on a date and time determined by the Board.
- (2) The following business must be conducted at said Meetings with the Association:
  - (a) update members on all alterations to budget projections that may impact the Centre or the Association's financial status;
  - (b) discuss Association's activities, training, competition and event schedule needs;
  - (b) discuss any critical matters requiring Centre input or discuss any matter raised officially by the Centre as an item for discussion
  - (e) discuss the Association [activity and capitation fees and charges](#) for the following year; and
- (3) Meeting procedures are to be conducted as follows:
  - (a) the notice of such meetings will be determined by the Board;
  - (b) the Board Will Chair the meeting and the Chairperson must conduct the meeting in a proper and orderly way;
  - (c) Voting Members are entitled to have **two (2) members** of the management committee attend any such meeting and each individual must conduct themselves in an appropriate manner and in accordance with the direction of the Chair; and
  - (d) the Board Secretary must ensure full and accurate minutes are taken and ensure all matters raised for Board consideration are placed on the agenda of the next official meeting of the Board.

## 47 VOTING AT OPERATIONAL AND SERVICE DELIVERY MEETINGS

With the Board and affiliated centre members

### (1) Voting procedures:

- (a) the Board and each Member present and eligible to vote will be entitled to one (1) vote each on all matters and/or motions directly related to the Association's Strategic Business, Administration and or Finance circulated and advertised under a notice of meeting as requiring a member's vote;
- (b) Member Centres present and eligible to vote will be entitled to one (1) vote for each twenty (20) Members registered at the time of the meeting on all matters directly related to the Associations service delivery if such matters have been circulated and advertised under a notice of meeting as requiring a member's vote, however member Centres who are not directly utilising the service requiring a decision shall be entitled to speak on the matter but not entitled to vote;
- (c) the Member Centres representative present and eligible to vote on the matter shall be provided a vote and the total value of this vote will be determined in line with sub rule (b); and
- (d) on all other matters if advertised as being a poll member's representative's vote and/or suggestions will be taken under consideration by the Board at their next official meeting.

## 48 APPOINTMENT OF STATE TECHNICAL DEVELOPMENT AND COACHING TEAM

Technical Team Personnel may only be appointed as follows:

- (1) A person may be a candidate only if the person is an adult and not a current appointed or elected member of an Affiliated or Associate Management Committee's executive committee.
- (2) Personnel must retire from the Team in line with Sub rule (3) and are eligible, on nomination, for re-appointment in line with Sub rule (4).
- (3) Directly after the Annual General Meeting of the Association held on odd years, all Appointed Team Members positions with an odd number on the 'Team Chart' shall be declared vacant and on even years all even numbered positions similarly held shall be declared vacant. Any individuals whose position has been declared vacant under this sub-rule shall be eligible upon nomination for re-appointment subject to Sub rule (4)
- (4) No individual can hold any position on a technical team for more than four (4) consecutive years and must retire for a minimum of one (1) year before they will be eligible for re-appointment to any technical team position.
- (5) All nominations for Team Member are to be in writing and in the hands of the Secretary on the date determined by the Board from time to time.
- (6) All candidates will be required to indicate in writing their ability to meet the skills, tasks and time required for the applied position as defined by the Association's Technical Team 'Position Statements' within the manner and timeframe set by the Board from time to time.
- (7) On receipt of applications the Board will review all applications to ensure they meet the requirements of the position. If there is doubt, the Board and the remaining members of the team will determine if the applicant meets said requirements.

- (8) If an applicant meets the requirements under Sub rule 4 the Board will appoint the applicant or if it so desires take a members poll as described in [Rule 1 \(25\)](#) on the matter

#### **49 DECISION MAKING OF STATE TECHNICAL MEETINGS**

**(1) Decision Making procedures:**

- (a) each Member of the team will be entitled to one (1) vote each on any motions or questions posed by the Board for Team decision and one vote on all other matters to be put to the Board for consideration and or decision
- (b) a majority vote from all members of the team will be required for a matter to be determined and or proposed for board decision
- (b) the Board will accept the decision of the team on all matters that have been forwarded by the Board for the team's approval on the matter, on all matters raised by the Team for Board consideration the Board will determine if they accept or reject the matter.
- (c) if a matter is rejected by the Board the Board will provide further opportunity for the Team to adjust the matter in accordance with the reasons the matter was rejected or present the matter to the members of the Association for decision or propose that the matter lapses
- (d) the Board are empowered to make changes by a members polls as described in [Rule 1 \(25\)](#) to any matter determined and approved by the Team if it is so determined necessary in order to meet the needs of the Association and its members

#### **50 DISTRIBUTION OF SURPLUS ASSETS TO ANOTHER ENTITY**

- (1) This rule applies if the Association:
  - (a) is wound-up under part 10 of the Act; and
  - (b) has surplus assets.
- (2) The surplus assets must not be distributed among the members of the Association.
- (3) The surplus assets must be given to another [Riding for the Disable](#) entity:
  - (a) having objects similar to the Association's objects; and
  - (b) the rules of which prohibit the distribution of the entity's income and assets to its members.
- (4) In this rule— surplus assets see section 92(3) of the Act.