



# **Maroochydore Cricket Club Incorporated**

**PO Box 5554 Maroochydore BC Qld 4558**

**ABN 57 029 357 811**

## **CONSTITUTION & RULES**

**(APPROVED 13 JULY, 2017)**

# **RULES**

## **1. INTERPRETATION**

In these RULES:

ACT means the Associations Incorporation Act 1981 (Queensland)

COA means the Commonwealth of Australia

MCC means the Maroochydore Cricket Club Incorporated

## **2. NAME**

2.1 The name of the incorporated association is Maroochydore Cricket Club Incorporated.

2.2 In all these RULES – MCC – means Maroochydore Cricket Club Incorporated.

## **3. OBJECTS**

The objects of the MCC are:

3.1 To be a safe, friendly and inclusive community based club for all persons with an interest in the game of cricket.

3.2 To form cricket teams and ensure these cricket teams play in competitions.

3.3 To provide its cricket teams and players with the opportunity to play cricket at the highest possible level commensurate with ability.

3.4 To nurture, foster, develop and promote the game of cricket.

3.5 To always act in the best interests of its members.

3.6 To adopt other objects and to pursue opportunities that help the MCC prosper.

## **4. POWERS**

4.1 The MCC has the same powers as that of an individual person acting legally within the Commonwealth of Australia.

## **5. MCC CLASSES OF MEMBERS**

### **5.1 ADULT MEMBERS**

Adult members are persons over 18 years of age. Adult members have full voting rights at any MCC General Meeting provided that they do not owe the MCC a debt that is not in accordance with agreed MCC terms. Adult membership is automatically conferred on persons over the age of 18 years whilst they work in a voluntary capacity for the MCC. Adult membership is automatically conferred on persons over the age of 18 years who play cricket in MCC teams or have children or grandchildren playing in MCC teams. The number of adult members is unlimited.

### **5.2 JUNIOR MEMBERS**

Junior members are persons under 18 years of age. Junior members do NOT have any voting rights at any MCC General Meeting. Junior membership is automatically conferred on persons under the age of 18 years whilst they work in a voluntary capacity for the MCC. Junior membership is automatically conferred on persons under the age of 18 years who play cricket at the MCC or in MCC teams or have brothers or sisters that play cricket at the MCC or in MCC teams. The number of junior members is unlimited.

### **5.3 ASSOCIATE MEMBERS**

Associate members are persons who are interested in the MCC. Associate members do NOT have any voting rights at any MCC General Meeting. Associate membership may be conferred on persons in any way or form the MCC Management Committee decides. The number of associate members is unlimited.

### **5.4 LIFE MEMBERS**

Life members are persons who have been awarded life membership status by the MCC. Life members have full voting rights at any MCC General Meeting. Life members shall have served the MCC with distinction over an extended period. Life members shall have been voted in with a minimum two-thirds majority at any MCC Management Committee meeting or MCC General Meeting that is conducted in full accordance with all these RULES.

## **6. MCC MEMBERSHIP FEES**

- 6.1 Membership fees (if any) for each class of membership shall be determined by the MCC Management Committee. Membership fees (if any) may be variable for the different classes of membership and may also be variable within a class of membership. Life members shall be exempt from membership fees (if any) but not from payments for goods and services provided by the MCC in the normal course of its business.

- 6.2 The membership fees (if any) for each class of MCC membership shall be payable at such time and in such manner as the MCC Management Committee shall from time to time determine.

## **7. ADMISSION AND REJECTION OF NEW MCC MEMBERS**

- 7.1 The MCC Management Committee must ensure that, before or as soon as possible after a person applies to become a member of the MCC, and before the MCC Management Committee considers the person's application, the person is advised —
- (a) whether or not the MCC has public liability insurance; and
  - (b) if the MCC has public liability insurance—the amount of the insurance.
- 7.2 Completing and lodging a paper form to register interest in the MCC or to play cricket for or at the MCC shall be deemed an application for membership.
- 7.3 Electronic communication registering interest in the MCC or to play cricket for or at the MCC including that received via email or via online internet processes or similar shall be deemed an application for membership.
- 7.4 At the next meeting of the MCC Management Committee after the receipt of any application(s) for any class of membership and the receipt of the applicable fee (if any) for any class of membership, the MCC Management Committee must decide whether to accept or reject the application(s). If a majority of the members of the MCC Management Committee present at the meeting vote to accept the applicant(s) as a member, the applicant(s) must be accepted as a member for the class of membership applied for.
- 7.5 The MCC Management Committee must ensure that as soon as practicable after it decides to accept or reject an application that the applicant is given notice of the decision. If an applicant is rejected such notice must be a written notice.

## **8. WHEN MCC MEMBERSHIP ENDS**

- 8.1 A member may resign from the MCC by giving a written notice of resignation to the MCC Secretary. The resignation takes effect at the time the notice is received by the MCC Secretary; or if a later time is stated in the notice—the later time.
- 8.2 The MCC Management Committee 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 for at least 2 months; or

(d) is a person that acts in a way considered to be injurious or prejudicial to the character or interests of the MCC.

- 8.3 Before the MCC Management Committee terminates a member's membership, the MCC Management Committee must give the member a full and fair opportunity to show why the membership should not be terminated.
- 8.4 If, after considering all representations made by the member, the MCC Management Committee decides to terminate the membership, the MCC Secretary must give the member a written notice of the decision.

## **9. APPEAL AGAINST REJECTION OR TERMINATION OF MEMBERSHIP**

- 9.1 A person whose application for membership has been rejected, or whose membership has been terminated, may give the MCC Secretary written notice of their intention to appeal against the decision. A written notice of intention to appeal must be given to the MCC Secretary not more than 1 month after the person receives written notice of the decision. If the MCC Secretary receives a written notice of intention to appeal, the MCC Secretary must, not more than one 1 month after receiving the written notice, call a MCC General Meeting to decide the appeal.

## **10. GENERAL MEETING TO DECIDE APPEAL**

- 10.1 The MCC General Meeting to decide an appeal must be held within 3 months of the MCC Secretary receiving a written notice of intention to appeal. At the MCC General Meeting, the appellant must be given a full and fair opportunity to show why the application should not be rejected or the membership should not be terminated. Also, the MCC Management Committee and the members of the MCC Management Committee 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.
- 10.2 An appeal must be decided by a majority vote of the MCC members present and eligible to vote at the MCC General Meeting.
- 10.3 If a person whose application for membership has been rejected does not appeal against the decision within 1 month after receiving written notice of the decision, or the person appeals but the appeal is unsuccessful, the MCC must, as soon as practicable, refund the membership fee (if any) paid by the person.

## **11. REGISTER OF MCC MEMBERS**

- 11.1 The MCC Management Committee must ensure the keeping of a register of voting members of the MCC. The register must include the following particulars where practicable:
- (a) the full name of the member and the telephone number of the member;
  - (b) the postal or residential address of the member and their email address;
  - (c) the date of admission as a member;
  - (d) the date of death or time of resignation of the member;
  - (e) details about any termination or reinstatement of membership;
  - (f) any other particulars the MCC Management Committee or the MCC members at an MCC General Meeting decide.
- 11.2 The register of MCC voting members must be available for inspection by members of the MCC at all arranged and reasonable times. An MCC member must contact the MCC Secretary to arrange an inspection of the register. The MCC Secretary may (but is not obligated to) satisfy RULE 11.2 by providing the MCC member with a true copy of the register. The MCC may require the MCC member to pay a reasonable fee for satisfying RULE 11.2.
- 11.3 The MCC Management Committee may, on the request of a member of the MCC, withhold information about the member (other than the member's full name) from the register available for inspection if the MCC Management Committee has reasonable grounds for believing the disclosure of the information could put the member at risk of harm.

## **12. PROHIBITION ON USE OF INFORMATION ON REGISTER OF MCC MEMBERS**

- 12.1 An MCC member must not use information obtained from the MCC register of members to contact, or send material to, another member of the MCC for the purpose of advertising for political, religious, charitable or commercial purposes.
- 12.2 An MCC member must not disclose information obtained from the MCC register of members to anyone else, knowing that the information is likely to be used to contact, or send material to, another member of the MCC for the purpose of advertising for political, religious, charitable or commercial purposes.
- 12.3 RULE 12.1 and RULE 12.2 do not apply if the use of information obtained from the MCC register of members is approved by MCC members at an MCC General Meeting.

### **13. MCC MANAGEMENT COMMITTEE**

- 13.1 The MCC Management Committee shall consist of a President, a Vice President, a Treasurer and a Secretary who shall be deemed MCC Office Bearers. The MCC Management Committee shall consist of the MCC Office Bearers and such number of other eligible MCC members as the MCC members at any MCC General Meeting may from time to time elect or appoint.
- 13.2 Only MCC adult members and MCC life members are eligible to serve on the MCC Management Committee.
- 13.3 MCC paid employees and MCC paid contractors are NOT eligible to serve on the MCC Management Committee.
- 13.4 A maximum of two family members may serve on the MCC Management Committee at any one time.
- 13.5 MCC Office Bearers may hold the same office for a maximum of 5 consecutive years. MCC Management Committee persons may serve on the MCC Management Committee for a maximum of 10 consecutive years. Once these 10 consecutive years of service have been reached, at least two years must pass, before such persons again become eligible for election or appointment to the MCC Management Committee.
- 13.6 At each MCC Annual General Meeting all members of the MCC Management Committee must retire from office.
- 13.7 Retiring members of the MCC Management Committee may accept nomination for re-election provided that all the conditions contained within all these RULES are fully satisfied.

### **14. ELECTING THE MCC MANAGEMENT COMMITTEE**

- 14.1 A person is NOT eligible to be elected or appointed as a member of the MCC Management Committee if—
- (a) the person has been convicted—
    - (i) on indictment; or
    - (ii) summarily and sentenced to imprisonment, other than in default of payment of a fine; and
  - (b) the rehabilitation period in relation to the conviction has not expired.

Also, a person is not eligible to be elected or appointed as a member of the MCC Management Committee if—

- (c) under the Bankruptcy Act 1966 (COA) or the law of an external territory or another country, the person is an undischarged bankrupt; or
- (d) the person has executed a deed of arrangement under the Bankruptcy Act 1966 (COA), part X or a corresponding law of an external territory or another country and the terms of the deed have not been fully complied with; or
- (e) the person's creditors have accepted a composition under the Bankruptcy Act 1966 (COA), part X or a corresponding law of an external territory or another country and a final payment has not been made under the composition;
- (f) the person is ineligible under any provision of the ACT

14.2 A member of the MCC Management Committee may only be elected as follows—

- (a) any 2 of adult or life members of the MCC may nominate another MCC adult or life member (the candidate) to serve as a member of the MCC Management Committee;
- (b) the nomination must be—
  - (i) in writing; and
  - (ii) signed by the candidate and the members who nominated that person; and
  - (iii) given to the MCC Secretary not less than 14 days before the Annual General Meeting at which the election is to be held.

14.3 Each adult or life member of the MCC present and eligible to vote at the Annual General Meeting may vote for 1 candidate for each vacant position on the MCC Management Committee.

14.4 If, at the MCC Annual General Meeting, more candidates are required, nominations may be called for and be taken from, the floor of the MCC Annual General Meeting.

14.5 A list of the candidate's names in alphabetical order, with the names of the members who nominated each candidate, must be posted in a conspicuous place at the usual place of a Meeting of the MCC for not less than 7 days immediately preceding the Annual General Meeting. This information should also be communicated to MCC members electronically including via email and / or online via internet processes and / or web postings or similar.

14.6 If required, balloting lists must be prepared containing the names of the candidates in alphabetical order.

14.7 The MCC Management Committee must ensure that, before a candidate is elected as a member of the MCC Management Committee, the candidate is advised—

- (a) Whether or not the MCC has public liability insurance; and
- (b) If the MCC has public liability insurance—the amount of the insurance.



## **15. RESIGNATION, REMOVAL OR VACATION OF OFFICE OF MCC MANAGEMENT COMMITTEE MEMBER**

- 15.1 A member of the MCC Management Committee may resign from the MCC Management Committee by giving written notice of resignation to the MCC Secretary. Such resignation takes effect at—(a) the time the notice is received by the MCC Secretary; or (b) if a later time is stated in the notice—the later time.
- 15.2 A member of the MCC Management Committee may be removed from office at an MCC General Meeting if a majority of the MCC members present and eligible to vote at the meeting vote in favour of removing the MCC Management Committee member. Before a vote of MCC members is taken about removing the MCC Management Committee member from office, the MCC Management Committee member must be given a full and fair opportunity to show cause why he or she should not be removed from office.
- 15.3 An MCC Management Committee member immediately vacates the office of member of the MCC Management Committee in the circumstances mentioned in section 64(2) of the ACT.
- 15.4 An MCC Management Committee member removed from office under RULE 15.2 or RULE 15.3 has no right of appeal.

## **16. QUORUM FOR AND ADJOURNMENT OF MCC MANAGEMENT COMMITTEE MEETING**

- 16.1 At an MCC Management Committee meeting a quorum is more than 50% of the members serving on the MCC Management Committee at the close of the last MCC General Meeting.
- 16.2 If there is no quorum within 30 minutes after the time fixed for an MCC Management Committee meeting called on the request of members of the MCC Management Committee, the meeting lapses.
- 16.3 If there is no quorum within 30 minutes after the time fixed for an MCC Management Committee meeting called other than on the request of the members of the MCC Management Committee— (a) the meeting is to be adjourned for not less than 1 day; and (b) the members of the MCC Management Committee who are present are to decide the day, time and place of the adjourned meeting.
- 16.4 If, at an adjourned meeting as mentioned in RULE 16.3, there is no quorum within 30 minutes after the time fixed for the meeting, the meeting lapses.

## **17. VACANCIES ON MCC MANAGEMENT COMMITTEE**

- 17.1 If a casual vacancy happens on the MCC Management Committee, the continuing members of the MCC Management Committee may appoint another eligible MCC member to fill the vacancy until the next MCC Annual General Meeting.
- 17.2 The continuing members of the MCC Management Committee may act despite a casual vacancy on the MCC Management Committee. However, if the number of MCC Management Committee members is less than the number fixed under RULE 16.1 as a quorum of the MCC Management Committee, the continuing members may act only to—
- (a) increase the number of MCC Management Committee members to the number required for a quorum; or
  - (b) call a General Meeting of the MCC.

## **18. FUNCTIONS OF MCC MANAGEMENT COMMITTEE**

- 18.1 First and foremost the MCC Management Committee must always act in the best interests of MCC members.
- 18.2 Subject to all these RULES or a resolution of the MCC members carried at an MCC General Meeting, the MCC Management Committee has the general control and management of the administration of the affairs, property and funds of the MCC.
- 18.3 The MCC Management Committee has authority to interpret the meaning of these RULES and any matter relating to the MCC on which the RULES are silent. Any such interpretation must have regard to the ACT, including any regulation made under the ACT.
- 18.4 The ACT prevails if the MCC RULES are inconsistent with the ACT—see appropriate section(s) of the ACT.
- 18.5 The MCC Management Committee may exercise all the powers of the MCC including—
- (a) to borrow, raise or secure the payment of amounts in a way the members of the MCC 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 MCC in any way, including by the issue of debentures (perpetual or otherwise) charged upon the whole or part of the MCC property, both present and future; and
  - (c) to purchase, redeem or pay off any securities issued; and

- (d) to borrow amounts from MCC 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 MCC; and
- (g) to provide and pay off any securities issued; and
- (h) to invest in a way the members of the MCC may from time to time decide.

18.6 For RULE 18.5 (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 MCC; or
- (b) if there is more than 1 financial institution for the MCC—the financial institution nominated by the MCC Management Committee and charging the lower interest rate.

## **19. MEETINGS OF MCC MANAGEMENT COMMITTEE**

19.1 Subject to all of RULE 19, the MCC Management Committee may meet (whether in person or by the use of technological means) and conduct its proceedings, as it considers suitable.

19.2 The MCC Management Committee must meet at least once every 3 months to exercise its functions. The MCC Management Committee may decide how a meeting is to be called. Notice of a meeting is to be given in a way decided by the MCC Management Committee.

19.3 The MCC Management Committee may hold meetings, or permit an MCC Management Committee member(s) 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. On such occasions the MCC Management Committee member(s) are deemed to be present and count towards a quorum.

19.4 A question arising at an MCC Management Committee meeting is to be decided by a majority vote of the members of the MCC Management Committee present at the meeting and, if the votes are equal, the question is decided in the negative.

19.5 A member of the MCC Management Committee must not vote on a question about a contract or proposed contract with the MCC if the MCC Management Committee member has any interest in such contract or proposed contract.

19.6 The MCC President shall preside as chairperson at an MCC Management Committee meeting. If there is no MCC President or if the MCC President is not present within 10 minutes after the time fixed for an MCC Management

Committee meeting, the MCC Management Committee members present may choose 1 of their number to preside as chairperson at that meeting.

- 19.7 The MCC Management Committee may invite guests to MCC Management Committee meetings. Such guests shall not be eligible to vote at the MCC Management Committee meetings at which they are present.

## **20. SPECIAL MEETING OF MCC MANAGEMENT COMMITTEE**

- 20.1 If the MCC Secretary receives a written request from at least 3 members of the MCC Management Committee, the MCC Secretary must call a special meeting of the MCC Management Committee. Each member of the MCC Management Committee must be given notice of the special meeting not more than 14 days after the MCC Secretary receives the request. If the MCC Secretary is unable or unwilling to call the special meeting, the MCC President must call the special meeting.
- 20.2 A request for a special meeting must state why the special meeting is called and the business to be conducted at the special meeting.
- 20.3 A notice of a special meeting must state the day, time and place of the meeting; and the business to be conducted at the meeting.
- 20.4 A special meeting of the MCC Management Committee must be held not more than 14 days after the notice of the meeting is given to the members of the MCC Management Committee.

## **21. MINUTES OF MCC MANAGEMENT COMMITTEE MEETINGS**

- 21.1 The MCC Secretary or another MCC Management Committee designated person must ensure that a full and accurate, lasting record of all MCC Management Committee meetings is made and kept. This record will be referred to as the minutes.
- 21.2 The minutes of each MCC Management Committee meeting must be verified as accurate. Minutes accuracy verification shall be in writing by at least two of the MCC Management Committee members that attended. Minutes accuracy verification must occur on or before the date of the next MCC Management Committee meeting.

## **22. APPOINTMENT OF MCC SUBCOMITTEES**

- 22.1 The MCC Management Committee may appoint a subcommittee consisting of MCC members or other persons considered appropriate by the MCC Management Committee to help with the conduct of MCC operations. A member of a subcommittee who is not a member of the MCC Management Committee is not entitled to vote at an MCC Management Committee meeting.
- 22.2 A subcommittee may elect a chairperson of its meetings. If a chairperson is not elected, or if the chairperson is not present within 10 minutes after the time fixed for a meeting, the subcommittee members present may choose 1 of their number to be chairperson of that meeting. A subcommittee may meet and adjourn, as it considers appropriate.
- 22.3 A question arising at a subcommittee meeting is to be decided by a majority vote of the members present at the meeting and, if the votes are equal, the question is decided in the negative.
- 22.4 Any subcommittee appointed by the MCC Management Committee will perform duties as directed by the MCC Management Committee. The MCC Management Committee may remove any member of a subcommittee or an entire subcommittee at its absolute discretion.

### **23. ACTS NOT AFFECTED BY DEFECTS OR DISQUALIFICATION**

- 23.1 An act performed by the MCC Management Committee, an MCC subcommittee or a person acting as a member of the MCC Management Committee is taken to have been validly performed.
- 23.2 RULE 23.1 applies even if the act was performed when—
- (a) there was a defect in the appointment of a member of the MCC Management Committee, MCC subcommittee or person acting as a member of the MCC Management Committee; or
  - (b) an MCC Management Committee member, MCC subcommittee member or person acting as a member of the MCC Management Committee was disqualified from being a member.

### **24. RESOLUTIONS OF MCC MANAGEMENT COMMITTEE WITHOUT MEETING**

- 24.1 A written resolution agreed by a majority of members of the MCC Management Committee is as valid and effectual as if it had been passed at an MCC Management Committee meeting that was properly called and held.
- 24.2 A resolution mentioned in RULE 24.1 may consist of several documents in like form, each agreed to by a majority of the members of the MCC Management Committee.

24.3 Such resolutions as described in RULE 24.1 and RULE 24.2 can be effected via email or other technological means that create a lasting, accurate record. A motion voted on or resolution resolved using these means must be confirmed at the next MCC Management Committee meeting.

## **25. MCC ANNUAL GENERAL MEETING**

25.1 The MCC Annual General Meeting must be held once each year and not more than 3 months after the end date of the MCC reportable financial year.

25.2 The business to be conducted at every MCC Annual General Meeting must include:

- (a) Receiving the MCC financial statements, and audit report, for the last reportable financial year.
- (b) Presenting the MCC financial statements and audit report to the meeting for adoption.
- (c) Electing eligible MCC members to the MCC Management Committee.
- (d) Appointing an auditor or an accountant for the present financial year.

## **26. MCC GENERAL MEETING**

26.1 The MCC Secretary or the MCC Management Committee may call a General Meeting of the MCC.

26.2 The MCC must give not less than 14 days notice of an MCC General Meeting to each member of the MCC. The MCC Management Committee may decide in which way(s) the 14 days notice is given.

26.3 Written notice (not less than 14 days prior) must be given to each voting MCC member if an MCC General Meeting agenda includes any of:

- (a) A meeting called to hear and decide the appeal against the MCC Management Committee's decision to:
  - (i) reject a person's application for membership of the MCC and
  - (ii) terminate a person's membership of the MCC.
- (b) A meeting called to hear and decide a special resolution of the MCC.
- (c) A meeting called to consider or approve any change to these RULES.

## **27. QUORUM FOR AND ADJOURNMENT OF MCC GENERAL MEETING**

27.1 The quorum for an MCC General Meeting is the number of members serving on the MCC Management Committee at the close of the previous MCC General Meeting plus 1.

- 27.2 No business may be conducted at an MCC General Meeting unless there is a quorum of members when the MCC General Meeting proceeds to business. If there is no quorum within 30 minutes after the time fixed for a General Meeting called on the request of members of the MCC Management Committee or members of the MCC, the meeting lapses.
- 27.3 If there is no quorum within 30 minutes after the time fixed for an MCC General Meeting called other than on the request of members of the MCC Management Committee or the members of the MCC:
- (a) The meeting is to be adjourned for not less than 7 days but not more than 30 days.
  - (b) The MCC Management Committee is to decide the day, time and place of the adjourned meeting.
- 27.4 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. If a meeting is adjourned under RULE 27.4, only the business left unfinished at the meeting from which the adjournment took place may be conducted at the adjourned meeting. The MCC is not required to give its members notice of an adjournment or of the business to be conducted at an adjourned meeting unless a meeting is adjourned for over 30 days. If a meeting is adjourned for over 30 days, notice of the adjourned meeting must be given in the same way notice is given for an original meeting.

## **28. PROCEDURE AT MCC GENERAL MEETING**

- 28.1 An MCC member may take part and vote in an MCC General Meeting in person, or by using any technology that reasonably allows the member to hear and take part in discussions as they happen. A member who participates in a meeting as by using any technology that reasonably allows the member to hear and take part in discussions as they happen is taken to be present at the meeting.
- 28.2 At each MCC General Meeting the MCC President is to preside as chairperson. If there is no MCC President or if the MCC President is not present within 15 minutes after the time fixed for the meeting or is unwilling to act, the MCC members present must elect 1 of their number to be chairperson of the meeting. A chairperson thus elected must conduct the meeting in a proper and orderly way.

## **29. VOTING AT MCC GENERAL MEETING**

- 29.1 At an MCC General Meeting, each question, matter or resolution, other than a special resolution, must be decided by a majority of votes of the eligible MCC members present.
- 29.2 Each MCC member present and eligible to vote is entitled to 1 vote only and, if the votes are equal, the chairperson has a casting vote as well as a primary vote. An MCC member is not entitled to vote at an MCC General Meeting if their subscription or fee is in arrears as at the date of the meeting.
- 29.3 The method of voting shall be decided by the MCC Management Committee. If at least 20% of the MCC voting members present demand a secret ballot, voting must be by secret ballot. If a secret ballot is held, the chairperson must appoint 2 MCC members to conduct the secret ballot in the way the chairperson decides. The result of a secret ballot, as declared by the chairperson, is taken to be a resolution of the meeting.
- 29.4 The MCC does not allow proxy voting. Voting online by internet and / or electronic or other technological or similar processes may be allowed if so resolved at an MCC General Meeting.

## **30. MINUTES OF MCC GENERAL MEETING**

- 30.1 The MCC Secretary or another MCC Management Committee designated person must ensure that a full and accurate, lasting record of each MCC General Meeting is made and kept. This record will be referred to as the minutes.
- 30.2 The minutes of each MCC General Meeting must be verified as accurate. Minutes accuracy verification shall be in writing and by at least two MCC members that attended. Minutes accuracy verification must occur on or before the date of the next MCC General Meeting.
- 30.3 If asked by a member of the MCC, the MCC Secretary must, within 28 days after the request is made, make the minutes for a particular MCC General Meeting available for inspection and / or provide a true copy. The MCC may require the MCC member to pay the reasonable costs of providing copies of the minutes.

## **31. MCC SPECIAL GENERAL MEETING**

- 31.1 The MCC Secretary must call a Special General Meeting by giving each voting member of the MCC notice of the Special General Meeting not more than 14 days after—



- (a) being directed to call the meeting by the MCC Management Committee; or
- (b) being given a written request signed by—
  - (i) at least three of the number of members of the MCC Management Committee when the request is signed; or
  - (ii) at least the number of adult and life members of the MCC equal to double the number of members on the MCC Management Committee when the request is signed plus 1; or
- (c) being given a written notice of an intention to appeal against the decision of the MCC Management Committee—
  - (i) to reject an application for membership; or
  - (ii) to terminate a person's membership.

31.2 A request mentioned in RULE 31.1(b) must state—

- (a) why the Special General Meeting is being called; and
- (b) the business to be conducted at the meeting.

31.3 A Special General Meeting must be held not more than 3 months after the MCC Secretary—

- (a) is directed to call the meeting by the MCC Management Committee; or
- (b) is given the written request mentioned in RULE 31.1(b); or
- (c) is given the written notice of an intention to appeal mentioned in RULE 31.1(c).

31.4 If the MCC Secretary is unable or unwilling to call the Special General Meeting, the MCC President must call the meeting.

## **32. FUNCTIONS OF MCC SECRETARY**

32.1 The MCC Secretary's functions include, but are not limited to—

- (a) calling meetings of the MCC, including preparing notices of a meeting and of the business to be conducted at the meeting in consultation with the President of the MCC; and
- (b) keeping minutes of each meeting; and
- (c) keeping electronic and / or digital and / or email records and / or copies of all correspondence and other documents relating to the MCC; and
- (d) maintaining the register of members of the MCC.
- (e) the MCC Secretary may have an MCC Management Committee appointed assistant(s).

## **33. MCC BY-LAWS**

33.1 The MCC Management Committee may make, amend or repeal by-laws, not inconsistent with these RULES, for the better management of the MCC. Any

by-law may be set aside by a majority vote of MCC members at an MCC General Meeting.

### **34. ALTERATION OF MCC RULES**

34.1 Subject to the ACT, these MCC rules may be amended, repealed or added to, only by a special resolution, carried by a majority of at least 75% at an MCC General Meeting. Any such repeal, amendment or addition to the MCC RULES will only become valid when the Chief Executive registers same as described in the ACT.

### **35. MCC COMMON SEAL**

35.1 The MCC Management Committee must ensure the MCC has a common seal. The common seal must be kept securely by the MCC Management Committee and used only under the authority of the MCC Management Committee.

35.2 Each instrument to which the common seal is attached must be signed by a member of the MCC Management Committee and countersigned by the MCC Secretary or another MCC Management Committee member or a person authorised in writing by the MCC Management Committee.

35.3 Common seal attachments and signatures shall be valid if in full accordance with State of Queensland and COA laws with regards to digital, email and other electronic processes.

### **36. MCC FUNDS AND ACCOUNTS**

36.1 The funds of the MCC must be kept in an account(s) in the name of the MCC in a financial institution(s) decided by the MCC Management Committee. Records and accounts must be kept in the English language showing full and accurate particulars of the financial affairs of the MCC.

36.2 All MCC funds must be deposited in the financial institution(s) account(s) as soon as practicable after receipt.

36.3 A payment made by the MCC of \$100.00 or more must be made by cheque, electronic funds transfer or other commonly used digital or electronic method provided that in all instances a lasting and true record is thus created.

36.4 Payments of \$100.00 or more whether made by cheque, electronic funds transfer or other commonly used digital or electronic method must be signed and / or authorised by at least two MCC Management Committee members of which at least one must be an MCC Office Bearer.

- 36.5 Any cheques issued by the MCC must be crossed “not negotiable” and issued as “account payee only”.
- 36.6 A petty cash account may be kept but only on the imprest system, and the MCC Management Committee must decide the amount of petty cash to be kept.
- 36.7 All expenditure must be approved or ratified at an MCC Management Committee meeting.

### **37. GENERAL FINANCIAL MATTERS**

- 37.1 On behalf of the MCC Management Committee, the MCC Treasurer must, as soon as practicable after the end date of each financial year, ensure the production of an MCC financial statement for its last reportable financial year.
- 37.2 The income and property of the MCC must be used solely in promoting MCC objects and exercising MCC powers.

### **38. DOCUMENTS, DIGITAL AND ELECTRONIC RECORDS**

- 38.1 The MCC Management Committee must ensure the security and safe custody of all documents, digital and electronic records, books, computers, devices and the like pertaining to any MCC business, procedure or activity.

### **39. MCC FINANCIAL YEAR**

- 39.1 The end date of the MCC financial year is April 30, in each year.

### **40. DISTRIBUTION OF SURPLUS ASSETS TO ANOTHER ENTITY**

- 40.1 All of RULE 40 applies if the MCC is wound-up under part 10 of the ACT and has surplus assets. The surplus assets must NOT be distributed amongst the members of the MCC.
- 40.2 The surplus assets must be given to another entity that has similar objects to the MCC and the rules of which prohibit the distribution of the entity's income and assets to its members.
- 40.3 For all of RULE 40 - surplus assets - see the appropriate section of the ACT.