

**THE ASSOCIATION OF CIVIL MARRIAGE
CELEBRANTS**

OF QUEENSLAND (INCORPORATED)

CONSTITUTION

(As amended at 7 March 2006)

CONTENTS

	Page
1. NAME	3
2. OBJECTS	3
3. POWERS	3
4. MEMBERSHIP	5
5. CLASSES OF MEMBERSHIP	5
6. MEMBERSHIP FEES	6
7. ADMISSION AND REJECTION OF MEMBERS	6
8. TERMINATION OF MEMBERSHIP	7
9. APPEAL AGAINST REJECTION OR TERMINATION OF MEMBERSHIP	7
10. REGISTER OF MEMBERS	7
11. MEMBERSHIP OF MANAGEMENT COMMITTEE	8
12. RESIGNATION OF MEMBER OF MANAGEMENT COMMITTEE	8
13. VACANCIES ON MANAGEMENT COMMITTEE	9
14. FUNCTIONS OF THE MANAGEMENT COMMITTEE	9
15. MEETINGS OF MANAGEMENT COMMITTEE	9
16. SUB COMMITTEES	10
17. COMMITTEES APPOINTMENT DEFECT	10
18. WRITTEN RESOLUTIONS	10
19. MEETINGS	11
20. DATE OF ANNUAL GENERAL MEETING	11
21. SPECIAL GENERAL MEETING	11
22. QUORUMS	11
23. NOTICE	11
24. PROCEDURE	12
25. VOTING	12
26. BY-LAWS	12
27. ALTERATION OF RULES	12
28. PATRON(S)	13
29. COMMON SEAL	13
30. FUNDS AND ACCOUNTS	13
31. DOCUMENTS	14
32. CHAIRMAN	14
33. PRESIDENT	14
34. VICE PRESIDENT	14
35. SECRETARY	14
36. TREASURER	14
37. RETURNING OFFICER	15
38. AUDITOR	15
39. FINANCIAL YEAR	15
40. DISSOLUTION OF THE ASSOCIATION	15
41. CODE OF ETHICS	15
42. DATE OF ISSUE	16

**THE ASSOCIATION OF CIVIL MARRIAGE CELEBRANTS
OF QUEENSLAND (INCORPORATED)**

CONSTITUTION

1. NAME

The name of the incorporated Association shall be The Association of Civil Marriage Celebrants of Queensland Incorporated (in these Rules called "The Association").

2. OBJECTS

The objects for which the Association is established are:

- (1) To promote mutual acquaintance and understanding among members for their professional improvement as well as for the benefit of the community.
- (2) To provide encouragement to authorised Civil Marriage Celebrants to adhere to the Association's Code of Ethics so that professional standards and levels of dignity will be maintained.
- (3) To bring to the attention of the community information about the Association, its members and their role in the community.
- (4) To assist authorised Civil Marriage Celebrants to provide the public with professional service with respect to marriage ceremonies and any other ceremonies that the Association believes are compatible with the responsibility and dignity of the role of Civil Marriage Celebrants.
- (5) To consider all questions affecting the interests of Civil Marriage Celebrants as well as initiating action to promote and protect those interests, including, if necessary, petitioning Parliament or sending deputations to procure changes of law or administration of law relating to Civil Marriage Celebrants and the Marriage Act.
- (6) To acquire and disseminate information on subjects of interest to Civil Marriage Celebrants by the publication and issue of newspapers, magazines or periodicals, lectures, discussions, books, correspondence with public bodies and individuals or otherwise.
- (7) To promote and encourage the distribution of legal and other literature affecting Civil Marriage Celebrants.
- (8) To provide for the social fellowship of members of the Association and to liaise or otherwise combine, as considered necessary, with other celebrants or Associations elsewhere in Australia.
- (9) To do all such other things as are incidental or conducive to the attainment of the above objectives and to the advancement of the interests of Civil Marriage Celebrants.

3. POWERS

The powers of the Association are:

- (1) To take over the funds and other assets and liabilities of the present unincorporated association known as the "The Association of Civil Marriage Celebrants of Australia (Qld)"
- (2) To subscribe to, become a member of, and Co-operate with any other association, club or organisation, whether incorporated or not, whose objects are altogether, or in part, similar to those of the Association provided that the Association shall not subscribe to or support with its funds any club, association or organisation which does not prohibit the distribution of its income and property among its members to an extent at least as great as that imposed on the Association under or by virtue of Rule 30 (10).
- (3) In furtherance of the objects of the Association to buy, sell and deal in all kinds of articles, commodities and provisions, both liquid and solid, for the members of the Association or persons frequenting the Association's premises.

- (4) To purchase, take on lease or in exchange, hire and otherwise acquire any lands, building, easements or property, real and personal and any rights or privileges which may be requisite for the purposes of, or capable of being conveniently used in connection with, any of the objects of the Association: provided that in case the Association shall take or hold any property which may be subject to any trusts, the Association shall only deal with the same in such manner as is allowed by law having regard to such trusts.

To enter into any arrangements with any Government or Authority that are incidental or conducive to the attainment of the objectives and exercise of the powers of the Association; to obtain from any such Government or Authority any rights, privileges and concessions which the Association may think it desirable to obtain; and to carry out, exercise and comply with any such arrangement, rights, privileges and concessions.

To appoint, employ, remove or suspend such managers, clerks, secretaries, servants, workmen and other persons as may be necessary or convenient for the purposes of the Association.

To remunerate any person or body corporate for services rendered, or to be rendered and whether by way of brokerage or otherwise in placing or assisting to place or guaranteeing the placing of any unsecured notes, debentures or other securities of the incorporated association, or in or about the incorporated association or promotion of the incorporated association or in the furtherance of its objects.

- (8) To construct, improve, maintain, develop, work, manage, carry out, alter or control any houses, buildings, grounds, works or conveniences which may seem calculated directly or indirectly to advance the Association's interests, and to contribute to, subsidise or otherwise assist and take part in the construction, improvement, maintenance, development, working, management, carrying out, alteration or control thereof.
- (9) To invest and deal with the money of the Association not immediately required in such manner as may from time to time be thought fit.
- (10) To take, or otherwise acquire and hold shares, debentures or other securities of any company or body corporate.
- (11) In furtherance of the objects of the Association to lend and advance money or give credit to any person or body corporate; to guarantee and give guarantees or indemnities for the payment of money or the performance of contracts or obligations by any person or body corporate and otherwise to assist any person or body corporate.
- (12) To borrow or raise money, either alone or jointly, with any other person or legal entity in such manner as may be thought proper and whether upon fluctuating advance account or overdraft or otherwise to represent or secure any monies and further advances borrowed or to be borrowed alone or with others as aforesaid by notes secured or unsecured, debentures or debenture stock perpetual or otherwise, or by mortgage, charge, lien or other security upon the whole or any part of the incorporated association's property or assets present or future and to purchase, redeem or pay-off any such securities.
- (13) To draw, make, accept, endorse, discount, execute and issue promissory notes, bills of exchange, bills of lading and other negotiable or transferable instruments.
- (14) In furtherance of the objects of the Association to sell, improve, manage, develop, exchange, lease, dispose of, turn to account or otherwise deal with all or any part of the property and rights of the Association.
- (15) To take or hold mortgages, liens or charges, to secure payment of the purchase price, or any unpaid balance of the purchase price, of any part of the Association's property of whatsoever kind sold by the Association, or any money due to the Association from purchasers and others.
- (16) To take any gift or property whether subject to any special trust or not, for any one or more of the objects of the Associations, but subject always to the proviso in sub-rule (4).
- (17) To take such steps by personal or written appeals, public meetings or otherwise, as may from time to time be deemed expedient for the purpose of procuring contributions to the funds of the Association, in the shape of donations, annual subscriptions or otherwise.

- (18) To print and publish any newspapers, periodicals, books or leaflets that the Association may think desirable for the promotion of its objects.
- (19) In furtherance of the objects of the Association to amalgamate with any one or more incorporated associations having objects altogether or in part similar to those of the Association and which shall prohibit the distribution of its or their income and property among its or their members to an extent at least as great as that imposed upon the Association under or by virtue of Rule 40.
- (20) In furtherance of the objects of the Association to purchase or otherwise acquire and undertake all, or any part of the property, assets, liabilities and engagements of any one or more of the incorporated associations with which the Association is authorised to amalgamate.
- (21) In furtherance of the objects of the Association to transfer all or any part of the property, assets, liabilities and engagements of the Association to any one or more of the incorporated associations with which the Association is authorised to amalgamate.
- (22) To make donations for patriotic, charitable or community purposes.
- (23) To transact any lawful business in aid of the Commonwealth of Australia in the prosecution of any war in which the Commonwealth of Australia is engaged.
- (24) To do all such other things as are incidental or conducive to the attainment of the objects and the exercise of the powers of the Association.

4. MEMBERSHIP

- (1) Every person who, at the date of incorporation of the Association, was a member of the unincorporated association and who on or before the day of incorporation agrees, in writing, to become a member of the Association shall be admitted by the Management Committee to the same class of membership of the Association as that member held in the unincorporated association and shall not be required to pay any further subscription until the next due date for payment of that subscription.
- (2) Subject to the terms and conditions herein following, membership of the Association is open to Civil Marriage Celebrants, appointed under S.39(2) of the Marriage Act 1961-1973, who are residents of the State of Queensland.
- (3) Membership may be granted to authorized Civil Marriage Celebrants who are not normally resident in Queensland. They shall be entitled to all the privileges of ordinary membership.
- (4) Application for membership must be made, in writing, stating details of appointment and residency and addressed to the Secretary of the Association.
- (5) A right, privilege or obligation of membership is not transferable and save only in the case of Winding Up as detailed in Rule 40, all such rights, privileges or obligations cease with the termination of membership.

5. CLASSES OF MEMBERSHIP

- (1) The membership of the Association shall consist of ordinary members and any of the following classes of members:
 - (a) Associate
 - (b) Honorary
 - (c) Life

(2) Associate Members

1. That Associate Membership be granted to persons undertaking formal and recognised training for the purpose of being appointed as a Civil Marriage Celebrant under the provisions of Article S.39(2) of the Marriage Act 1961 – 1073, providing that:-
 - (i) such Associate Members shall pay full membership fees, subject to Article 6.2 and 2 of the Association Constitution.
 - (ii) such Associate Members shall not be eligible to hold any position on the Association Management; and
 - (iii) shall not be eligible to vote on any motion put before any Association meeting.
2. Application for Associate Membership shall be made in writing stating details of the training program plus date of commencement, and addressed to the Association Secretary.
3. Details of such appointment(s) shall be recorded in the Minutes of the meeting at which it was approved.
4. If not officially appointed as a Civil Marriage Celebrant under Article S.39(2) of the Marriage Act 1961 – 1973 within three (3) years of commencing formal training such Associate Membership shall be terminated.
5. Upon official appointment under Article S.39(2) of the Marriage Act 1961 – 1973 such Associate Member shall automatically be granted the status of ordinary member with full membership rights.”

(3) Honorary Member

Honorary Membership may be conferred upon any person nominated at and approved by a majority of financial members voting at a General Meeting; such appointment(s) to be reviewed every two years. The total number of Honorary Members shall not exceed six. Honorary Members do not have the right to hold office, propose, second or vote on any matter of Association business. Details of such appointment to be recorded in the minutes of the meeting at which it was approved and also in the Register of Members.

(4) Life Membership

Life Membership may be conferred upon any member of the Association, in recognition of signal and special services rendered to the Association over a period of not less than ten (10) consecutive years. Nominations, setting out full supporting reasons and signed by not less than two financial members of the Association, require the approval of a two-third majority of financial members present and voting at a General Meeting of the Association, before such appointment shall be made. Although they are not required to pay any further fees to the Association, Life Members retain full voting and election rights. The total number of Life Memberships shall not be limited in number. Details of such appointment to be recorded in the minutes of the meeting at which it was approved and also in the Register of Members.

6. **MEMBERSHIP FEES**

- (1) The membership fees for each class of membership shall be such sum as the members shall, from time to time, at any annual general meeting so determine.
- (2) The membership fees for each class of membership shall be payable at such time and in such manner as the Management Committee shall, from time to time, determine.

7. **ADMISSION AND REJECTION OF MEMBERS**

- (1) At the next meeting of the Management Committee after the receipt of any application and the fee applicable

for any class of membership, such application shall be considered by the Management Committee, who shall thereupon determine upon the admission or rejection of the applicant.

- (2) Any applicant who receives a majority of the votes of the members of the Management Committee present at the meeting at which such application is being considered shall be accepted as a member to the class of membership applied for.
- (3) Upon the acceptance or rejection of an application for any class of membership, the Secretary shall forthwith give the application notice, in writing, of such acceptance or rejection.

8. TERMINATION OF MEMBERSHIP

- (1) A member may resign from the Association at any time by giving notice, in writing, to the Secretary. Such resignation shall take effect at the time such notice is received by the Secretary unless a later date is specified in the notice when it shall take effect on that later date.
 - (2) If a member -
 - (i) is convicted of an indictable offence,
 - (ii) fails to comply with any of the provisions of the Rules,
 - (iii) conducts himself/herself in a manner considered to be injurious or prejudicial to the character or interests of the Association.

The Management Committee shall consider whether his/her membership shall be terminated.

- (3) The member concerned shall be given a full and fair opportunity of presenting his case and if the Management Committee resolves to terminate his membership, it shall instruct the Secretary to advise the member, in writing, accordingly.
- (4)
 - (i) A member who has membership fees in arrears as at January 31st in any year shall have his/her name removed from the Register of Members without further notice
 - (ii) A member whose name has been removed in accordance with item (I) above, shall be reinstated to the Register of Members and to all privileges of membership on payment of the current year's fees and all outstanding fees owing.

9. APPEAL AGAINST REJECTION OR TERMINATION OF MEMBERSHIP

- (1) A person whose application for membership has been rejected or whose membership has been terminated may, within one month of receiving written notification thereof, lodge with the Secretary written notice of his intention to appeal against the decision of the Management Committee.
- (2) Upon receipt of a notification of intention to appeal against rejection or termination of membership, the Secretary shall convene, within three months of the date of receipt by him/her of such notice, a general meeting to determine the appeal. At any such meeting the applicant shall be given the opportunity to fully present his/her case and the Management Committee or those members thereof who rejected the application for membership or terminated the membership subsequently shall likewise have the opportunity of presenting its or their case. The appeal shall be determined by the vote of the members present at such meeting.
- (3) Where a person whose application is rejected, does not appeal against the decision of the Management Committee within the time prescribed by these Rules or so appeals, but the appeal is unsuccessful, the Secretary shall forthwith refund the amount of any fee paid.

10. REGISTER OF MEMBERS

- (1) The Management Committee shall cause a Register to be kept in which shall be entered the names and

residential addresses of all persons admitted to membership of the Association and the dates of their admission.

- (2) Particulars shall also be entered into the Register of deaths, resignations, terminations and reinstatement of membership and any further particulars as the Management Committee or the members at any general meeting may require from time to time.
- (3) The register shall be open for inspection at all reasonable times by any member who previously applies to the Secretary for such inspection.
- (4) A copy of that part of the register which shows names and residential addresses of current financial members to be included with the minutes of the Annual General Meeting sent to each member.

11. **MEMBERSHIP OF MANAGEMENT COMMITTEE**

- (1)
 - (i) The Management Committee of the Association shall consist of a President, Vice-President, Secretary, Treasurer and four other members, all of whom shall be members of the Association, and shall be elected at any annual general meeting.
 - (ii) No member shall be eligible to be elected to or appointed to or to remain on the Management Committee if he/she holds office in another similar association.
- (2) At the Annual General Meeting of the Association, all the members of the Management Committee for the time being shall retire from office, but shall be eligible upon nomination for re-election.
- (A) Tenure of office for all members of the management committee shall be a maximum of five (5) consecutive years in any one office.
- (3) The election of officers and other members of the Management Committee shall take place in the following manner:
 - (a) Any two members of the Association shall be at liberty to nominate any other member to serve as an officer or other member of the Management Committee;
 - (b) A Returning Officer, if required, shall be appointed by the Management Committee for any ballot;
 - (c) The nomination, which shall be in writing, and signed by the member and his/her proposer and seconder, shall be lodged with the Secretary 42 days before the Annual General Meeting. If a ballot is required (ie more than one nomination for a particular position) it will be forwarded to members to be returned to the Returning Officer at least fourteen days before the Annual General Meeting at which the election is to take place.
 - (d) Balloting lists shall be prepared, if necessary, containing the names of the candidates in alphabetical order and each member shall be entitled to vote for any number of such candidates not exceeding the number of vacancies;
 - (e) Two scrutineers will be appointed by the Management Committee for that ballot only

12. **RESIGNATION OF MEMBERS OF MANAGEMENT COMMITTEE**

Any member of the Management Committee may resign from membership of the Management Committee, at any time, by giving notice, in writing, to the Secretary but such resignation shall take effect at the time such notice is received by the Secretary unless a later date is specified in the notice when it shall take effect on that later date or such member may be removed from office at a general meeting of the Association where that member shall be given the opportunity to fully present his case. The question of removal shall be determined by the vote of the members present at such a general meeting.

13. VACANCIES ON MANAGEMENT COMMITTEE

- (1) The Management Committee shall have power, at any time, to appoint any member of the Association to fill any casual vacancy on the Management Committee until the next Annual General Meeting.
- (2) The continuing members of the Management Committee may act notwithstanding any casual vacancy in the Management Committee, but if and so long as their number is reduced below the number fixed by or pursuant to these Rules as the necessary quorum of the Management Committee, the continuing member or members may act for the purpose of increasing the number of members of the Management Committee to that number or of summoning a general meeting of the Association, but for no other purpose.

14. FUNCTIONS OF THE MANAGEMENT COMMITTEE

- (1) Except as otherwise provided by these Rules and subject to resolutions of the members of the Association carried at any general meeting, the Management Committee -
 - (a) shall have the general control and management of the administration of the affairs, property and funds of the Association, and
 - (b) shall have authority to interpret the meaning of these Rules and any matter relating to the Association on which these Rules are silent.
- (2) The Management Committee may exercise all the powers of the Association -
 - (a) to borrow or raise or secure the payment of money in such manner as the members of the Association may think fit and secure the same 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 and in particular by the issue of debentures, perpetual or otherwise, charged upon all or any of the Association's property, both present and future and to purchase, redeem or pay off any such securities;
 - (b) to borrow money from members at a rate of interest not exceeding interest at the rate for the time being charged by bankers in Brisbane for overdrawn accounts on money lent, whether the term of the loan be short or long and to mortgage or charge its property or any part thereof and to issue debentures and other securities, whether outright or as security for any debt, liability or obligation of the Association and to provide and pay off any such securities; and
 - (c) to invest in such manner as the members of the Association may from time to time determine.
 - (d) That any capital expenditure in excess of ten (10) times annual income must be ratified by the members at a General Meeting, prior to implementation.

15. MEETINGS OF MANAGEMENT COMMITTEE

- (1) The Management Committee shall meet at least once every two calendar months to exercise its functions.
- (2) A special meeting of the Management Committee shall be convened by the Secretary on the requisition, in writing, signed by not less than one-third of the members of the Management Committee, which requisition shall clearly state the reasons why such special meeting is being convened and the nature of the business to be transacted thereat.
- (3) At every meeting of the Management Committee, a quorum shall consist of 4 members.
- (4) Subject as previously provided in this rule, the Management Committee may meet together and regulate its proceedings as it thinks fit, provided that questions arising at any meeting of the Management Committee shall be decided by a majority of votes and, in the case of equality of votes, the question shall be deemed to be decided in the negative.
- (5) A member of the Management Committee shall not vote in respect of any contract or proposed contract with the Association in which he/she is interested, or any matter arising thereout, and if he/she does so vote, his/her vote shall not be counted.

- (6) Not less than fourteen days notice shall be given by the Secretary to members of the Management Committee of any special meeting of the Management Committee. Such notice shall clearly state the nature of the business to be discussed thereat.
- (7) The President shall preside as Chairman at every meeting of the Management Committee, or if there is no President, or if at any meeting he/she is not present within ten minutes after the time appointed for holding the meeting, the Vice President shall be Chairman or if the Vice President is not present at the meeting, the members may choose one of their number to be Chairman of the meeting.

If within half an hour from the time appointed for the commencement of a Management Committee meeting a quorum is not present, the meeting, if convened upon the requisition of members of the Management Committee, shall lapse. 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 Management Committee 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 meeting shall lapse.

16. **SUB COMMITTEES**

- (1) The Management Committee shall have the power to Co-opt members to sit on the committee for a special reason for a specified time.
- (2) The Management Committee may delegate any of its powers to a sub-committee consisting of such members of the Association as the Management Committee thinks fit. The sub-committee so delegated recommend to the Management Committee the actions necessary and all Policy decisions must be ratified by the Management Committee prior to implementation.
- (3) A sub-committee may elect a Chairman of its meetings. If no such Chairman is elected, or if at any meeting the Chairman is not present within ten minutes after the time appointed for holding the meeting, the members present may choose one of their number as Chairman of the meeting.
- (4) A sub-committee may meet and adjourn as it thinks proper. Questions arising at any meeting shall be determined by a majority of votes of the members present and, in the case of an equality of votes, the question shall be deemed to be decided in the negative.

17. **COMMITTEES APPOINTMENTS DEFECT**

All acts done by any meeting of the Management Committee or of a sub-committee or by any person acting as a member of the Management Committee, or sub-committee, shall, notwithstanding that it is afterwards discovered that there was some defect in the appointment of any such member of the Management Committee or person acting as aforesaid, or that the members of the Management Committee or any of them were disqualified, be as valid as if every such person had been duly appointed and was qualified to be a member of the Management Committee.

18. **WRITTEN RESOLUTIONS**

A resolution, in writing, signed by all the members of the Management Committee for the time being entitled to receive notice of a meeting of the Management Committee shall be as valid and effectual as if it had been passed at a meeting of the Management Committee duly convened and held. Any such resolution may consist of several documents in like form, each signed by one or more members of the Management Committee.

19. **MEETINGS**

- (1) The first general meeting shall be held at such time, not being less than one month nor more than three months after the incorporation of the Association and at such place as the Management Committee may determine.
- (2) A general meeting of the Association shall be held quarterly. One may be held separate from, but immediately preceding, the Annual General Meeting.

20. **DATE OF ANNUAL GENERAL MEETING**

- (1) The Annual General Meeting shall be held within three (3) months of the end of the financial year; the place, date, hour and agenda fixed by the Management Committee of the Association and notified at least one month prior to it being held, to every financial member of the Association
- (2) The business to be transacted at every Annual General Meeting shall be:
 - (a) the receiving of the Management Committee's report and the statement of income and expenditure, assets and liabilities and mortgages, charges and securities affecting the property of the Association for the preceding financial year;
 - (b) the receiving of the auditor's report upon the books and accounts for the preceding financial year;
 - (c) the election of members of the Management Committee; and
 - (d) the appointment of an auditor.

21. **SPECIAL GENERAL MEETING**

The Secretary shall convene a SPECIAL GENERAL MEETING

- (a) when directed to do so by the Management Committee; or
- (b) on the requisition, in writing, signed by not less than one-third of the members presently on the Management Committee or not less than the number of ordinary members of the Association which equals double the number of members presently on the Management Committee plus one. Such requisition shall clearly state the reasons why such special general meeting is being convened and the nature of the business to be transacted thereat; or
- (c) on being given a notice, in writing, of an intention to appeal against the decision of the Management Committee to reject an application for membership or to terminate the membership of any person.

22. **QUORUMS**

- (1) At any annual and/or general meeting, the number of members required to constitute a quorum shall be double the number of members presently on the Management Committee plus one.
- (2) If within half an hour from the time appointed for the commencement of a general meeting a quorum is not present, the meeting, if convened upon the requisition of members of the Management Committee or the Association, shall lapse. 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 Management Committee 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.
- (3) The Chairman may, with the consent of any meeting at which a quorum is present (and shall if so directed by the meeting), adjourn the meeting from time to time and from place to place, but no business shall be transacted at any adjourned meeting other than the business left unfinished at the meeting from which the adjournment took place. When a meeting is adjourned for thirty days or more, notice of the adjourned meeting shall be given as in the case of an original meeting.

23. **NOTICE**

- (1) The Secretary shall convene all general meetings of the Association by giving not less than 14 days notice of any such meeting to the members of the Association.
- (2) The manner by which such notice shall be given shall be determined by the Management Committee: Provided that notice of any meeting convened for the purpose of hearing and determining the appeal of a member against the rejection or termination of his membership by the Management Committee, shall be

given in writing. Notice of a general meeting shall clearly state the nature of the business to be discussed thereat.

24. PROCEDURE

Unless otherwise provided by these Rules, at every general meeting -

- (1) The President shall preside as Chairman, or if there is no President, or if he/she is not present within fifteen minutes after the time appointed for the holding of the meeting or is unwilling to act, the Vice-President shall be the Chairman or if the Vice-President is not present or is unwilling to act then the members present shall elect one of their number to be Chairman of the meeting;
- (2) The Chairman shall maintain order and conduct the meeting in a proper and orderly manner;
- (3) The Secretary shall cause full and accurate minutes of all questions, matters, resolutions and other proceedings of every Management Committee meeting and general meeting to be entered in a book to be open for inspection at all reasonable times by any financial member who previously applies to the Secretary for that inspection. For the purposes of ensuring the accuracy of the recording of such minutes, the minutes of every Management Committee meeting shall be signed by the Chairman of that meeting or the Chairman of the next succeeding management Committee meeting verifying their accuracy. Similarly, the minutes of every general meeting shall be signed by the Chairman of that meeting or the Chairman of the next succeeding general meeting: Provided that the minutes of any annual general meeting shall be signed by the Chairman of that meeting or the Chairman of the next succeeding general meeting or annual general meeting.

25. VOTING

- (1) A member shall not be entitled to vote at any general meeting if his/her annual subscription is more than one month in arrears at the date of meeting.
- (2) Every question, matter or resolution shall be decided by a majority of votes by the members present unless a postal vote has previously been taken. In these instances the results will be announced.
- (3) Every member present shall be entitled to one vote and in the case of an equality of votes, the chairman shall have a second or casting vote.
- (4) Voting shall be by a show of hands or a division of members, unless not less than one-fifth of the members present demand a ballot, in which event there shall be a secret ballot. The chairman shall appoint two members to conduct a secret ballot in such a manner as he/she shall determine and the result of the ballot as declared by the chairman shall be deemed to be the resolution of the meeting at which the ballot was demanded.
- (5) On matters other than alteration of rules. A postal ballot shall be taken if a majority of the members present at any general meeting are in agreeance. The chairman will appoint two scrutineers for that ballot only. The result of the said ballot will be announced as per 25(2).
- (6) In all meetings, proxy votes will not be allowed.

26. BY-LAWS

The Management Committee may from time to time make, amend or repeal by-laws, not inconsistent with these Rules, for the internal management of the Association and any by-law may be set aside by a general meeting of members.

27. ALTERATION OF RULES

Subject to the provisions of the Associations Incorporation Act 1981-1990, these Rules may be amended, rescinded or added to from time to time by a special resolution passed at any general meeting: Provided that thirty (30) days Notice Of Motion, together with a relevant rationale be provided to each financial member of the Association, and that a postal ballot is available to those members unable to attend the General Meeting.

Such postal votes shall be valid subject to receipt thereof, seven (7) days prior to the General Meeting.

28. **PATRON(S)**

The Association may elect a Patron or Patrons who shall be a person or persons of distinction and who need not be a member or members of the Association. A Patron is to hold office until he/she resigns or until a General or Extraordinary Meeting rules otherwise. Any motion to appoint a Patron, or end his/her period of office, is to be given to members at least two weeks before the meeting at which the matter is to be debated.

29. **COMMON SEAL**

The Management Committee shall provide for a Common Seal and for its safe custody. The Common Seal shall only be used by the authority of the Management Committee and every instrument to which the seal is affixed shall be signed by a member of the Management Committee and shall be countersigned by the Secretary or by a second member of the Management Committee or by some other person appointed by the Management Committee for the purpose.

30. **FUNDS AND ACCOUNTS**

- (1) The funds of the Association shall be deposited in the name of the Association in such Bank or Permanent Building Society as the Management Committee may from time to time direct.
- (2) Proper books and accounts shall be kept and maintained either in written or printed form in the English language showing correctly the financial affairs of the Association and the particulars usually shown in books of a like nature.
- (3) All monies shall be deposited as soon as practicable after receipt thereof.
- (4) All monies shall be paid by cheque signed by any two of the President, Secretary, Treasurer or other member authorised from time to time by the Management Committee.
- (5) Cheques shall be crossed "not negotiable" except those in payment of wages, allowances or petty cash recouplement's which may be open.
- (6) The Management Committee shall determine the amount of petty cash which shall be kept on the imprest system.
- (7) All expenditure shall be approved or ratified at a Management Committee meeting.
- (8) As soon as practicable after the end of each financial year, the Treasurer shall cause to be prepared a statement containing the particulars of -
 - (a) the income and expenditure for the financial year just ended; and
 - (b) the assets and liabilities and of all mortgages, charges and securities affecting the property of the Association at the close of that year.
- (9) All such statements shall be examined by the auditor who shall present his/her report upon such audit to the Secretary prior to the holding of the annual general meeting next following the financial year in respect of which such audit was made.
- (10) The income and property of the Association whencesoever derived shall be used and applied solely in promotion of its objects and in the exercise of its powers as set out herein and no portion thereof shall be distributed, paid or transferred directly or indirectly by way of dividend, bonus or otherwise by way of profit to or amongst the members of the Association provided that nothing herein contained shall prevent the payment in good faith of interest to any such member in respect of monies advanced by him/her to the Association or otherwise owing by the Association to him or of remuneration to any officers or servants of the Association or to any member of the Association or other person in return for any services actually rendered to the Association provided further that nothing herein contained shall be construed so as to prevent the payment or repayment to any member of out of pocket expenses, money lent, reasonable and proper

charges for goods hired by the Association or reasonable and proper rent for premises demised or let to the Association.

31. **DOCUMENTS**

The management Committee shall provide for the safe custody of books, documents, instruments of title and securities of the Association.

32. **CHAIRMAN**

(1) The President for the time being shall be Chairman at all General and Committee Meetings. In the absence of the President, the Chairman shall be the Vice President or in the absence of the Vice President, by majority vote, some other member chosen by the meeting.

(2) At all meetings, the rules of parliamentary debate will apply.

33. **PRESIDENT**

The President of the Association shall, in the first instance, be Chairman at any meeting or Annual General Meeting of the Association and Chairman of meetings of the Management Committee. He/she is appointed as a Public Relations Officer to act alone or jointly with other members of the Management Committee, and if acting alone, to do so where possible after consultation with other members of the Management Committee, reporting on such action and the reasons for it to the Management Committee at its next meeting.

34. **VICE PRESIDENT**

The Vice President shall, in the absence of the President at any meeting or Annual General Meeting of the Association, be Chairman of such a meeting, or at a meeting of the Management Committee. He/she is also appointed as a Public Relations Officer to act alone or jointly with other members of the Management Committee, and if acting alone, to do so only because of the unavailability of the President, and under the conditions that apply to the President.

35. **SECRETARY**

Routine correspondence to the Association should be addressed to the Secretary and the Secretary shall have the authority to sign correspondence on behalf of the Association after referral to such other member or members of the Management Committee as is/are available, unless for any reason the Management Committee decides otherwise. He/she is appointed as a Public Relations Officer to act alone, or jointly with other members of the Management Committee, and if acting alone, to do so only because of the unavailability of the President or Vice President, and under the conditions that apply to the President. He/she shall keep Minute books in which the proceedings of all meetings of the Management Committee, the Annual General Meeting and any General Meetings shall be faithfully recorded. He/she shall keep a register of members, their financial membership standing and any other details of address, etc. required and carry out the duties detailed by these Rules.

36. **TREASURER**

The Treasurer shall receive all monies due to the Association and give receipts for same; receive and collect subscriptions; pay all accounts of the Association and obtain receipts thereof; keep separate and distinct accounts of the Association; furnish the auditor with a correct account of the yearly monetary transactions of the Association for the financial year of the Association and produce all bank vouchers and documents therewith to enable the auditor's report to be presented at the Annual General Meeting; make all payments (other than petty cash) by cheque; furnish the Management Committee at each ordinary meeting of the Management Committee with a statement showing the financial position of the Association; hand over all books, papers, etc. belonging to the Association within 48 hours of being directed to do so by the Management Committee; and pay all monies received on behalf of the Association within 72 hours of receipt.

37 **RETURNING OFFICER**

A Returning Officer and/or Scrutineers shall be appointed at such time as the occasion arises. Such appointment shall be for a specific ballot.

38. **AUDITOR**

- (1) At each Annual General Meeting the members shall appoint a qualified person who is not a member of the Association, to serve as Auditor for the following year.
- (2) The person so appointed shall hold office until the next Annual General Meeting and, if eligible, may be re-appointed.
- (3) The Auditor shall report to the members on the annual accounts of the Association and such report shall state whether in his/her opinion:
 - (a) the annual statement to be presented to the members is drawn up so as to exhibit a true and fair view of the financial position of the Association;
 - (b) the accounting and other records of the Association have been properly kept and the required information obtained by him/her; and
 - (c) the rules relating to the administration of the funds of the Association have been observed.

Annual Accounts

An audited copy of the Association accounts shall be presented to the succeeding Annual General Meeting.

39. **FINANCIAL YEAR**

The financial year of the Association shall close on 31st December in each year.

40. **DISSOLUTION OF THE ASSOCIATION**

If the Association shall be wound up in accordance with the provisions of the Associations Incorporation Act 1981-1990, and there remains, after satisfaction of all its debts and liabilities, any property whatsoever, the same shall not be paid to or distributed among the members of the Association, but shall be given or transferred to some other institution or institutions having objects similar to the objects of the Association, and which shall prohibit the distribution of its or their income and property among its or their members to an extent at least as great as is imposed on the Association under or by virtue of Rule 30(10), such institution or institutions to be determined by the members of the Association.

41. **CODE OF ETHICS**

Members shall

- (1) at all times ensure that their conduct is of a professional standard and in keeping with their appointment as a Civil Marriage Celebrant and in accordance with the interests of the Association;
- (2) at all times seek to provide services to the satisfaction of clients;
- (3) at all times maintain the privacy and confidentiality of clients;
- (4) at all times ensure that marriages are solemnised with the appropriate decorum;
- (5) take advantage of appropriate occasions to educate and inform the public of the functions of Civil Marriage Celebrants according to the guidelines prescribed by the Association and the Attorney-General;
- (6) not perform marriages for remuneration or profit other than the prescribed fee, making it clear that the prescribed fee is for the service performed, and attempting to oblige the public by their manner and effort so

that they will be judged to be giving value for the prescribed fee;

- (7) not take advantage of their office by gaining remuneration directly from commercial interests such as caterers, photographers, hire-car owners and the like;
- (8) when requested assist and advise newly appointed Civil Marriage Celebrants in the taking up of their duties. Every help and assistance should be given to new Celebrants once appointed; and
- (9) always act in such a way that it is clear that service to the public comes willingly and without any private advantage.

43 I hereby certify that this is a true and correct copy of the rules adopted by the members of the Incorporated Association.

42. **DATE OF ISSUE**

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Secretary

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Dated