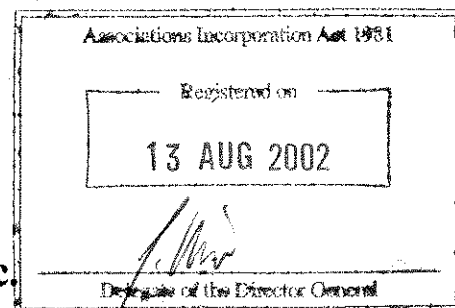


**Rules
Of
Brisbane Petanque Club, Inc.**



WORDS AND EXPRESSIONS

- 1.1 A word or expression that is not defined in these Rules, but is defined in the *Associations Incorporation Act 1981* has, if the context permits, the meaning given by the Act.
- 1.2 In these rules unless the contrary intention appears:
"the Act" means the *Associations Incorporation Act 1981* as amended or reenacted;
"affiliated club" means a corporation or association having similar objects to those of Petanque Australia Ltd, that has agreed to be bound by the By-Laws of Petanque Australia Ltd, and which the Directors of Petanque Australia Ltd have deemed to be affiliated;
"the club" means this incorporated association;
"existing association" means the previous unincorporated association referred to and identified in subsection 4.3;
"F.I.P.J.P" means the body known as *Federation Internationale de Petanque et Jeu Provençal*;
"general meeting" means a meeting of the members of the club, and a general meeting may be an annual general meeting or a special general meeting;
"Licensed Player" means a player who has been licensed by Petanque Australia Ltd according to its By-Laws;
"proxy" means the person appointed by an instrument executed by a member;
"special meeting" means a special meeting of the management committee;
"special resolution" means a resolution passed at a general meeting by the votes of not less than 75% of those present and entitled to vote on the resolution;
"surplus assets" has the meaning given by s.92(3) of the Act;

NAME

2. The name of this incorporated association is **BRISBANE PETANQUE CLUB, INC.**

OBJECTS

3. The objects of the club are-
- (a) to be a non-profit organisation for the playing the sport of Petanque for community service purposes as a sporting organisation;
 - (b) to maintain a direct affiliation with Petanque Queensland, Inc., that organisation being the 'peak' body for the sport of Petanque in Queensland, and assist it in the achievements of its objectives;
 - (c) to encourage competitions and tournaments in the sport of Petanque both within the club and with and between affiliated clubs;
 - (d) to encourage the sport of Petanque amongst persons of all ages;
 - (e) to provide social and recreational facilities for its members;

- (f) to promote the sport of Petanque to local government and seek such assistance, whether financial or otherwise, in the development of the community's appreciation of the sport, and, the encouragement of the community to participate in the sport;
- (g) to ensure that the By-Laws of Petanque Australia Ltd, and the rules of the sport of Petanque as published by F.I.P.J.P. are applied in all competitions and tournaments;
- (h) to engage in any other activity the management committee deems appropriate provided that such other activity is incidental to the objects previously stated.

POWERS

- 4.1 The club has the powers of an individual.
- 4.2 Without limiting the generality of its powers, the club may-
 - (a) enter into contracts;
 - (b) acquire, hold, deal with and dispose of property;
 - (c) make charges for services and facilities it supplies;
 - (d) do other things necessary or convenient to be done in carrying out its affairs and in attaining its objects.
- 4.3 The club may take over the funds and other assets and liabilities of the present unincorporated association known as Brisbane ~~Southside~~ Petanque Club.
- 4.4 The club may also issue secured and unsecured notes, debentures and debenture stock for the club.

MEMBERS

- 5.1 The membership of the club shall be persons accepted for membership in accordance with these rules.
- 5.2 Unless otherwise determined there will be one class of members but the management committee may from time to time resolve that there be additional classes of membership and, without limiting the generality of this rule, provide for classes of membership being-
 - (a) Licensed Players;
 - (b) Players, other than Licensed Players; and
 - (c) Social Members; anddetermine the conditions of entry into such class or classes of membership so created.
- 5.3 The management committee may from time to time determine if any class of member is not entitled to vote at a meeting of members but subject that no member under the age of eighteen years shall be entitled to a vote at a meeting of members.
- 5.4 A resolution by the management committee in relation to subsection 5.2 will not contravene any directive or determination by Petanque Australia Ltd. or Petanque Queensland, Inc.

- 5.5 The number of members is unlimited but the number of members of a class of membership may be limited if so determined by the management committee.

MEMBERSHIP

- 6.1 A person, who was a member of the existing association and who, on or before a day fixed by the management committee, agrees in writing to become a member of the this club, must be admitted by the management committee as a member.
- 6.2 A member of this club who, before becoming a member, has paid a membership fee for membership of the existing association on or before a day fixed by the management committee, is not liable to pay a further annual subscription for the period before the day fixed by the management committee as the day on which the next annual subscription is payable.
- 6.3 An applicant for membership of the club, other than a member of the existing association, must be lodged with the management committee who shall determine if the application is successful or otherwise; it shall not be required that an application be 'proposed' or 'seconded' though a member may recommend a prospective member for membership.
- 6.4 An application for membership must be-
- (a) in writing;
 - (b) signed by the applicant;
 - (c) in the form decided by the management committee; and
 - (d) lodged with the secretary of the club.

MEMBERSHIP FEES

- 7.1 The membership fees for members-
- (a) is the amount or the amounts if there more than one class of members decided by the members from time to time at a general meeting; and
 - (b) is payable when, and in the way, the management committee decides.

ADMISSION AND REJECTION OF MEMBERS

- 8.1 The management committee must consider an application for membership at the next meeting of the committee held after it receives -
- (a) the application; and
 - (b) and such other information (if any) that the secretary has requested from the applicant.
- 8.2 The management committee must decide at the meeting whether to accept or reject the application.
- 8.3 If a majority of the management committee members present at the meeting vote to accept the applicant as a member, the applicant must be accepted as a member of the club.
- 8.4 The secretary of the club must, as soon as practicable after the management committee decides to accept or reject an application, give the applicant a written notice of the decision.

WHEN MEMBERSHIP ENDS

- 9.1 A member may resign from the club by giving written notice of resignation to the secretary.
- 9.2 The resignation takes effect on -
(a) the day and time the notice is received by the secretary; or
(b) if a later day is stated in the notice - the later day.
- 9.3 The management committee may terminate a member's membership if the member -
(a) becomes insolvent according to law; or
(b) does not comply, and thereafter continues not to comply, with any of the provisions of these rules;
(c) does not comply, and thereafter continues not to comply, with the By-Laws of Petanque Australia Ltd or the Rules of the Sport of Petanque as applicable within Australia; or
(d) has membership fees in arrears for at least 2 months; or
(e) conducts himself or herself in a manner considered to be injurious or prejudicial to the character or interests of the club.
- 9.4 Before the management committee terminates a member's membership, the management committee must give the member a full and fair opportunity to show why the membership should not be terminated.
- 9.5 If, after considering all representations made by the member, the management committee decides to terminate the membership, the secretary must give the member a written notice of the decision.

APPEAL AGAINST REJECTION OR TERMINATION OF MEMBERSHIP

- 10.1 An applicant whose application for membership has been rejected, or a member whose membership has been terminated, may give the secretary written notice of the an intention to appeal against the decision.
- 10.2 A notice of intention to appeal must be given to the secretary within 1 month after the applicant or the member receives written notice of the decision.
- 10.3 If the secretary receives a notice of intention to appeal, the secretary must, within 3 months after the day of receipt, call a general meeting to decide the appeal.
- 10.4 At the meeting, the applicant or the member must be given full and fair opportunity to show why the application should not be rejected or the membership should not be terminated.
- 10.5 Also, the management committee and the management committee members who rejected the application or terminated the membership must be given an opportunity to show why the application should be rejected or the membership should be terminated.
- 10.6 An appeal must be decided by a vote of members including members' proxies present at the meeting.

REGISTER OF MEMBERS

- 11.1 The management committee must keep a register of members.
- 11.2 The register of members must include the following particulars for each member -
- (a) the name and address of the member;
 - (b) the date of admission as a member;
 - (c) if on the date of admission as a member, the member is less than 18 years of age, then that member's date of birth;
 - (d) the class of membership, if there is more than one class of membership;
 - (e) the date of resignation or termination of the member,
 - (f) details about the termination or reinstatement of membership;
 - (g) any other particulars the management committee or the members at a general meeting decide.
- 11.3 The register must be open for inspection by any member at all reasonable times.
- 11.4 However, before a member may inspect the register, the member must apply to the secretary to inspect it.

SECRETARY

- 12.1 If the existing association has not elected an interim officer as secretary for the club before its incorporation, the members of the management committee must ensure a secretary is appointed or elected for the association within 1 month after incorporation.
- 12.2 If a vacancy happens in the office of secretary, the members of the management committee must ensure a secretary is appointed or elected for the club within 1 month after the vacancy happens.
- 12.3 The secretary must be an individual residing in Queensland, or in another State but not more than 65 km from the Queensland border, appointed by the management committee, and who is a member of the club's management committee.

MEMBERSHIP OF THE MANAGEMENT COMMITTEE

- 13.1 The management committee of the club shall consist of the following offices-
- (a) a president, and
 - (b) a vice-president (if determined by the management committee that the office of vice-president should exist), and
 - (c) a secretary, and
 - (d) a treasurer, and
 - (e) if considered appropriate, one or two more persons.
- 13.2 The management committee shall comprise a minimum of three persons and a maximum of six persons but, until the first general meeting, the management committee may consist of less than three persons and a member of the management committee may hold more than one office other than the office of president.
- 13.3 At each annual general meeting of the club, the members of the management committee must retire from office, but are eligible on nomination, for re-election.

ELECTING THE MANAGEMENT COMMITTEE

- 14.1 A person may be elected to the management committee by-
- (a) being nominated by a member of the association;
 - (b) the nomination must be-
 - (i) in writing; and
 - (ii) signed by the candidate and on behalf of the member who nominated him or her; and
 - (iii) given to the secretary at least 14 days before the annual general meeting at which the election is to be held.
 - (c) each member, through its proxy attorney or nominee present at the annual general meeting, may vote for any number of candidates but not more than the number of vacancies;
 - (d) if, at the start of the meeting, there are not enough candidates nominated, nominations may be taken from the floor of the meeting.
- 14.2 A list of the candidates' names in alphabetical order, with the names of the member or members who nominated each candidate, must be enclosed with the Notice of Annual General Meeting provided to each member.
- 14.3 If required by the management committee, balloting lists must be prepared containing the names of the candidates in alphabetical order.
- 14.4 Unless otherwise determined by the members in general meeting, the management committee shall determine which of their number shall hold the offices as set out in subsection 13.1.

RESIGNATION OR REMOVAL FROM OFFICE OF MANAGEMENT COMMITTEE MEMBER

- 15.1 A management committee member may resign from the committee by giving written notice of resignation to the secretary.
- 15.2 The resignation takes effect on -
- (a) the day and at the time the notice is received by the secretary; or
 - (b) if a later day is stated in the notice - the later day.
- 15.3 A management committee member may be removed from office at a general meeting of the club if a majority of the members and members' proxies present vote in favour of removing that person.
- 15.4 Before a vote is taken about removing a person from office, the management committee member must be given a fair and full opportunity to show cause why he or she should not be removed from office.
- 15.5 A management committee member has no right of appeal against his or her removal from office under this section.

VACANCIES ON MANAGEMENT COMMITTEES

- 16.1 If a casual vacancy happens on the management committee, the continuing members of the management committee may appoint another person to fill the vacancy until the next annual general meeting.
- 16.2 The continuing members of the management committee may act despite a casual vacancy on the management committee.
- 16.3 However, if the number of committee members is less than the minimum number fixed under these rules, the continuing members may act only to-
- (a) increase the number of management committee members to the minimum number required; or
 - (b) call a general meeting of the association.

FUNCTIONS OF MANAGEMENT COMMITTEE

- 17.1 Subject to these rules or a resolution of the club's members carried at a general meeting, the management committee -
- (a) has the general control and management of the administration of the affairs, property and funds of the club; and
 - (b) has the authority to interpret the meaning of these rules and any matter relating to the club on which the rules are silent.
- 17.2 The management committee may exercise the powers of the club -
- (a) to borrow, raise or secure the payment of amounts in a way the club's members 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 club in any way, including the issue of debentures (perpetual or otherwise) charged upon the whole or part of the club's 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 amounts borrowed; and
 - (e) to mortgage or charge the whole 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 club; and
 - (g) to invest in a way the members of the club may from time to time decide.
- 17.3 For subsection 17.2 (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 club; or
 - (b) if there is more than one financial institution for the club - the financial institution nominated by the club.

MEETINGS OF MANAGEMENT COMMITTEE

- 18.1 Subject to these Rules, the management committee may meet and conduct its proceedings as it considers appropriate.

- 18.2 The management committee must meet at least once every 4 months to exercise its functions.
- 18.3 The committee must decide how a meeting is to be called.
- 18.4 Notice of a meeting is to be given in the way decided by the committee.
- 18.5 If the secretary receives a written request signed by at least two management committee members, the secretary must call a special meeting of the committee.
- 18.6 A request for a special meeting must state -
(a) why the special meeting is being called; and
(b) the business to be conducted at the meeting.
- 18.7 At a management committee meeting, 50% of the number of management committee members then holding office constitute a quorum.
- 18.8 A question arising at a management committee meeting is to be decided by a majority vote of the management committee members present at the meeting and, if the votes are equal, the question is decided in the negative.
- 18.9 A management committee member must not vote on a question about a contract or proposed contract with the club if the management committee member has an interest in the contract or proposed contract, and if the member of the committee does vote then that vote must not be counted.
- 18.10 The secretary must give each management committee member at least 14 days notice of a special meeting of the committee.
- 18.11 A notice of special meeting must state -
(a) the day, time and place of the meeting; and
(b) the business to be conducted at the meeting.
- 18.12 The president or, if there is no president or if the president is not present within 10 minutes after the time fixed for a management committee meeting, the vice-president is to preside as chairperson at the meeting.
- 18.13 If the president and the vice-president are absent from a management committee meeting, the management committee members may choose 1 of their number to preside as chairperson at the meeting.
- 18.14 If a quorum is not present within 30 minutes after the time fixed for a management committee meeting called on the request of committee members, the meeting lapses.
- 18.15 If a quorum is not present within 30 minutes after the time fixed for a management committee meeting called other than on the request of management committee members, the meeting is to be adjourned to -
(a) the same day, time and place in the next week; or
(b) a day, time and place decided by the committee;
and, if at an adjourned meeting, a quorum is not present within 30 minutes after the time fixed for the meeting, then the meeting lapses.

- 18.16 The secretary must ensure full and accurate minutes of all matters, resolutions and other proceedings of each meeting of the management committee are entered in a minute book.

DELEGATION OF MANAGEMENT COMMITTEE POWERS

- 19.1 The management committee may delegate the whole or part of its powers to a subcommittee consisting of persons who are management committee members or other persons who are considered appropriate by the management committee.
- 19.2 A subcommittee may only exercise delegated powers in the way the management committee decides.
- 19.3 A subcommittee may elect a chairperson of its meetings.
- 19.4 If a chairperson is not elected, or if the chairperson is not present within 10 minutes after the time fixed for a meeting, the members of the subcommittee present may choose 1 of their number to be chairperson of the meeting.
- 19.5 A subcommittee may meet and adjourn as it considers appropriate.
- 19.6 A question arising at a subcommittee meeting is to be decided by a majority vote of those present at the meeting and, if the votes are equal, the question is decided in the negative.

ACTS NOT AFFECTED BY DEFECTS OR DISQUALIFICATIONS

- 20.1 An act performed by the management committee, a subcommittee or a person acting as a member of the management committee is taken to have been validly performed.
- 20.2 The validity of an act performed, applies even if the act was performed when there was a defect in the appointment of a member of the management committee or a subcommittee.

RESOLUTIONS OF MANAGEMENT COMMITTEE WITHOUT A MEETING

- 21.1 A written resolution signed by each member of the management committee for the time being entitled to receive a notice of a committee meeting is as valid and effectual as if it had been passed at a committee meeting that was properly called and held.
- 21.2 A written resolution may consist of several documents in like form signed by 1 or more members of the management committee.

FIRST GENERAL MEETING

- 22.1 The first general meeting must be held not less than 1 month, and not more than 3 months, after the day the club is incorporated.
- 22.2 The management committee must decide where the meeting is to be held.
- 22.3 The business to be conducted at the first general meeting must include the appointment of an auditor.

FIRST ANNUAL GENERAL MEETING

23. The first annual general meeting must be held within 18 months after the day the club is incorporated.

SUBSEQUENT ANNUAL GENERAL MEETINGS

24. Each subsequent annual general meeting must be held -
- (a) at least once each year; and
 - (b) within 6 months after the end of the club's previous financial year.

BUSINESS TO BE CONDUCTED AT ANNUAL GENERAL MEETINGS

25. The following business must be conducted at each annual general meeting -
- (a) receiving the statement of income and expenditure, assets, liabilities and mortgages, charges and securities affecting the property of the club for the last financial year;
 - (b) receiving the auditor's report on the financial affairs of the club for the last financial year;
 - (c) presenting the audited statement to the meeting for adoption;
 - (d) electing members of the management committee;
 - (e) appointing an auditor.

SPECIAL GENERAL MEETING

- 26.1 The secretary may only call a special general meeting by giving each member notice of the meeting within 14 days after -
- (a) being directed to call the meeting by the management committee; or
 - (b) being given a written request signed-
 - (i) by at least two members of the management committee; or
 - (ii) for and on behalf of at least three members of the club; or
 - (c) being given written notice of an intention to appeal against the decision of the management committee -
 - (i) to reject an application for membership; or
 - (ii) to terminate a member's membership.
- 26.2 A request to convene a special general meeting must state -
- (a) why the special meeting is being called; and
 - (b) the business to be conducted at the meeting.

NOTICE OF GENERAL MEETING

- 27.1 The secretary may call a general meeting of the club.
- 27.2 The secretary must give at least 14 days notice of the meeting to each member who is entitled to vote.
- 27.3 The management committee may decide the way in which the notice must be given.
- 27.4 However, notice of the following meetings must be given in writing if -

- (a) a meeting called to hear and decide the appeal of a member against the rejection or termination of the member's membership by the management committee; or
- (b) a meeting called to hear or decide a proposed special resolution of the club.

27.5 A notice of a general meeting must state the business to be conducted at the meeting.

QUORUM FOR, AND ADJOURNMENT OF, GENERAL MEETING

28.1 At a general meeting, five members or represented by proxy present at the meeting shall form a quorum.

28.2 No business may be conducted at a general meeting unless a quorum is present when the meeting proceeds to business.

28.3 If a quorum is not present within 30 minutes after the time fixed for a general meeting called on the request of members of the management committee or the club, the meeting lapses.

28.4 If a quorum is not present within 30 minutes after the time fixed for a general meeting called other than on the request of members of the management committee or the club, the meeting is to be adjourned to -

- (a) the same day, time and place in the next week; or
 - (b) a day, time and place decided by the management committee;
- and, if at an adjourned meeting, a quorum is not present within 30 minutes after the time fixed for the meeting, the members or members represented by proxy present shall form a quorum.

28.5 The chairperson may, with the consent of any meeting at which a quorum is present and must if directed by the meeting, adjourn the meeting from time to time and place to place and if a meeting is so adjourned, only the business left unfinished at the meeting from which the adjournment took place may be conducted at the adjourned meeting.

28.6 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 adjourned for at least 30 days.

28.7 If the meeting is adjourned for at least 30 days, notice of the adjourned meeting must be given in the same way notice is given for an original meeting.

PROCEDURE AT GENERAL MEETING

29.1 Subject to these rules, at each general meeting -

- (a) the president or, if there is no president or if the president is not present within 15 minutes after the time fixed for the meeting or is unwilling to act, the vice-president is to preside as chairperson; and
- (b) if the vice-president is absent or unwilling to act as chairperson, the members or members represented by proxy present must elect 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) each question, matter or resolution must be decided by a majority of votes of the members or members represented by proxy present; and
- (e) subject to subsection 5.3, each member or member represented by proxy present is entitled to 1 vote only and, if the votes are equal, the chairperson shall have a casting vote as well as a primary vote; but subject that a member is not entitled to vote due to a resolution by the management committee disallowing the member's entitlement to vote due to the member's minority or membership of a particular class of membership; and
- (f) a member is not entitled to vote at a general meeting if the member's annual subscription is in arrears at the date of the meeting; and
- (g) voting may be by a show of hands or a division, unless a secret ballot is demanded; and
- (h) if a secret ballot is held, the chairperson must appoint 2 members of the management committee or any 2 persons present to conduct the secret ballot in a way the chairperson decides; and
- (i) the result of a secret ballot as declared by the chairperson is taken to be a resolution of the meeting at which the ballot was held; and
- (j) a member may vote by a proxy and -
 - (i) on a show of hands, each person present who represents a member has 1 vote; and
 - (ii) in a secret ballot, each person present who represents a member has 1 vote; but
 - (iii) subject that each member shall have only one representative and be entitled to only 1 vote; and
- (k) an instrument appointing proxy must be in writing; and
- (l) a proxy may be any person; and
- (m) the instrument appointing a proxy is taken to confer authority to demand or join in demanding a secret ballot; and
- (n) if a member wants to give the proxy an opportunity to vote for or against a resolution, the instrument appointing a proxy, must be in the form or like form as set out in Schedule 1; and
- (o) each instrument appointing a proxy must be given to the secretary before the start of the meeting or adjourned meeting at which the person named in the instrument proposes to vote; and
- (p) 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; and
- (q) the secretary must ensure the minute book for each general meeting is open for inspection at all reasonable times by any member who previously applies to the secretary for the inspection.

29.2 To ensure the accuracy of the minutes recorded-

- (a) the minutes of each management committee meeting must be signed by the chairperson of the meeting, or the chairperson of the next committee meeting, verifying their accuracy; and
- (b) 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
- (c) 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.

BY-LAWS

- 30.1 The club accepts and adopts and agrees to be bound by the by-laws of Petanque Australia Ltd, as amended from time to time.
- 30.2 The club may adopt such additional by-laws as it considers appropriate but only to the extent that-
- (a) the additional by-laws adopted do not conflict or are inconsistent with the by-laws of Petanque Australia Ltd; and
 - (b) the additional by-laws are appropriate for the administration of the association or to meet specific requirements of the club.
- 30.2 A by-law adopted by the club may be set aside or amended by a vote of members at a general meeting of the club but subject that any amendment is not in conflict or inconsistent with any by-law of Petanque Australia Ltd.

ALTERATION OF RULES

- 31.1 Subject to the Act these rules may be amended, repealed or added to by a special resolution carried at a general meeting.
- 31.2 However an amendment, repeal or addition is valid only if it is registered in accordance with section 49 of the Act.

COMMON SEAL

- 32.1 The management committee must ensure the association has a common seal.
- 32.2 The common seal must be -
- (a) kept securely by the management committee; and
 - (b) used only under the authority of the management committee.
- 32.3 Each instrument to which the seal is attached must be signed by a member of the management committee and countersigned by -
- (a) the secretary; or
 - (b) another member of the management committee; or
 - (c) someone appointed by the management committee.

FUNDS AND ACCOUNTS

- 33.1 The funds of the club must be kept in an account in the name of the club in a financial institution decided by the management committee.
- 33.2 Records and accounts must be kept in the English language showing full and accurate particulars of the financial affairs of the club.
- 33.3 All amounts must be deposited in the financial institution account as soon as practicable after receipt.
- 33.4 A cheque drawn by the club must be signed by any 2 members of the management committee who have been approved by the management committee to sign a club cheque, or one member of the management committee and one other

- person who has been approved by the management committee to sign an association cheque.
- 33.5 Cheques, other than cheques for wages, allowances or petty cash recoupment, must be crossed "not negotiable".
- 33.6 A petty cash account must be kept on the imprest system, and the management committee must decide the amount of petty cash to be kept in the account.
- 33.7 All expenditure must be approved or ratified at a management committee meeting.
- 33.8 The treasurer must, as soon as practicable after the end of each financial year, ensure a statement containing the following particulars is prepared -
- (a) the income and expenditure for the financial year just ended;
 - (b) the club's assets and liabilities at the close of the year;
 - (c) the mortgages, charges and securities affecting the club at the close of the year.
- 33.9 If the club is incorporated within 3 months before the end of the club's financial year, subsection 33.8 does not apply for the financial year in which the club is incorporated.
- 33.10 The auditor must examine the statement prepared under subsection 33.8 and present a report about it to the secretary before the next annual general meeting following the financial year for which the audit was made.
- 33.11 The income and property of the club must be used solely in promoting the club's objects and exercising the club's powers.

SAFE CUSTODY

34. The management committee must ensure safe custody of books, documents, instruments of title and securities of the club.

FINANCIAL YEAR

35. The financial year of the club closes on 30 June

DISTRIBUTION OF SURPLUS ASSETS TO ANOTHER ENTITY

- 36.1 This section applies if the club -
- (a) is wound up under part 10 of the Act; and
 - (b) it has surplus assets.
- 36.2 The surplus assets must not be distributed among the club's members.
- 36.3 The surplus assets must be given to another entity -
- (a) having objects similar to the club's objects; or
 - (b) by its rules or constitution is required to pursue non-profit community-based sporting purposes only; and
 - (c) the rules of which prohibit the distribution of the entity's income and assets to its members; and

- (d) is a Public Benevolent Institution or endorsed charity (as the case may be) under item 4.1 of the Table in subsection 30-45(1) of the Income Tax Assessment Act 1997 and for the purposes of subdivision 30-A of that Act; and
- (e) such entity is to be determined by the members at or before the winding up and, in default, by application to the Supreme Court for determination.

I, Francis Roux, being the chairperson of a meeting of members of Brisbane Petanque Club held on 14 July, 2002, at Kalinga Park, Park Avenue, Woolloowin, Qld., certify that the above Rules were adopted by virtue of a Special Resolution passed by the members.

Francis Roux
Chairperson

Dated: 30 July, 2002

