



CONSTITUTION

VOLUNTEER MARINE RESCUE

HERVEY BAY INC.



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VOLUNTEER MARINE RESCUE HERVEY BAY INC. (The Squadron)

1. Interpretation

- (1) In these rules –
Act means the *Associations Incorporation Act 1981*.

Present means –
 - (a) At a management committee meeting, see rule 17 to 28; or
 - (b) At a general meeting, see rule 29 to 40.
- (2) A word or expression that is not defined in these rules, but is defined in the Act has, if the context permits, the meaning given by the Act.

2. Name

The name of the incorporated Squadron is Volunteer Marine Rescue Hervey Bay Inc. (the Squadron).

3. Objects & Powers

The Squadron is a charitable community service organisation with the following objects and powers:-

Objects:

- (1) (i) The protection, preservation and saving of human life in Hervey Bay and adjacent waters.
- (2) (ii) To provide a Limited Coast Station marine radio service and associated network covering local and adjacent waters on a twenty four hour basis.

Powers:

- (3) The Squadron has, in the exercise of its affairs, all the powers of an individual.
 - (ii) The Squadron may:
 - (a) Enter into contracts; and
 - (b) Acquire, hold, deal with and dispose of property; and
 - (c) Make charges for services and facilities it provides; andDo other things necessary or convenient to be done in carrying out its affairs.



4. Classes of Members

- (1) The membership of the Squadron consists of Working, Ordinary, Visitor, Life, Affiliate, Honorary members, and any other classes of membership as determined by the management committee from time to time.
- (2) Subject to latter provisions, the number of members is unlimited.
- (3) Only Working, Ordinary and Life Members have the power to Vote.
- (4) Working Members are those Members who undertake specific duties as determined by the Management Committee as necessary to maintain the operations of the base.
- (5) Ordinary Members are those Members who join and pay fees to belong. Ordinary Members include:
 - a. Full Member (SOS) - Member with boat/s who receives two free activations up to the value of \$500 per year
 - b. Ordinary Member - Member with boat/s who pays the cost of fuel used for any activations
 - c. Member No Boat – Member who wishes to be a member but has no boat registered with VMRHB
 - d. Gold Member – Member with 15 year SOS coverage
- (6) Visitor Membership is limited to one calendar month.
- (7) Life Membership shall be those Ordinary Members past or present who on the recommendation of the Management Committee may be elected a Life Membership in recognition of special and outstanding service to the Squadron. Such election may be made by resolution of a seventy-five percent of members entitled under these rules to vote as may be present in person at an Annual General Meeting of the Squadron. Life Members shall enjoy all privileges and rights of Ordinary Members of the Squadron but shall be exempt from the payment of annual subscriptions. The number of Life Members shall be unlimited.
- (8) Affiliate Members are those employees of major Partners or Sponsors of Volunteer Marine Rescue Hervey Bay, provided that the person is over the age of 18 years and is duly accepted by the Management Committee. They may attend meetings, but shall not be entitled to vote. An Affiliate Member is not required to pay a subscription. Affiliate Members shall enjoy all privileges and rights of Ordinary Members of the Squadron, while the Company remains as a Partner or Major Sponsor. Proof of employment is required annually. The number of Affiliate Members shall be unlimited.
- (9) Honorary Members are those persons not necessarily a member of the Squadron having performed outstanding service to the community upon whom the Management Committee desires to confer special distinction. They may attend meetings, but shall not be entitled to vote. An Honorary Member is not required to pay a subscription. The number of Honorary Members shall be unlimited.



5. Automatic Membership

The standing of all current members will remain on adoption of a new constitution:-

- (a) To the equivalent class of membership of the Squadron as the member held under the old constitution; or
- (b) If there is no equivalent class of membership – as a member best suited to that member's involvement.

6. Membership

- (1) No person shall be denied membership of the Squadron for reasons of gender, race, religion or political persuasion.
- (2) The application for membership except in the case of Life Membership shall be in writing, signed by the applicant and shall be in such form as the Management Committee prescribes.
- (3) A financial member at any material time is a member who is not then indebted to the Squadron in respect of annual subscription or levy or any other payment whatsoever.
- (4) A member shall be deemed to be indebted to the Squadron if that Member's annual subscription has not been paid by the date fixed for that purpose by the Management Committee.
- (5) Only those members who are financial Working, Ordinary Members or Life Members at the time shall be entitled, subject to the lawful procedure of the meeting, to speak or vote upon any motion at any general meeting of the Squadron.

7. Membership Fees

- (1) The membership fees for each class of membership shall be such sum as determined by the Management Committee and approved at any Annual or Special General Meeting.
- (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.
- (3) Any person who has not paid his or her membership dues within thirty (30) days of the due date shall no longer be a member of the Squadron and shall cease to exercise any privileges of membership and his or her name will be archived from the database of financial members.



8. 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 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 acceptance or rejection of an application for any class of membership the secretary shall forthwith give the applicant notice in writing of such acceptance or rejection.
- (4) A person whose application for membership has been rejected the secretary must, as soon as practicable, refund the membership fee paid by the person.

9. Termination of Membership

- (1) A member may resign from the Squadron at any time by giving notice in writing to the Secretary.
- (2) 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.
- (3) The 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) Conducts himself or herself in a way considered to be injurious or prejudicial to the character or interests of the Squadron or VMRAQ.
- (4) Before the management committee terminates a member's membership, the committee must give the member a full and fair opportunity to show why the membership should not be terminated.
- (5) If, after considering all representations made by the member, or failing response from the member, the management committee decides to terminate the membership, the secretary of the committee must give the member a written notice of the decision.



10. Appeal Against Rejection or Termination of Membership

- (1) A person whose initial application for membership has been rejected has no right of appeal.
- (2) A person whose membership has been terminated may give the secretary written notice of the person's intention to appeal against the decision.
- (3) A notice of intention to appeal must be given to the secretary within thirty (30) days after the person receives written notice of the decision.
- (4) If the secretary receives a notice of intention to appeal, the secretary must, within thirty (30) days after receiving the notice, call a special general meeting to decide the appeal.

11. Special General Meeting to Decide Appeal

- (1) The special general meeting to decide an appeal must be held within ninety (90) days after the secretary receives the notice of intention to appeal.
- (2) At the meeting:-
 - (a) The member must be given a full and fair opportunity to show why the membership should not be terminated.
 - (b) The management committee and the members of the committee who terminated the membership must be given a full and fair opportunity to show why the membership should be terminated.
- (3) An appeal must be decided by a majority vote of the members present and eligible to vote at the meeting.

12. Register of Members

- (1) The management committee must keep a register of members of the Squadron.
- (2) The register must include the following particulars for each member:-
 - (a) The full name of the member;
 - (b) The postal or residential address of the member;
 - (c) The date of admission as a member;
 - (d) The date of death or time of resignation of the member;
 - (e) Details about the termination or reinstatement of membership;
 - (f) Any other particulars the management committee or the members at a general meeting decide.



- (3) The register must be open for inspection by members of the Squadron at all reasonable times on written application.
- (4) A member must contact the secretary to arrange an inspection of the register.
- (5) However, the management committee may, on the application of a member of the Squadron, withhold information about the member (other than the member's full name) from the register available for inspection.

13. Prohibition on Use of Information on Register of Members

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

14. Functions of Secretary

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

- (a) Calling meetings of the Squadron, including preparing notices of a meeting and of the business to be conducted at the meeting in consultation with the Commodore of the Squadron; and
- (b) Keeping minutes of each meeting; and
- (c) Keeping copies of all correspondence and other documents relating to the Squadron; and
- (d) Maintaining the register of members of the Squadron.
- (e) Ensure that the Squadron meets its statutory obligations.
- (f) Ensure safe custody of the Squadron's records including books, documents, instruments of title and securities of the Squadron.



15. Appointment or Election of Secretary

- (1) The secretary must be an individual residing in Queensland, who is:-
 - (a) A member of the Squadron elected by the Squadron as secretary; or
 - (b) Any of the following persons appointed by the management committee as secretary:-
 - (i) A member of the Squadron's management committee;
 - (ii) Another member of the Squadron
 - (iii) Another person.
- (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 Squadron within 30 days after the vacancy happens.
- (3) If the management committee appoints a person mentioned in sub rule (1) (b) (ii) as secretary, other than to fill a casual vacancy on the management committee, the person does not become a member of the management committee.
- (4) However, if the management committee appoints a person mentioned in sub rule (1) (b) (ii) as secretary to fill a casual vacancy on the management committee, the person becomes a member of the management committee.
- (5) If the management committee appoints a person mentioned in sub rule (1) (b) (iii) as secretary, the person does not become a member of the management committee.
- (6) In this rule – *casual vacancy*, on a management committee, means a vacancy that happens when an elected member of the management committee resigns, dies or otherwise stops holding office.

16. Removal of Secretary

- (1) The management committee of the Squadron may at any time remove a person appointed by the committee as the secretary.
- (2) If the management committee removes a secretary who is a person mentioned in rule 15 (1) (b) (i), the person remains a member of the management committee.
- (3) If the management committee removes a secretary who is a person mentioned in rule 15 (1) (b) (ii) and who has been appointed to a casual vacancy on the management



committee under rule 15 (4), the person remains a member of the management committee.

17.Membership of Management Committee

- (1) The Management Committee of the Squadron shall consist of a Commodore, Vice Commodore, Secretary, Treasurer, Unit Training Co-ordinator, Vessel Group Co-ordinator, Radio Group Co-ordinator, Operations Manager and any other manager being a Financial Ordinary or Working Member of the Squadron, duly appointed and elected at a General Meeting of the Squadron.
- (2) At the Annual General Meeting of the Squadron, all members of the Management Committee for the time being shall retire from office, but shall be eligible upon nomination for re-election.
- (3) A member of the Management Committee, other than a secretary appointed by the management committee under rule 14 (1) (b) (iii), must be a member of the Squadron.
- (4) A member of the Squadron may be appointed to a casual vacancy on the management committee under rule 20.

18.Electing the Management Committee

- (1) The election of officers and other members of the Management Committee shall take place in the following manner:-
 - (a) Any two members of the Squadron shall be at liberty to nominate any Financial Ordinary or Working Member to serve as an officer or other member of the Management Committee.
 - (b) The nomination, which shall be in writing and signed by the member and member's proposer and seconder, shall be lodged with the Secretary at least fourteen (14) days before the Annual General Meeting at which the election is to take place.
 - (c) A list of the candidate's names in alphabetical order, with the proposer's and seconder's names, shall be posted in a conspicuous place in the office or usual place of meeting of the Squadron for at least seven days immediately preceding the Annual General Meeting.
 - (d) Balloting lists shall be prepared (if necessary) containing the names of the candidates in alphabetical order, and each member present at the Annual General Meeting shall be entitled to vote for any number of such candidates not exceeding the number of vacancies.



- (e) Should, at the commencement of such meeting, there be an insufficient number of candidates nominated, nominations may be taken from the floor of the meeting.
- (2) A person may be a candidate only if the person:-
 - (a) Is an Ordinary or Working member;
 - (b) Is not ineligible to be elected as a member under section 61A of the Act.

19. Resignation, Removal or Vacation of Office of Management Committee Member

- (1) A member of the management committee may resign from the committee by giving written notice of resignation to the secretary.
- (2) The resignation takes effect at:-
 - (a) The time the notice is received by the secretary; or
 - (b) If a later time is stated in the notice – the later time.
- (3) A member may be removed from office at a special general meeting of the Squadron if a majority of the members present and eligible to vote at the meeting vote in favour of removing the member.
- (4) Before a vote of members is taken about removing the member from office, the member must be given a full and fair opportunity to show cause why he or she should not be removed from office.
- (5) A member has no right of appeal against the member's removal from office under this rule.
- (6) A member immediately vacates the office of member in the circumstances mentioned in section 64 (2) of the Act.

20. Vacancies on Management Committee

- (1) If a casual vacancy happens on the management committee, the continuing members of the committee may appoint another member of the Squadron to fill the vacancy until the next Annual General Meeting.
- (2) The continuing members of the management committee may act despite a casual vacancy on the management committee.



- (3) However, if the number of committee members is less than the number fixed under rule 24 (1) as a quorum of the management committee, the continuing members may act only to:-
 - (a) Increase the number of management committee members to the number required for a quorum; or
 - (b) Call a general meeting of the Squadron.

21. Functions of the Management Committee

- (1) Except as otherwise provided by these rules and subject to resolution of the members of the Squadron 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 Squadron.
 - (b) Shall have the authority to interpret the meaning of these rules and any matter relating to the Squadron on which these rules are silent; and
 - (c) Shall have the authority to issue such Standard Operational Procedures and other such policy documents as it sees fit for the successful operation and management of the Squadron.
- (2) The Management Committee may exercise all the powers of the Squadron:-
 - (a) To borrow or raise or secure the payment of money in such manner as the members of the Squadron may think fit and secure the same or the payment of performance of any debt, liability, contract, guarantee or other engagement incurred or to be entered into by the Squadron in any way and in particular by the issue of debentures, perpetual or otherwise, charged upon all or any of the Squadron's property both present and future, and to purchase, redeem purchase, redeem or pay off any such securities;
 - (b) Subject to approval by a general meeting of the Squadron to borrow amounts from members and to pay interest on the amounts borrowed and to mortgage or charge its property or any part thereof and to issue debentures and other such securities, whether outright or as security for any debt, liability or obligation of the Squadron and to provide and pay off such securities; and
 - (c) To invest in such manner as the members of the Squadron may from time to time determine.



- (3) For clause 2 (b) above the rate of interest must not be more than the rate for the time being charged for overdrawn accounts for money lent (whatever the term of the loan) by:-
 - (a) The financial institution of the Squadron; or
 - (b) If there is more than one financial institution for the Squadron the financial institution nominated by the Squadron.

22.Meetings of the Management Committee

- (1) The Management Committee must meet at least once every four months to exercise its functions.
- (2) Notice of a Management Committee meeting shall be given in the way decided by the Management Committee from time to time.
- (3) A special meeting of the Management Committee shall be convened by the Secretary on the requisition in writing 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 conducted thereat.
- (4) The Management Committee may meet together and regulate its proceedings as it sees fit.
- (5) However, 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.
- (6) A member of the Management Committee shall not vote in respect of any contract or proposed contract with the Squadron in which the member is interested, or any matter arising thereat, and if the member does so vote the member's vote shall not be counted.
- (7) Not less than seven (7) 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.

23.Quorum for and Adjournment of Management Committee Meeting

- (1) At a management committee meeting, a quorum shall be 50% plus one person of the members elected to the committee at the close of the last general meeting.



- (2) If there is no quorum within 30 minutes after the time fixed for a Management Committee meeting:-
 - (a) The meeting is to be adjourned for at least one day;
 - (b) The members of the management committee who are present are to decide the day, time and place of the adjourned meeting.
- (3) If, at an adjourned meeting mentioned in sub rule (2), there is no quorum within 30 minutes after the time fixed for the meeting, the meeting lapses.

24.Special Meeting of the Management Committee

- (1) If the secretary receives a written request signed by at least 33% of the members of the management committee, the secretary must call a special meeting of the committee by giving each member of the committee notice of the meeting within 14 days after the secretary receives the request.
- (2) If the secretary is unable or unwilling to call the special meeting, the Commodore must call the meeting.
- (3) A request for a special meeting must state:-
 - (a) Why the special meeting is called; and
 - (b) The business to be conducted at the meeting.
- (4) A notice of a special meeting must state:-
 - (a) The day, time and place of the meeting; and
 - (b) The business to be conducted at the meeting.
- (5) A special meeting of the management committee must be held within fourteen (14) days after notice of the meeting is given to the members of the management committee.

25.Minutes of Management Committee Meeting

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



- (2) To ensure the accuracy of the minutes, the minutes of each management committee meeting must be signed by the chairperson of the meeting, or the chairperson of the next management committee meeting, verifying their accuracy.

26.Appointment of Sub Committees

- (1) The management committee may appoint a sub committee consisting of members of the Squadron considered appropriate by the committee to help with the conduct of the Squadron's operations.
- (2) A member of the sub committee who is not a member of the management committee is not entitled to vote at a management committee meeting.
- (3) A subcommittee may elect a chairperson of its meetings.
- (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 present may choose one of their number to be a chairperson of the meeting.
- (5) A sub committee may meet and adjourn as it considers appropriate.
- (6) A question arising at a sub committee 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.

27.Acts not Affected by Defects or Disqualifications

- (1) An act performed by the management committee, a sub committee or a person acting as a member of the management committee is taken to have been validly performed.
- (2) Sub rule (1) applies even if the act was performed when:-
 - (a) There was a defect in the appointment of a member of the management committee, sub committee or person acting as a member of the management committee; or
 - (b) A management committee member, sub committee member or person acting as a member of the management committee was disqualified from being a member.

28.Resolutions of Management Committee Without Meeting

- (1) A resolution in writing signed by all of the members of the Management Committee for the time being entitled to receive notice of a meeting of the Management



Committee shall be valid and effectual as if it had been passed at a meeting of the Management Committee duly convened and held.

- (2) Any such resolution may consist of several documents in like form, each signed by one or more members of the Management Committee.

29. Annual General Meeting

Annual General Meetings must be held:-

- (1) At least once every year; and
- (2) Within three months after the end of the Squadron's previous financial year.

30. Business to be Conducted at Annual General Meeting

- (1) The following business must be conducted at each annual general meeting of the Squadron:-
 - (a) Receiving the Squadron's financial statement, and audit report, for the last reportable financial year;
 - (b) Presenting the financial statement and audit report to the meeting for adoption;
 - (c) Electing members of the management committee;
 - (d) Appointing an auditor or an accountant for the present financial year;
 - (e) Appointing a solicitor for the present financial year;

31. Notice of General Meeting

- (1) The secretary shall convene all General Meetings of the Squadron by giving not less than 14 days notice of any such meeting to the members of the Squadron.
- (2) The manner by which such notice shall be given shall be determined by the Management Committee.
- (3) However, notice of any meeting convened for the purpose of hearing and determining the appeal of a member against the rejection or termination of their membership by the Management Committee, shall be given in writing.



- (4) Notice of a general meeting shall clearly state the nature of the business to be discussed thereat.

32. Quorum for and Adjournment of General Meetings

- (1) A quorum shall consist of twice the number of members on the Management Committee plus one.
- (2) No business may be conducted at a general meeting unless there is a quorum of members when the meeting proceeds to business.
- (3) If there is no quorum within 30 minutes after the time fixed for a regular meeting:-
 - (a) The meeting is to be adjourned for at least seven days; and
 - (b) The management committee is to decide the day, time and place of the adjourned meeting.
- (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.
- (5) If a meeting is adjourned under sub rule (3), only the business left unfinished at the meeting from which the adjournment took place may be conducted at the adjourned meeting.
- (6) The secretary is not required to give the member notice of an adjournment or of the business to be conducted at an adjourned meeting unless a meeting is adjourned for at least 30 days.
- (7) If a 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.

33. Procedure at General Meeting

- (1) Unless otherwise provided by these rules, at every General Meeting:-
 - (a) The Commodore shall preside as Chairperson, or if the Commodore is not present within 10 minutes after the time appointed for the holding of the meeting or is unwilling to act, the Vice Commodore shall be the Chairperson or if the Vice Commodore is not present or is unwilling to act then the members present shall elect one of their number to be the Chairperson of the meeting; and



- (b) The Chairperson shall maintain order and conduct the meeting in a proper and orderly manner; and
- (c) Every question, matter or resolution shall be decided by a majority of votes; and
- (d) Every operational or active member including life members present shall be entitled to one vote and in the case of an equality of votes the Chairperson shall have a second or casting vote.

34. Voting at Meetings

- (1) Each question, matter or resolution other than a special resolution, must be decided by a majority of votes of the members present.
- (2) Each member present and eligible to vote is entitled to one vote only and, if the votes are equal, the chairperson has a casting vote as well as a primary vote.
- (3) A member is not entitled to vote if the member's annual subscription is in arrears at the date of the meeting.
- (4) The method of voting is to be decided by the management committee.
- (5) However, if at least 20% of the members present demand a secret ballot, voting must be by secret ballot.
- (6) If a secret ballot is held, the chairperson must appoint two members to conduct the secret ballot in the way the chairperson decides.
- (7) 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.

35. Proxies

- (1) There shall be no allowance for proxies.

36. 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 Squadron and any by law may be set aside by a General Meeting of members.



In the event of the Management Committee making, amending or repealing By-laws not inconsistent with these rules, members shall be notified forthwith in a manner as determined from time to time by the Management Committee.

37. Alteration of Rules (Constitution)

- (1) Subject to the provisions of the *Act*, these rules may be amended, rescinded or added to from time to time by a special resolution carried at any General Meeting, and approved by 75% of the members entitled under these rules to vote.
- (2) However an amendment, rescission or addition is valid only if it is registered by the Office of Fair Trading.

38. Common Seal

- (1) The Management Committee shall provide for a Common Seal and for its safe custody.
- (2) 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.

39. Funds and Accounts

- (1) The funds of the Squadron must be kept in the name of the Squadron in a financial institution decided by the Management Committee.
- (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 Squadron and the particulars usually shown in books in like nature.
- (3) All monies shall be deposited as soon as practicable after receipt thereof.
- (4) Accounts payable to be paid in a manner as determined by the Management Committee.
- (5) All payments by cheque shall be effected on the signature of any two of the Commodore, Secretary or Treasurer. Cheques shall be crossed "Not Negotiable" except those in payment of wages, allowances or petty cash recoupment which may be open.
- (6) The Management Committee shall determine the amount of petty cash held.

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- (7) All expenditure shall be approved or ratified at a Management Committee meeting.
- (8) No honorarium shall be paid to and no income or property of the Squadron shall be distributed among members.
- (9) The income and property of the Squadron must be used solely in promoting the Squadron's objects and exercising the Squadron's powers.
- (10) 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 Squadron at the close of that year.

40. General Financial Matters

The end of the Association's financial year is June 30 in each year.

41. Distribution of Surplus Assets to Another Entity

In the event of the Squadron being dissolved in accordance with the provisions of the relevant Government Act, and there remains, after satisfaction of all its debts and liabilities and property whatsoever, the same shall not be paid to or distributed among the members of the Squadron but shall be given or transferred to Volunteer Marine Rescue Association Queensland or if the Squadron has ceased to exist to another Volunteer Marine Rescue body which has similar objects and which is approved by the Commissioner of Taxation as a public benevolent institution for the purposes of any Commonwealth Taxation Act, and which shall prohibit the distribution of its or their income and property among its or their members to the extent at least as great as is imposed on the Squadron to be determined by the members of the Squadron.

42. Jurisdiction

- (1) The Squadron operations shall be subject to the direction of VMRAQ and to the extent of the power of VMRAQ and shall have guidance over all Volunteer Marine Rescue Services within that part of the area designated as the Squadron's area of operation or as directed by the VMRAQ from time to time. It shall be charged with the fulfilment of the objects of the VMRAQ within the boundaries of its jurisdiction.
- (2) The Squadron shall apply for affiliation to VMRAQ under the terms of the Service Agreement and Accreditation Guidelines.
- (3) The Squadron:-



SQUADRON CONSTITUTION

- (a) Is bound by this Constitution and By-Laws and the authority of VMRAQ in relation to the conduct, promotion and administration of Volunteer Marine Rescue.
 - (b) Must not do or permit any act or thing which, in the opinion of VMRAQ might adversely affect or derogate from the standards, quality and reputation of Volunteer Marine Rescue.
 - (c) May request the appointment of an administrator from VMRAQ if experiencing difficulties.
- (4) The Squadron accepts that VMRAQ may at any time appoint one or more people to administer the Squadron or its assets if, in VMRAQ's reasonable opinion:-
- (a) The Squadron is experiencing, or might experience, serious administrative, operational or financial difficulties, such as:-
 - (i) Unable to, or not, upholding the reputation or objects of the Squadron.
 - (ii) Having difficulty, or not, fulfilling its SAR or administrative obligations and or responsibilities.
 - (iii) Experiencing financial difficulties.
 - (iv) Has an unfavourable Auditor's report.
 - (v) Being subject to an investigation by a Government agency e.g. Police, Australian Taxation Office, etc.
 - (vi) Having unsatisfactory (non approved) insurances.
 - (vii) Being unable or unwilling to satisfy its debts to the State Squadron.
 - (viii) Failing to comply with VMRAQ policies, rules etc.
 - (ix) Experiencing internal management conflicts e.g. factional problems.
- (5) An administrator appointed to the Squadron:-
- (a) Is an agent of the Squadron which alone shall be responsible for the administrator's acts and defaults.



SQUADRON CONSTITUTION

- (b) Notwithstanding this, must act in the interests of VMRAQ and Volunteer Marine Rescue.
 - (c) Subject to the terms of the administrator's appointment, may exercise all of the powers of the Squadron and has power to do all things necessary or convenient to be done for or in connection with, or incidental to, the attainment of the objectives for which the administrator was appointed.
 - (d) Must report to the appointing body about the affairs of the Squadron and the administrator's activities when required by the appointing body to do so.
 - (e) May make recommendations to the Squadron or the appointing body about the affairs of the Squadron or the matters subject of the administrator's appointment.
 - (f) May be removed from office at any time by the appointing body.
- (6) Auxiliary organisations may be formed and affiliated to the Squadron providing such organisations have similar aims and objects as the Squadron and are subject to the overall control of the Squadron.
 - (7) The Squadron may authorise the formation of Auxiliary Organisations to function for such purposes and for such periods as may be determined from time to time by the Squadron and approved by VMRAQ.
 - (8) Auxiliary Organisations shall subscribe to the Constitution, Rules, By-Laws, Policies and Procedures of VMRAQ and the Squadron, and may be registered under the relevant Government Act.
 - (9) Changes or amendments to the Constitution and Rules must not conflict with the Constitution, By-Laws, Policies or Procedures of VMRAQ.

43. Badges and Colours

- (1) The Squadron and or VMRAQ emblems shall be worn only by accredited representatives who are approved by the Squadron. Such emblems shall be obtained only by written order of the Squadron Secretary and such written order shall detail the lettering to be embroidered beneath the emblem.
- (2) The Squadron Life Membership award shall be presented by the Squadron to each duly nominated or appointed Life Member.



Version Control: Version 3

Date Approved	Approved By	Brief Description
18/09/19	AGM	Changes to Clause 4 – Classes of Membership