

CONSTITUTION OF THE VIKINGS CYCLING CLUB ACT

INCORPORATED

1. DEFINITIONS

"Club" means the Vikings Cycling Club ACT;

"financial year" means the year ending on 30 June;

"member" means a member, however described, of the club;

"ordinary committee member" means a member of the committee who is not an office-bearer of the Club as referred to in paragraph 5.2.1 (a);

"secretary" means the person or, where no such person holds that office, the public officer of the Club;

"the Act" means the Associations Incorporation Act 1991;

"the Regulations" means the Associations Incorporation Regulations.

2. NAME AND AFFILIATIONS OF THE CLUB

2.1 The name of the Club shall be the Vikings Cycling Club ACT Incorporated (hereinafter called "the club").

2.2 The club shall be affiliated with the ACT Cycling Federation and shall abide by the rules and regulation of that Federation.

2.3 The Club shall be affiliated with the Tuggeranong Vikings Rugby Union and Amateur Sports Club.

3. OBJECTS

The purpose of the Club shall be to foster and develop all forms of competitive cycling in the Canberra region by:

- A) Promoting, organising and conducting cycling events in the Canberra region;
- B) Supporting junior development and participating in accredited coaching and officials programs;
- C) Participating in state and national competitions;
- D) Creating a Club environment that is inclusive of cyclists and other members of all ages, levels and gender and encourages active participation in Club racing, management social and fundraising activities;
- E) The raising of funds, whether by donations, subscriptions or otherwise, to enable the Club to carry out its objects;
- F) Acquiring by purchase, lease or exchange and otherwise such cycling equipment or property necessary or convenient for the objects or purpose of the Club.

4. MEMBERSHIP

4.1 Membership Qualifications

- 4.1.1 A person is qualified to be a member if-
- a). the person is a person referred to in paragraph 21(2)(a) or (b) of the Act and has not ceased to be a member of the Club at any time after incorporation of the Club under the Act; or
 - b). the person –
 - (i) has been nominated for membership in accordance with subrule 4.2.1; and
 - (ii) has been approved for membership of the Club by the committee of the Club.
- 4.1.2 The membership of the Club comprises competitive and non-competitive members in membership categories as defined by Cycling Australia.
- 4.1.3 Honorary life members may be determined by the Club at an Annual General Meeting or Special General Meeting in recognition of services rendered in promoting the interests and objects of the Club. An honorary life member shall be entitled to all the privileges of a member under this constitution including the right to vote and stand for election.

4.2 Application for Membership

- 4.2.1 The membership officer is the main point of contact for membership of the Club.
- 4.2.2 A person wishing to apply for membership of the Club shall
- a). apply to Cycling Australia online or
 - b). lodge the appropriate Cycling Australia membership form and payment to the membership officer of the Club (known as “manual application”).
- 4.2.3 For a manual application, the membership officer shall enter the nominee's name in the register of members and, upon the name being so entered, the applicant shall become a member of the Club. The membership officer shall refer that nomination to Cycling Australia, with payment, as soon as is practicable.
- 4.2.4 Membership categories are determined by Cycling Australia.

4.3 Membership entitlements not transferable

- 4.3.1 A right, privilege or Obligation which a person has by reason of being a member of the Club -
- a). is not capable of being transferred or transmitted to another person; and
 - b). terminates upon cessation of the person's membership.

4.4 Cessation of membership

- 4.4.1 A person ceases to be a member of the Club if a person
- a). dies, or in the case of a body corporate, is wound up;
 - b). resigns from membership of the Club by giving notice to the membership officer to that effect
 - c). is expelled from the Club; or
 - d). fails to renew membership of the Club.

4.5 Resignation of membership

- 4.5.1 A member is not entitled to resign from membership of the Club except in accordance with this rule.
- 4.5.2 A member who has paid all amounts payable by the member to the Club may resign from membership of the Club by first giving notice (being not less than 1 month or, if the committee has determined a shorter period, that shorter period) in writing to the membership officer of the members intention to resign and, upon the expiration of the period of notice, the member ceases to be a member.
- 4.5.3 Where a person ceases to be a member; the membership officer shall make an appropriate entry in the register of members recording the date on which the member ceased to be a member.

4.6 Subscriptions and Fees

- 4.6.1 The annual subscription (membership fees) due and payable to the Club shall be such as the Club determines from time to time and in agreement with Cycling Australia.

4.7 Members Liability

- 4.7.1 The liability of each member to contribute towards the payments of debts and liabilities of the Club for the costs, charges and expenses of the winding up of the Club, is limited to the amount, if any, unpaid by the member for annual subscriptions.

4.8 Disciplining of members

- 4.8.1 Where the committee is of the opinion that a member:
 - a). has persistently refused or neglected to comply with a provision of these rules; or
 - b). has persistently and wilfully acted in a manner prejudicial to the interests of the Club, the committee may by resolution -
 - (i) expel the member from the Club; or
 - (ii) suspend the member from such rights and privileges of membership of the Club as the committee may determine for a specified period.
- 4.8.2 A resolution of the committee under sub-rule 4.8.1 is of no effect unless the committee, at a meeting held not earlier than 14 days and not later than 28 days after service on the member of a notice under sub-rule 4.8.3, confirms the resolution in accordance with this rule.
- 4.8.3 Where the committee passes a resolution under sub-rule 4.8.1 the secretary shall, as soon as practicable, cause a notice in writing to be served on the member -
 - a). setting out the resolution of the committee and the grounds on which it is based;
 - b). stating that the member may address the committee at a meeting to be held not earlier than 14 days and not later than 28 days after service of the notice;
 - c). stating the date, place and time of that meeting; and
 - d). informing the member that the member may do either or both of the following;
 - (i) attend and speak at that meeting;
 - (ii) submit to the committee at or prior to the date of the meeting written representations relating to the resolution.

- 4.8.4 Subject to section 50 of the Act, at a meeting of the committee mentioned in sub-rule 4.8.2, the committee shall
- a). give to the member mentioned in sub-rule 4.8.1 an opportunity to make oral representations;
 - b). give due consideration to any written representations submitted to the committee by that member at or prior to the meeting; and
 - c). by resolution determine whether to confirm or to revoke the resolution of the committee made under sub-rub 4.8.1.
- 4.8.5 Where the committee confirms a resolution under sub-rule 4.8.4, the secretary shall, within 7 days after that confirmation, by notice in writing inform the member of that confirmation and of the member's right of appeal under rule 4.9.
- 4.8.6 A resolution confirmed by the committee under subrule 4.8.4 does not take effect
- a). until the expiration of the period within the member is entitled to appeal against the resolution where the member does not exercise the right of appeal within that period; or
 - b). where within that period the member exercises the right of appeal, unless and until the club confirms the resolution in accordance with subrule 4.9.4.

4.9 Right of appeal of disciplined member

- 4.9.1 A member may appeal to the club in general meeting against the resolution of the committee which is confirmed under subrule 4.8.4, within 7 days after notice of the resolution is served on the member, by lodging with the secretary a notice to that effect.
- 4.9.2 Upon receipt of a notice under subrule 4.9.1, the secretary shall notify the committee which shall convene a general meeting of the Club to be held within 21 days after the pm date which the secretary received the notice or as soon as possible after that date.
- 4.9.3 Subject to section 50 of the Act, at a general meeting of the Club convened under subrule 4.9.2
- a). no business other than the question of the appeal shall be transacted;
 - b). the committee and the member shall be given the opportunity to make representations in relation to the appeal orally or in, writing, or both; and
 - c). the members present shall vote by secret ballot on the question of whether the resolution made under subrule 4.8.4, that the resolution is confirmed.
- 4.9.4 If the meeting passes a special resolution in favour of the confirmation of the resolution made under subrule 4.8.4, that resolution is confirmed.

5. COMMITTEE OF THE CLUB

5.1 Powers of the committee

- 5.1.1 The committee, subject to the Act and its Regulations, this constitution, and to any resolution passed by the Club in general meeting
- a). shall control and manage the affairs of the Club;
 - b). may exercise all such functions as may be exercised by the Club other than those functions that are required by these rules to be exercised by the Club in general meeting; and
 - c). has the power to perform all such acts and do all such things as appear to the committee to be necessary or desirable for the proper management of the affairs of the Club.

5.2 Constitution and membership

- 5.2.1 The committee shall consist of:
- a). the office-bearers of the Club; and
 - b). 3 or more ordinary members of the Club; each of whom shall be elected pursuant to rule 5.3 or appointed in accordance with subrule 5.2.4.
- 5.2.2 The office-bearers of the Club shall be -
- a). the president;
 - b). the vice-president;
 - c). the treasurer;
 - d). the secretary, and
 - e). the membership officer.
- 5.2.3 Each member of the committee shall, subject to these rules, hold office until the conclusion of the Annual General Meeting following the date of the member's election, but is eligible for re-election.
- 5.2.4 In the event of a vacancy in the membership of the committee, the committee may appoint a member of the Club to fill the vacancy and the member so appointed shall hold office, subject to these rules, until the conclusion of the Annual General Meeting following the date of the appointment.
- 5.2.5 Should the committee require the services of other persons for the efficient management of its activities, such persons may be co-opted by the committee.

5.3 Election of committee members

- 5.3.1 Nomination of candidates for election as office-bearers of the Club or as ordinary committee members -
- a). shall be made in writing, signed by 2 members of the Club and accompanied by the written consent of the candidate (which may be endorsed on the nomination form); and
 - b). shall be delivered to the secretary of the Club not less than 7 days before the date fixed for the Annual General Meeting at which the election is to take place.

- 5.3.2 If insufficient nominations are received to fill all vacancies on the committee, the candidates nominated shall be deemed to be elected and further nominations shall be received at the Annual General Meeting.
- 5.3.3 If insufficient further nominations are received, any vacant positions remaining on the committee shall be deemed to be vacancies.
- 5.3.4 If the number of nominations received is equal to the number of vacancies to be filled, the persons shall be taken to be elected.
- 5.3.5 If the number of nominations received exceeds the number of vacancies to be filled, a ballot shall be held.
- 5.3.6 The ballot for the election of office-bearers and ordinary committee members shall be completed at the Annual General Meeting in such manner as the committee may direct.
- 5.3.7 A person is not eligible to simultaneously hold more than 1 position on the committee.

5.4 Duties of the Committee

5.4.1 Secretary

- a). The secretary of the Club shall, as soon as practicable after being appointed as secretary, notify the Club of his or her address.
- b). The secretary shall keep minutes of -
 - (i) all elections and appointments of office-bearers and ordinary committee members;
 - (ii) the names of members of the committee present at a committee meeting or a general meeting; and
 - (iii) all proceedings of committee meetings and general meetings.
- c). Minutes of proceedings at a meeting shall be agreed by the person or persons presiding at the meeting or by a person or persons presiding at the next succeeding meeting
- d). Unless otherwise appointed by the committee, the Secretary is also the Club's Public Officer (refer rule 15).

5.4.2 Treasurer

- a). The treasurer of the Club shall
 - (i) collect and receive all moneys due to the Club and make payments authorised by the Club; and
 - (ii) keep correct accounts and books showing the financial affairs of the Club with full details of all receipts and expenditure connected with the activities of the Club.

5.4.3 Membership officer

- b). The membership officer of the Club shall :
 - (i) Maintain club membership registers including club life members;
 - (ii) Provide advice on membership types and fees; and
 - (iii) Reconcile membership payments

5.4.4 Committee member duties are further detailed in the document 'Vikings Cycling Club Committee Roles and Responsibilities'.

5.5 Vacancies

- 5.5.1 For the purposes of these rules, a vacancy in the office of a member of the committee occurs if the member -
- a). dies;
 - b). ceases to be a member of the Club;
 - c). resigns from office;
 - d). is removed from office pursuant to rule 5.6;
 - e). becomes an insolvent under administration within the meaning of the Corporations Law;
 - f). suffers from mental or physical incapacity;
 - g). is disqualified from office under subsection 63(1) of the Act; or
 - h). is absent without the consent of the committee members from all meetings of the committee held during a period of 6 months.

5.6 Removal of committee members

- 5.6.1 The Club in general meeting may by resolution, subject to section 50 of the Act, remove any member of the committee from the office of member of the committee before the expiration of the member's term to office.

5.7 Committee meetings and quorum

- 5.7.1 The committee shall meet at least 3 times in each calendar year at such place and time as the committee may determine.
- 5.7.2 Additional meetings of the committee may be convened by any member of the committee.
- 5.7.3 Oral or written notice of a meeting of the committee shall be given by the secretary to each member of the committee at least 48 hours (or such other period as may be unanimously, agreed upon by the members of the committee) before the time appointed for the holding of the meeting.
- 5.7.4 Notice of a meeting given under 5.7.3 shall specify the general nature of the business to be transacted at the meeting and no business other than that business shall be transacted at the meeting, except business which the committee members present at the meeting unanimously agree to treat as urgent business.
- 5.7.5 Any 4 members of the committee constitute a quorum for the transaction of the business of a meeting of the committee.
- 5.7.6 No business shall be transacted by the committee unless a quorum is present and if within half an hour after the time appointed for the meeting a quorum is not present the meeting stands adjourned to the same place and at the same hour of the day in the following week.
- 5.7.7 If at the adjourned meeting a quorum is not present within half an hour after the time appointed for the meeting, the meeting shall be dissolved.
- 5.7.8 At meetings of the committee -
- a). the president or in the absence of the president, the vice-president shall preside; or
 - b). if the president and the vice-president are absent, one of the remaining members of the committee may be chosen by the members present to preside.

5.8 Delegation by committee to sub-committee

- 5.8.1 The committee may, by instruction in writing, delegate to 1 or more sub-committees (consisting of such member or members of the Club as the committee thinks fit) the exercise of such of the functions of the committee as are specified in the instrument, other than
- a). this power of delegation; and
 - b). a function which is a function imposed on the committee by the Act by any other law of the Territory, or by resolution of the Club in general meeting.
- 5.8.2 A function, the exercise of which has been delegated to a sub-committee under this rule may, while the delegation remains unrevoked, be exercised from time to time by the subcommittee in accordance with the terms of the delegation.
- 5.8.3 A delegation under this rule may be made subject to such conditions or limitations as to the exercise of any-function, or as time or circumstances, as may be specified in the instrument of delegation.
- 5.8.4 Notwithstanding any delegation under this rule, the committee may continue to exercise any function delegated.
- 5.8.5 Any act or thing done or suffered by a sub-committee acting in the exercise of a delegation under this rule has the same force and effect as it would have if it had done or suffered by the committee.
- 5.8.6 The committee may, by instrument in writing, revoke wholly or in part any delegation under this rule.
- 5.8.7 A sub-committee may meet and adjourn as it thinks proper.

5.9 Voting and decisions

- 5.9.1 Questions arising at the meeting of the committee of any sub-committee appointed by the committee shall be determined by a majority of the votes of members of the committee or sub-committee present at the meeting.
- 5.9.2 Each member present at a meeting of the committee or of any sub-committee appointed by the committee (including the person presiding at the meeting) is entitled to 1 vote but, in the event of an equality of votes on any question, the person presiding may exercise a second or casting vote.
- 5.9.3 Subject to subrule 5.7.5, the committee may act notwithstanding any vacancy on the committee.
- 5.9.4 Any act or thing or suffered, or purporting to have been done or suffered, by the committee or by the sub-committee appointed by the committee, is valid and effectual notwithstanding any defect that may afterwards be discovered in the appointment or qualification of any member of the committee or sub-committee.

6. ANNUAL GENERAL MEETINGS

6.1 Holding of Annual General Meetings

- 6.1.1 With the exception of the first Annual General Meeting of the Club, the Club shall, at least once in each calendar year and within the period of 5 months after the expiration of each financial year of the Club, convene an Annual General Meeting of its members.
- 6.1.2 The Club shall hold its first Annual General Meeting
 - a). within the period of 18 months after its incorporation under the Act; and
 - b). within the period of 5 months after the expiration of the first financial year of the Club.
- 6.1.3 6.1.3 Subrules 6.1.1 and 6.1.2 have effect subject to the powers of the Registrar of Incorporated Associations under section 120 of the Act in relation to extensions of time.

6.2 Calling of and Business at Annual General Meetings

- 6.2.1 The Annual General Meeting of the Club shall, subject to the Act, be convened on such date and at such place and time as the committee thinks fit.
- 6.2.2 In addition to any other business which may be transacted at an Annual General Meeting, the business of an Annual General Meeting shall be -
 - a). to confirm the minutes of the last preceding Annual General Meeting and of any
 - b). General Meeting held since that meeting;
 - c). to receive from the committee reports on the activities of the Club during the last preceding financial year;
 - d). to elect members of the committee, including office-bearers; and
 - e). to receive and consider the statement of accounts and the reports that are required to be submitted to members pursuant to subsection 73(1) of the Act.
- 6.2.3 An Annual General Meeting shall be specified as such in the notice convening it in accordance with rule 7.2.
- 6.2.4 An Annual General Meeting shall be conducted in accordance with the provisions of rules 6 and 7.

7. GENERAL MEETINGS

7.1 7.1 Calling of General Meetings

- 7.1.1 The committee may, whenever it thinks fit, convene a General Meeting of the Club.
- 7.1.2 The committee shall, on the requisition in writing of not less than 5 per cent of the total number of members, convene a General Meeting of the Club.
- 7.1.3 A requisition of members for a General Meeting -
 - a). shall state the purpose or purposes of the meeting;
 - b). shall be signed by the members making the requisition;
 - c). shall be lodged with the secretary; and
 - d). may consist of several documents in a similar form, each signed by 1 or more of the members making the requisition.
- 7.1.4 If the committee fails to convene a General Meeting within 1 month after the date on which a requisition of members for the meeting is lodged with the secretary, any 1 or more of the members who made the requisition may convene a meeting to be held not more than 3 months after that date.
- 7.1.5 A General Meeting convened by a member or members referred to in subrule 7.1.2 shall be convened as nearly as is practicable in the same manner as General Meetings are convened by the committee and any member who thereby incurs expense is entitled to be reimbursed by the Club for any reasonable expense so incurred.

7.2 Notice

- 7.2.1 Except where the nature of the business proposed to be dealt with at a General Meeting requires a special resolution of the Club, the secretary shall, at least 14 days before the date fixed for the holding of the General Meeting, cause to be sent by any means reasonably likely to come to the attention of members (including by email to each member who has an email address appearing in the register of members and by posting to the Club's website) a notice specifying the place, date and time of the General Meeting (including Annual General Meetings) and the nature of the business proposed to be transacted at the meeting.
- 7.2.2 Where the nature of the business proposed to be dealt with at a General Meeting requires a special resolution of the Club, the secretary shall, at least 22 days before the date fixed for the holding of the General Meeting, cause notice to be sent to each member in the manner provided in subrule 7.2.2 specifying, in addition to the matter required under that subrule, the intention to propose the resolution as a special resolution.
- 7.2.3 No business other than that specified in the notice convening a General Meeting shall be transacted at the meeting except, in the case of an Annual General Meeting, business which may be transacted pursuant to subrule 6.2.2.
- 7.2.4 A member desiring to bring any business before a General Meeting may give notice in writing of that business to the secretary who shall include that notice from the member.

7.3 General Meetings - procedure and quorum

- 7.3.1 No item of business shall be transacted at a General Meeting or Annual General Meeting unless a quorum of members entitled under these rules to vote is present during the time the meeting is considering that item.
- 7.3.2 Five members present in person (being members entitled under these rules to vote at a General Meeting) constitute a quorum for the transaction of the business of a General Meeting (including Annual General Meeting).
- 7.3.3 If within half an hour after the appointed time for the commencement of a General Meeting a quorum is not present the meeting if convened upon the requisition of the members shall be dissolved and in any other case shall stand adjourned to the same day in the following week at the same time and (unless another place is specified at the time of the adjournment by the person presiding at the meeting or communicated by written notice to members given before the day to which the meeting is adjourned) at the same place.
- 7.3.4 If at the adjourned meeting a quorum is not present within half an hour after the time appointed for the commencement of the meeting, the members present (being not less than 3) shall constitute a quorum.

7.4 Presiding member

- 7.4.1 The president or in the absence of the president, the vice-president, shall preside each General Meeting of the Club.
- 7.4.2 If the president and the vice-president are absent from the General Meeting, the members present shall elect 1 of their number to preside at the meeting.

7.5 Adjournment

- 7.5.1 The person presiding at a General Meeting at which a quorum is present may, with the consent of the majority of members present at the meeting, adjourn the meeting from time to time and place to place, but no business shall be transacted at an adjourned meeting other than the business left unfinished at the meeting at which the adjournment took place.
- 7.5.2 Where a General Meeting is adjourned for 14 days or more, the secretary shall give written or oral notice of the adjourned meeting to each member of the Club stating the place, date and time of the meeting and the nature of the business to be transacted at the meeting.
- 7.5.3 Except as provided in subrules 7.5.1 and 7.5.2, notice of an adjournment of a General Meeting or of the business to be transacted at an adjourned meeting is not required to be given.

7.6 Making of decisions

- 7.6.1 A question arising at a General Meeting of the Club shall be determined on a show of hands and unless a poll is demanded, a declaration by the person presiding that a resolution has, on a show of hands, been carried or carried unanimously or carried by a particular majority or lost, or an entry to that effect in the minute book of the Club, is evidence of the fact without proof of the number or proportion of the votes recorded in favour of or against that resolution.

- 7.6.2 At a General Meeting of the Club, a poll may be demanded by the person presiding or by not less than 3 members present in person or by proxy at the meeting.
- 7.6.3 Where the poll is demanded at a General Meeting, the poll shall be taken
- a). immediately in the case of a poll which relates to the election of the person to preside at the meeting or to the question of an adjournment; or
 - b). in any other case, in such manner and at such time before the close of the meeting as the person presiding directs, and the resolution of the poll on the matter shall be deemed to be the resolution of the meeting on that matter.

7.7 Voting

- 7.7.1 Subject to subrule 7.7.3, upon any question arising at a General Meeting of the Club a member has 1 vote only.
- 7.7.2 All votes shall be given personally or by proxy but no member may hold more than 5 proxies.
- 7.7.3 In the case of an equality of votes on a question at a General Meeting, the person presiding is entitled to exercise a second or casting vote.
- 7.7.4 A member or proxy is not entitled to vote at any General Meeting of the Club unless all money due and payable by the member or proxy to the Club has been paid, other than the amount of the annual subscription payable in respect of the then current year.

7.8 Appointment of proxies

- 7.8.1 Each member shall be entitled to appoint another member as proxy by notice given to the secretary no later than 24 hours before the time of the meeting in respect of which the proxy is appointed.

8. FINANCIAL ARRANGEMENTS AND ACCOUNTS

- 8.1 The Financial Year of the Club shall commence on 1 July and close on 30 June the following year.

8.2 Funds - source

- 8.2.1 The funds of the Club shall be derived from entry fees and annual subscriptions (membership fees) of members, donations and, subject to any resolution passed by the Club in General Meeting and subject to section 114 of the Act, or such other sources as the committee determines.
- 8.2.2 All money received by the Club shall be deposited as soon as practicable and without deduction to the Club's bank account.
- 8.2.3 The Club shall, as soon as practicable after receiving any money, issue an appropriate receipt.

8.3 Funds - management

- 8.3.1 Subject to any resolution passed by the Club in General Meeting, the funds of the Club shall be used in pursuance of the objects of the Club in such a manner as the committee determines.
- 8.3.2 The committee shall ensure that adequate books of account are kept and that all moneys are deposited with such financial institutions that the Club may approve.

- 8.3.3 All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments shall be signed by any 2 members of the committee or employees of the Club, being members of the committee or employees authorised to do so by the committee.

9. AMENDMENTS TO THE CONSTITUTION

- 9.1 Any addition, deletion, amendment or alteration to this Constitution may be effected only by a vote of a three-quarters (75%) majority of the total numbers of financial members present at an Annual General Meeting or a special General Meeting, held in accordance with rules 6 and 7.

10. COMMON SEAL

- 10.1.1 The common seal of the Club shall be kept in the custody of the secretary.
- 10.1.2 The common seal shall not be affixed to any instrument except by the authority of the committee and the affixing of the common seal shall be attested by the signatures either of 2 members of the committee or of 1 member of the committee and of the secretary.

11. CUSTODY OF BOOKS

- 11.1 Subject to this Act, the Regulations and these rules, the secretary shall keep in his or her control all records, and other documents relating to the Club.

12. INSPECTION OF BOOKS

- 12.1 The records, books and other documents of the Club shall be open to inspection at a place in the Territory, free of charge, by a member of the Club at any reasonable hour.

13. SERVICE OF NOTICES

- 13.1 For the purpose of these rules, a notice may be served by or on behalf of the Club upon any member at the member's address shown in the register of members.
- 13.2 Where a document is sent to a person by properly addressing, prepaying and posting to the person a letter containing the document, the document shall, unless the contrary is proved, be deemed for the purposes of these rules to have been served on the person at the time at which the letter would have been delivered in the ordinary course of post.

14. SURPLUS PROPERTY

- 14.1 At the first General Meeting of the Club, the Club shall pass a special resolution nominating:
- a). another association or club for the purpose of paragraph 92(1)(a) of the Act; or ,
 - b). a fund, authority or institution for the purpose of paragraph 92(1)(b) of the Act in which it is to vest its surplus property in the event of the dissolution or winding up of the Club.
- 14.2 A Club nominated under paragraph 14.1(a) must fulfil the requirements specified in subsection 92(2) of the Act.

15. PUBLIC OFFICER

- 15.1 The Public Officer, who must be a resident of the ACT, will be appointed by the Committee each year at the Annual General Meeting. Should a vacancy occur the Committee will appoint a person to fill that vacancy within 14 days.