

# ASSOCIATIONS INCORPORATION ACT 1981

## Section 5 (b)

### STATEMENT OF PURPOSES

- 1 The name of the proposed incorporated Association is AUSTRALIAN ULTRA RUNNERS' ASSOCIATION Incorporated.
- 2 The purposes for which the proposed incorporated Association is established are:
  - a) to set minimum standards and guidelines for official ultra distance running events and as a consequence to serve and promote ultra runners' interests.
  - b) to promote ultra distance races by means of technical assistance to race organisers and the provision of help, advice and encouragement to ultra runners.
  - c) to organize and conduct ultra distance races.
  - d) to define, vet and ratify claimed ultra distance records.
  - e) to make definitions on all aspects of ultra distance running.
  - f) to register State and National Championship ultra distance running events.
  - g) to provide a channel of communication of ultra distance running information – rankings, forthcoming events, results of past events, overseas news and results.
  - h) to be affiliated with the International Association of Ultrarunners (I.A.U).

# ASSOCIATIONS INCORPORATION ACT 1981

## RULES FOR AUSTRALIAN ULTRA RUNNERS' ASSOCIATION INCORPORATED

### NAME

- 1 The name of the incorporated Association is Australian Ultra Runners' Association Incorporated (in these rules called "the Association").

### INTERPRETATION

- 2 (1) In these rules, unless the contrary intention appears:

"Association" means the entire number of financial members of the Australian Ultra Runners' Association Incorporated.

"Committee" means the Committee of Management of the Association.

"Financial Year" means the year ending on 31st December.

"General Meeting" means a general meeting of members convened in accordance with Rule 11.

"Member" means a member of the Association.

"Ordinary Member of the Committee" means a member of the Committee who is not an officer of the Association under rule 21.

"The Act" means the Associations Incorporation Act 1981, in the State of Victoria, and any amendment or re-enactment thereof.

"The Regulations" means regulations under the Act.

All masculine gender words shall imply feminine and neutral gender words and vice versa.

- (2) In these Rules, a reference to the secretary of an Association is a reference:

- (a) where a person holds office under these rules as secretary of the Association - to that person; and

- (b) in any other case, to the Public Officer of the Association.

- (3) Words or expressions contained in these rules shall be interpreted in accordance with the provisions of the Acts Interpretation Act 1958, in the State of Victoria, and the Act as in force from time to time.

### MEMBERSHIP

- 3 (1) A natural person who is nominated and approved for membership as provided in these rules is eligible to be a member of the Association on payment of the annual subscription payable under these rules.

# ASSOCIATIONS INCORPORATION ACT 1981

- (2) A person who is not a member of the Association at the time of the incorporation of the Association (or who was such a member at that time but has ceased to be a member) shall not be admitted to membership unless he is nominated as provided in sub-clause (3).
- (3) A nomination of a person for membership of the Association:
  - (a) shall be made in writing in the form set out in Appendix 1; and
  - (b) shall be lodged with the secretary of the Association.
- (4) The Committee reserves the right to reject any application for membership of the Association. The Committee may only undertake this course of action prior to the Nominee's name being entered in the register of members. In the event of a rejection of application for membership of the Association, the Nominee shall have a right of appeal to the Committee only, as set out under Clause 7, as if he were a member.
- (5) Where the Committee confirms the rejection of application for membership of the Association at a meeting of the Committee held in accordance with sub-clause (4), the secretary shall return any moneys paid by the Nominee in regard to his membership application.
- (6) The secretary shall, upon payment of the amount referred to in sub-clause (1) or otherwise as set by the annual general meeting of the Association enter the nominee's name in the register of members kept by him unless directed otherwise by the Committee and, upon the name being so entered, the nominee becomes a member of the Association.
- (7) A right, privilege, or obligation of a person by reason of his membership of the Association:
  - (a) is not capable of being transferred or transmitted to another person;
  - (b) terminates upon the cessation of his membership whether by death or resignation or otherwise.
- (8) a member shall be elected a life member in recognition of services to the Association on the recommendation from the general Committee and by the vote of not less than three-fourths of the members present at any annual general meeting. Notice of such recommendation shall be placed on the agenda paper calling such annual general meeting. A life member will not be liable to pay the annual subscription.
- (9) An entity, such as a corporation, a sporting body, a race committee, which is nominated and approved for membership as provided in these rules is eligible to participate with the voice(s) equal to the number of memberships taken out, in the affairs of the Association on payment of the annual subscription(s) payable under these rules.

## ENTRANCE FEE & ANNUAL SUBSCRIPTION

- 4 (1) No entrance fee is payable.
- (2) The annual subscription is \$10.00 or as approved by the annual general meeting each year, and is payable in advance on or before the first day of January in each year.
- (3) A member who has not paid his annual subscription in full within 12 months from the first day of January in the year in which it is due shall be deemed unfinancial.

# ASSOCIATIONS INCORPORATION ACT 1981

## REGISTER OF MEMBERS

- 5 The secretary shall keep and maintain a register of members in which shall be entered the full name, address and date of entry of the name of each member and the register shall be available for inspection by members at the address of the Public Officer.

## RESIGNATION OF MEMBER

- 6 (1) A member of the Association who has paid all moneys due and payable by him to the Association by first giving one month's notice in writing to the secretary of his intention to resign and upon the expiration of that period of notice, the member shall cease to be a member.
- (2) Upon the expiration of a notice given under sub-clause (1), the secretary shall make in the register of members an entry recording the date on which the member by whom the notice was given, ceased to be a member.

## EXPULSION, SUSPENSION OR FINING OF MEMBERS

- 7 (1) Subject to these rules, the Committee may by resolution:
- (a) expel a member from the Association;
  - (b) suspend a member from membership of the Association for a specified period; or
  - (c) fine a member in accordance with the regulations ((1)), if the Committee is of the opinion that the member:
    - (i) has refused or neglected to comply with these rules; or
    - (ii) has been guilty of conduct unbecoming a member or prejudicial to the interests of the Association.
- (2) A resolution of the Committee under sub-clause (1):
- (a) does not take effect unless the Committee, at a meeting held not earlier than 14 and not later than 28 days after the service on the member of a notice under sub-clause (3) confirms the resolution in accordance with this clause; and
  - (b) where the member exercises a right of appeal to the Association under this clause does not take effect unless the Association confirms the resolution in accordance with this clause; and
  - (c) where the member exercises a right of appeal to Athletics Australia under this clause does not take effect unless Athletics Australia confirms the resolution in accordance with this clause.
- (3) Where the Committee passes a resolution under sub-clause (1), the secretary shall, as soon as practicable, cause to be served on the member a notice in writing:
- (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 and not later than 28 days after service of the notice;
  - (c) stating the date, place and time of that meeting;

## ASSOCIATIONS INCORPORATION ACT 1981

- (d) informing the member that he may do one or more of the following:
  - (i) attend that meeting;
  - (ii) give to the Committee before the date of that meeting a written statement seeking the revocation of the resolution;
  - (iii) not later than 24 hours before the date of the meeting, lodge with the secretary a notice to the effect that he wishes to appeal to the Association in general meeting against the resolution.
  - (iv) not later than 48 hours after an unsuccessful appeal to the Association in general meeting, lodge with the secretary a notice to the effect that he wishes to appeal to Athletics Australia against the resolution.
- (4) At a meeting of the Committee held in accordance with sub-clause (2), the Committee:
  - (a) shall give to the member an opportunity to be heard;
  - (b) shall give due consideration to any written statement submitted by the member; and
  - (c) shall by resolution determine whether to confirm or to revoke the resolution.
- (5) Where the secretary receives a notice under sub-clause (3) (d) (iii), he shall notify the Committee and the Committee shall convene a general meeting of the Association to be held within 21 days after the date on which the secretary received the notice.
- (6) At a general meeting of the Association convened under sub-clause (5)
  - (a) no business other than the question of the appeal shall be transacted;
  - (b) the Committee may place before the meeting details of the grounds for the resolution and the reasons for the passing of the resolution;
  - (c) the member shall be given an opportunity to be heard; and
  - (d) the members present shall vote by secret ballot on the question whether the resolution should be confirmed or revoked.
- (7) If at the general meeting:
  - (a) two-thirds of the members vote in person or by proxy in favour of the confirmation of the resolution, the resolution is confirmed; and
  - (b) in any other case, the resolution is revoked.
- (8) Where the Secretary receives a notice under sub-clause (3) (d) (iv), he shall notify Athletics Australia within 5 days, requesting a speedy confirmation or revocation of the committee resolution.
- (9) Receipt of an official letter by the secretary from Athletics Australia containing a determination of the committee resolution shall constitute the final step in expiation of this clause.

# ASSOCIATIONS INCORPORATION ACT 1981

## ANNUAL GENERAL MEETINGS

- 8 (1) The Association shall in each calendar year convene an annual general meeting of its members ((2)).
- (2) The annual general meeting shall be held on such day as the Committee determines.
- (3) The annual general meeting shall be specified as such in the notice convening it.
- (4) The ordinary business of the annual general meeting shall be:
- (a) to confirm the minutes of the last preceding annual general meeting and of any general meeting held since that annual general meeting;
  - (b) to receive from the Committee reports upon the transactions of the Association during the last preceding financial year;
  - (c) to elect officers of the Association and the ordinary members of the Committee; and
  - (d) to receive and consider the statement submitted by the Association in accordance with section 30 (3) of the Act.
- (5) The annual general meeting may transact special business of which notice is given in accordance with these rules.
- (6) The annual general meeting shall be in addition to any other general meetings that may be held in the same year.

## SPECIAL GENERAL MEETINGS

- 9 All general meetings other than the annual general meeting shall be called special general meetings.
- 10 (1) The Committee may, whenever it thinks fit, convene a special general meeting of the Association and, where, but for this sub-clause, more than 15 months would lapse between annual general meeting, shall convene a special general meeting before the expiration of that period.
- (2) The Committee shall on a requisition signed by not fewer than ten (10) financial members and stating the nature of the business to be considered, convene a special general meeting of the Association.
- (3) The requisition for a special general meeting shall state the objects of the meeting and shall be signed by the members making the requisition and be sent to the address of the secretary and may consist of several documents in a like form, each signed by one or more of the members making the requisition.
- (4) If the Committee does not cause a special general meeting to be held within one month after the date on which the requisition is sent to the address of the secretary, the members making the requisition, or any of them, may convene a special general meeting to be held not later than 3 months after that date.
- (5) A special general meeting convened by members in pursuance of these rules shall be convened in the same manner as nearly as possible as that in which those meetings are convened by the Committee and all reasonable expenses incurred in convening the meeting shall be refunded by the Association to the persons incurring the expenses.

# ASSOCIATIONS INCORPORATION ACT 1981

## NOTICE OF GENERAL MEETINGS

- 11 (1) the secretary of the Association shall, at least 14 days before the date fixed for holding a general meeting of the Association, use his best endeavors to contact each member of the Association by notices to his address appearing in the register by pre-paid post stating the place, date and time of the meeting and the nature of the business to be transacted at the meeting.
- (2) No business other than that set out in the notice convening the meeting shall be transacted at the meeting.
- (3) A member desiring to bring any business before a meeting may give notice of that business in writing to the secretary, who shall include that business in the notice calling the next general meeting after the receipt of the notice.

## PROCEEDINGS AT MEETINGS

- 12 (1) All business that is transacted at a special general meeting and all business that is transacted at the annual general meeting with the exception of that specially referred to in these rules as being the ordinary business of the annual general meeting shall be deemed to be special business.
- (2) No item of business shall be transacted at a general meeting unless a quorum of members entitled under these rules to vote is present during the time when the meeting is considering that item.
- (3) A quorum for the transaction of the business of a general meeting shall be a number of members personally present (being members entitled under these rules to vote at a general meeting). The minimum number of members under this sub-clause to constitute a quorum shall be double the number of Executive members plus one.
- (4) 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 members shall be dissolved and in any other case shall stand adjourned to the same day in the next week at the same time and (unless another place is specified by the Chairman at the time of the adjournment or by written notice to members given before the day to which the meeting is adjourned) at the same place and if at the adjourned meeting the 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 be a quorum.

## CHAIRMAN

- 13 (1) The President, or in his absence, the Vice-President, shall preside as Chairman at each general meeting of the Association.
- (2) If the President and the Vice-President are absent from a general meeting, the members present shall elect one of their number to preside as Chairman at the meeting.

## ADJOURNMENT

- 14 (1) The Chairman of a general meeting at which a quorum is present may, with the consent of 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.

# ASSOCIATIONS INCORPORATION ACT 1981

- (2) Where a meeting is adjourned for 14 days or more, a like notice of the adjournment meeting shall be given as in the case of the general meeting.
- (3) Except as provided in sub-clauses (1) and (2), it is not necessary to give notice of an adjournment or of the business to be transacted at an adjourned meeting.

## VOTING

- 15 A question arising at a general meeting of the Association shall be determined on a show of hands and unless before or on the declaration of the show of hands a poll is demanded, a declaration by the Chairman that a resolution has, on a show of hands, been carried or carried unanimously or carried by a particular majority or lost, and an entry to that effect in the Minute Book of the Association is evidence of the fact, without proof of the number or proportion of the votes recorded in favour of, or against, that resolution.
- 16 (1) Upon any question arising at a general meeting of the Association, a member has one vote only.
  - (2) All votes shall be given personally or by proxy.
  - (3) In the case of an equality of voting on a question, the Chairman of the meeting is entitled to exercise a second or casting vote.
- 17 (1) If at a meeting a poll on any question is demanded by not less than three members, it shall be taken at that meeting in such manner as the Chairman may direct and the resolution of the poll shall be deemed to be a resolution of the meeting on that question.
  - (2) A poll that is demanded on the election of a Chairman or on a question of an adjournment shall be taken forthwith and a poll that is demanded on any other question shall be taken at such time before the close of the meeting as the Chairman may direct.
- 18 A member is not entitled to vote at any general meeting unless all moneys due and payable by him to the Association have been paid, other than the amount of the annual subscription payable in respect of the current financial year.

## PROXIES

- 19 (1) Each member shall be entitled to appoint member as his 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.
  - (2) The notice appointing the proxy shall be in the form set out in Appendix 2.

## COMMITTEE OF MANAGEMENT

- 20 (1) The affairs of the Association shall be managed by a Committee of Management constituted as provided in Rule 21.
  - (2) The Committee:-
    - (a) shall control and manage the business and affairs of the Association.
    - (b) may, subject to these rules, the regulations and the Act, exercise all such powers and functions as may be exercised by the Association other than those powers and functions that are required by these rules to be exercised by general meetings of the members of the Association; and



# ASSOCIATIONS INCORPORATION ACT 1981

- (c) subject to these rules, the regulations and the Act, has power to perform all such acts and things as appear to the Committee to be essential for the proper management of the business and affairs of the Association.
- (3) The person holding the position of Immediate Past president shall be entitled to act as ex-officio member of the Committee and shall be entitled to act with the same powers as a Committee member.

## CONSTITUTION

21 (1) The offices of the Association shall be:-

- (a) a President;
  - (b) a Vice President;
  - (c) a Treasurer;
  - (d) a Secretary; and
  - (e) an Assistant Secretary
- (2) The provisions of Rule 23 so far as they are applicable and with the necessary modifications, apply to and in relation to the election of persons to any of the offices mentioned in sub-clause (1).
- (3) Each officer of the Association shall hold office until the annual general meeting next after the date of his election but is eligible for re-election.
- (4) In the event of a casual vacancy in any office referred to in sub-clause (1), the Committee may appoint one of its members to the vacant office and the member so appointed may continue in office up to and including the conclusion of the annual general meeting next following the date of his appointment.
- (5) Deleted.
- (6) Deleted.

22 (1) Subject to section 23 of the Act, the Committee shall consist of:

- (a) the officers of the Association; and
  - (b) up to 2 ordinary members for each State or Territory as allowed for in these rules;  
  
each of whom shall be elected at the annual general meeting of the Association in each year; and
  - (c) Only members who are not unfinancial shall be appointed as ordinary members as allowed for in these rules for each State and Territory.
- (2) Each ordinary member of the Committee shall, subject to these rules, hold office until the annual general meeting next after the date of his election but is eligible for re-election.

# ASSOCIATIONS INCORPORATION ACT 1981

- (3) In the event of a casual vacancy occurring in the office of an ordinary member of the Committee, the Committee may appoint a member of the Association to fill the vacancy and the member so appointed shall hold office, subject to these rules, until the conclusion of the annual general meeting next following the date of his appointment.
- (4) Each State or Territory of the Commonwealth with more than 10 ordinary members shall be entitled to have 2 of their number as ordinary members of the Committee (only 1 position is available for numbers between 3 to 10 inclusive and for less than 3, those members shall affiliate with a neighboring State or Territory).
- (5) Ordinary members of the Committee from all States or Territories shall also be referred to as State or Territory representatives as appropriate. State or Territory representatives shall assist the secretary in the dissemination of information from general or Committee meetings and attempt to gather views and attitudes of members within their own State or Territory and pass them on to the secretary or directly to Committee meetings.

## ELECTION OF COMMITTEE MEMBERS & VACANCY

- 23(1) The secretary shall call for nominations for the elected Committee positions, which will be declared vacant at the next annual general meeting, or any business to be considered thereat, by posting a notice to each member at least 40 days before the intended date of the annual general meeting.

Notice of any business to be considered at the annual general meeting shall be made in writing and shall be delivered to the secretary not less than 21 days before the date fixed for the holding of the annual general meeting.

- (2) Nomination of candidates for election as officers of the Association are accepted from all members Australia wide and:
  - (a) shall be made in writing, signed by 2 members of the Association and accompanied by the written consent of the candidate (which may be endorsed on the form of nomination); and
  - (b) shall be delivered to the secretary of the Association not less than 21 days before the date fixed for the holding of the annual general meeting.
- (3) Nominations of candidates for election as ordinary members of the Committee.
  - (a) shall be made in writing, signed by 2 members of the Association and accompanied by the written consent of the candidate (which may be endorsed on the form of nomination) and;
  - (b) shall be delivered to the secretary of the Association not less than 21 days before the date fixed for the holding of the annual general meeting.
- (4) 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) If the number of nominations received is equal to the number of vacancies to be filled, the persons nominated shall be deemed to be elected.
- (6) If the number of nominations exceeds the number of vacancies to be filled, a ballot shall be held.

# ASSOCIATIONS INCORPORATION ACT 1981

- (7) The ballot for the election of officers and ordinary members of the Committee shall be conducted at the annual general meeting in such usual and proper manner as the Committee may direct.

It is incumbent on the committee to duly consider whether the attendance at the meeting is sufficient to adequately represent the membership at large. Should the committee decide in the negative, those positions requiring a ballot shall be held over subsequent to a postal ballot of members. All members shall be requested to participate in a postal ballot for election of officers and only state or territory members shall be requested to participate in a postal ballot for their respective ordinary members of committee. Such a process shall take place within 35 days of the meeting. The committee shall decide the process to be followed for the postal vote and successful candidates shall assume office immediately, until the next Annual General Meeting.

In the case of a tied result of more than one person for each position available, the committee shall appoint any one of those persons who tied in the ballot to fill the vacancy.

- (8) Deleted

- (9) Only candidates who are not unfinancial members shall be accepted as valid nominations for election as officers of the Association.

- 24 For the purposes of these rules, the office of an officer of the Association or of an ordinary member of the Committee becomes vacant if the officer or member:

- (a) ceases to be a member of the Association
- (b) becomes an insolvent under administration within the meaning of the Companies (Victoria) Code
- (c) resigns his office by notice in writing given to the secretary; or
- (d) becomes unfinancial.

## PROCEEDINGS OF COMMITTEE

- 25 (1) The Committee shall meet at least 2 times in each year at such place and such times as the Committee may determine.
- (2) Special meetings of the Committee may be convened by the President or by any 4 of the members of the Committee.
- (3) Notice shall be given to members of the Committee of any special meeting specifying the general nature of the business to be transacted.

The Internet shall be used as much as practicable to allow all members of committee to participate fully in the proceedings of committee meetings.

- (4) No major item of business shall be transacted at a Committee meeting unless it appears in the agenda so as to not bypass the intent of clause (3).
- (5) For the purpose of definition, only the Committee Chairman, which is normally the President, shall solely decide what unlisted business is to be classed as "major" or "minor".

## ASSOCIATIONS INCORPORATION ACT 1981

- (6) Minor unlisted business may be transacted at a Committee meeting.
- (7) Any 4 members of the Committee constitute a quorum for the transaction of the business of a meeting of the Committee.
- (8) No business shall be transacted unless a quorum is present and if within half an hour of the time appointed for the meeting quorum is not present the meeting shall stand adjourned to the same place and at the same hour of the same day in the following week unless the meeting was a special meeting in which case it lapses.
- (9) At meetings of the Committee:
  - (a) the President or in his absence the Vice-President shall preside, or;
  - (b) if the President and the Vice-President are absent, such one of the remaining members of the Committee as may be chosen by the members present shall preside.
- (10) Questions arising at a meeting of the Committee or of any sub-Committee appointed by the Committee shall be determined on a show of hands, or if demanded by a member, by a poll taken in such manner as the person presiding at the meeting may determine.
- (11) 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 one vote and, in the event of an equality of votes on any question, the person presiding may exercise a second or casting vote.
- (12) Written notice of each Committee meeting shall be served on each member of the Committee by delivering it to him at a reasonable time before the meeting or by sending it by pre-paid post addressed to him at his usual or last known place of abode at least two business days before the date of the meeting.
- (13) Subject to sub-clause (7) the Committee may act notwithstanding any vacancy on the Committee.
- (14) Duties of sub-Committees:
  - (a) all sub-Committees shall be formed from members of the Association.
  - (b) sub-Committees shall report all activities and proposed activities to the general Committee for discussion and approval.
  - (c) sub-Committees may only recommend proposals of planned activities for or on behalf of the Association. Such proposals must be approved by the general Committee of the Association at a Committee meeting.
  - (d) no additional members may be co-opted on any sub-Committee without the sanction of the Committee of the Association.
  - (e) a copy of the minutes of all sub-Committee meetings shall be compiled and forwarded to the Association secretary for reference and recording purposes.

# ASSOCIATIONS INCORPORATION ACT 1981

## SECRETARY

### 26 (1) Honorary Secretary:

The Honorary Secretary shall attend all meetings of the Association and of the general Committee. He shall keep minutes of resolutions and proceedings of each meeting in books provided for that purpose together with a record of the names of persons present. He shall issue all notices and circulars and prepare an Annual Report of the Association's activities for submission to the annual general meeting. He is empowered to assist the Honorary Treasurer by accepting monies on behalf of the Association. He shall be ex-officio a member of all sub-Committees.

### (2) Honorary Assistant secretary:

The Honorary Assistant secretary shall attend all meetings of the Association general Committee, take minutes of all business transacted and assist the Honorary secretary as required.

## TREASURER

### 27 (1) The Treasurer of the Association:

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

### (2) The accounts and books referred to in sub-clause (1) shall be available for inspection by members.

## REMOVAL OF MEMBER OF COMMITTEE

### 28 (1) The Association in general meeting may by resolution remove any member of the Committee before the expiration of his term of office and appoint another member in his stead to hold office until the expiration of the term of the first mentioned member.

- (2) Where the member to whom a proposed resolution referred to in sub-clause (1) makes representations in writing to the secretary or president of the Association (not exceeding a reasonable length) and requests that they be notified to the members of the Association, the secretary or the President may send a copy of the representations to each member of the Association or, if they are not so sent, the member may require that they be read out at the meeting.

## CHEQUES

### 29 All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments shall be signed by two members of the Committee.

# ASSOCIATIONS INCORPORATION ACT 1981

## SEALS

- 30 (1) The Common Seal of the Association shall be kept in the custody of the secretary.
- (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 two members of the Committee or of one member of the Committee and of the Public Officer of the Association.

## ALTERATION OF RULES & STATEMENT OF PURPOSES

- 31 These rules and the statement of purposes of the Association shall not be altered except in accordance with the Act ((3)).

## NOTICES

- 32 (1) A notice may be served by or on behalf of the Association upon any member either personally or by sending it by post to the member at his address shown in the Register of Members.
- (2) Where a document is properly addressed pre-paid and posted to a person as a letter, the document shall, unless the contrary is proved, be deemed to have been given to the person at the time at which the letter would have been delivered in the ordinary course of post.

## WINDING UP OR CANCELLATION

- 33 If upon the winding-up or dissolution of the Association there remains, after satisfaction of all its debts and liabilities, any property whatsoever, the same not be paid or distributed among the members of the Association but shall be given or transferred to some other organisation having similar objects of the association and which shall prohibit the distribution of its income and property amongst its members to an extent at least as great as is imposed on the Association, such organisation, to be determined by the members of the Association at or before the time of dissolution and in default thereof by such judge of the Supreme Court of Victoria as may have, or acquire, jurisdiction in the matter.

## CUSTODY OF RECORDS

- 34 Except as otherwise provided in these rules, the secretary shall keep in his custody or under his control all books, documents and securities of the Association.

## FUNDS

- 35 (1) The funds of the Association shall be derived from annual subscriptions, donations and such other sources as the Committee determines.
- (2) The income and property of the Association whencesoever derived, shall be applied solely towards the promotion of the objects of the Association, and no portion thereof shall be paid or transferred directly or indirectly, by way of dividends, bonus or otherwise howsoever by way of profit or gain to the individual members of the Association. Provided that nothing herein shall prevent the payment, in good faith, of reasonable and proper remuneration to any officer or servant or to any member of the Association in return for any services actually rendered to the Association not prevent the payment for out of pocket expenses, interest on money lent or reasonable and proper rent for premises demised or let by any officer or servant of the Association or member of the Association.

# ASSOCIATIONS INCORPORATION ACT 1981

- (3) Any moneys received by the Association shall be promptly paid into the Association's bank account or any other financial institution with which the Association has an account.

## INTERPRETATION OF THE RULES

- 36 (1) The committee shall decide any question in regard to the interpretation of the Association's rules.
- (2) The committee decision under sub-clause (1) shall be binding on all members unless the secretary receives notice of a motion of dissent from a member.
- (3) A notice of motion of dissent must be received within 6 months from the date on which the interpretation was communicated publicly to the members, otherwise the notice is invalid.

## AUDITOR

- 37 The members shall, at the annual general meeting of the Association appoint an auditor for the next calender year of the Association (viz year ending 31<sup>st</sup> December). It shall be the duty of the Honorary Auditor to examine and check the books of the Association and to see that they are correctly kept and balanced and to certify as to their correctness or otherwise when presented at the annual general meeting of the Association.

## NOTES

- ((1)) The regulations provide that the Committee of an incorporated Association may impose a fine not exceeding \$20.00 or other sum as approved by the annual general meeting on a member who commits a breach of the rules of the incorporated Association.
- ((2)) Section 30 of the Act provides that an incorporated Association shall, at least once in each calender year, convene a general meeting, to be called an annual general meeting.
- ((3)) Section 22 of the Act provides that an incorporated Association, may, by special resolution, alter its statement of purposes or its rules. Section 29 of the Act defines a special resolution.

\*\*\*\*\*

# ASSOCIATIONS INCORPORATION ACT 1981

## APPENDIX 1

### MEMBERSHIP APPLICATION

#### AUSTRALIAN ULTRA RUNNERS' ASSOCIATION INCORPORATED

Application for membership of Australian Ultra Runners' Association Incorporated (AURA INC.)

I, .....  
(Full name of Applicant)

of.....  
(Address)

.....  
(Occupation) (Date of birth)

desire to become a member of the AUSTRALIAN ULTRA RUNNERS' ASSOCIATION INCORPORATED. In the event of my admission as a member, I agree to be bound by the rules of the Association for the time being in force.

.....  
(Signature of Applicant) (Date)  
\*\*\*\*\*

I, ..... a member of the Association nominate  
(Name)  
the applicant, who is personally known to me, for membership of the Association.

.....  
(Signature of Proposer) (Date)  
\*\*\*\*\*

I, ..... a member of the Association second the  
(Name)  
nomination of the applicant who is personally known to me, for membership of the Association.

.....  
(Signature of Seconder) (Date)  
\*\*\*\*\*

Current membership fees for 20..... in (Australian dollars) are as follows: Cheques payable to AURA Inc.

Please circle desired rate	\$	within Australia.		
	<b>NZ</b>	<b>Asia</b>	<b>USA</b>	<b>Europe</b>
Airmail (up to 1 week delivery)	\$.....	\$.....	\$.....	\$.....

Send application and money to: AURA Inc., c/- Dot Browne, 4 Victory St, Mitcham, 3132 Australia



**ASSOCIATIONS INCORPORATION ACT 1981**

**APPENDIX 2**

**FORM OF APPOINTMENT OF PROXY**

I, ..... of .....

being a member of AUSTRALIAN ULTRA RUNNERS' ASSOCIATION INCORPORATED hereby appoint

..... of .....

being a member of that Incorporated Association, as my proxy to vote for me on my behalf at the general meeting of the Association (annual general meeting or special general meeting, as the case may be)

to be held on the ..... day of ..... 20..... and at any adjournment of that meeting. If my proxy fails to attend the meeting, I appoint the Chairman of the meeting to be my proxy.

My proxy is authorised to vote for the resolution(s) as follows.

	<u>FOR</u>	<u>AGAINST</u>	<u>AT DISCRETION OF PROXY</u>
Motion 1 (Tick one box)	θ	θ	θ
Motion 2 (Tick one box)	θ	θ	θ

etc.

Signed: .....

Date: ...../...../20.....

This form must be sent to the secretary of Australian Ultra Runners' Association Incorporated to be received by the nominated date.

- NOTES:**
1. If you do not know of a person who will be attending the meeting, you may appoint the "Chairman of the Meeting" in which case an address is not required.
  2. If you fail to specify your intentions clearly, the proxy vote will be informal.
  3. Only members who are not unfinancial are entitled to vote. (A member becomes unfinancial if his annual subscription is unpaid after a period of 12 months has elapsed from its due date.)