



**CONSTITUTION
AND RULES**

OF THE

**TASMANIAN BANDS
LEAGUE INC.**

ADOPTED: 14th February 2016

1. LEAGUE'S NAME:

The League's name shall be "Tasmanian Bands League Inc." (herein referred to as "The League")

2. INTERPRETATION:

In these rules, where the context permits;

- a) "The Act" means the Associations Incorporation Act 1964;
- b) "Committee" means The League's committee of management;
- c) "Employee" means an employee or servant of The League;
- d) "Financial Year" means the period of a calendar year;
- e) "Member" means a band affiliated with The League.
- f) "Registered Player" means a person registered with a Member of The League.
- g) "General Meeting" means a general meeting of Members convened in accordance with Rules 18 and 19;
- h) "Ordinary Committee Member" means a committee member who is not an officer to whom Rule 28 relates;
- i) expressions referring to writing include any mode of representing or reproducing words in a visible form;
- j) a reference to a rule is a reference to a rule of these rules and a reference to a sub-rule is a reference to a sub-rule of that rule;
- k) words or expressions shall be interpreted in accordance with the provisions of The Acts Interpretation Act 1931 and The Acts as in force on the date on which these rules are adopted by The League;
- l) the index does not form part of nor affect the interpretation of these rules.

3. THE LEAGUE'S OFFICE:

The League's office shall be at the Secretary's address or such place as the Committee determines.

4. THE LEAGUE'S OBJECTIVES:

The League's objectives and purposes ("the objectives") and the objectives set out in Sub-Rules 4a to 4j are called "Prime Objectives" are to;

- a) carry on the organisation previously known as The Tasmanian Bands League, 1989;

- b) consolidate the interest and welfare of bands for their mutual advantage;
- c) promote and maintain good fellowship among bandpersons throughout the state of Tasmania;
- d) stimulate and educate public opinion to the value of band music;
- e) create a public demand for band music by providing musical recitals, entertainment and competitions;
- f) assist charitable utilities;
- g) inaugurate and control instrumental contests including championships;
- h) assist in moulding the national character by providing a healthy musical environment;
- i) inculcate and foster the study of instrumental music, and assist Musical Directors/Bandmasters and Drum Majors in the betterment of their performances by means of workshops and seminars;
- j) affiliate with kindred organisations for mutual benefits;
- k) provide such equipment, facilities, subsidies, service or amenities as the Committee from time to time deems necessary for the use of Members;
- l) promote social activities amongst Members;
- m) act in co-operation with any state or federal government or any other band, association, committee, society, institution or person for the promotion of any other objects;
- n) when necessary or convenient for any of the objects;
 - i. purchase, take on lease or in exchange, hire or otherwise acquire any real or personal property;
 - ii. buy, sell, and supply and deal in goods of all kinds;
 - iii. construct, maintain and alter buildings or works;
 - iv. accept any gift, whether subject to special trust or not;
 - v. print and publish newspapers, magazines, periodicals, books, leaflets, or other documents for the promotion of the objects;
- o) seek and obtain contributions to The League's funds whether by way of donations, subscriptions, levies or otherwise;
- p) borrow and raise money in such manner and on such terms as the Committee determines or as may be approved or directed by resolution passed at a General Meeting;
- q) invest any moneys not immediately required for any of the objects;

- r) make gifts, subscriptions or donation to any of the funds, authorities or institutions to which Section 78 (1) (a) of the Income Tax Assessments Act of the commonwealth relates or to any other club, association, committee, society or institutions with similar objects and purpose as the prime objects;
- s) establish and support or aid the establishment and support of associations, institutions, funds, trust, schemes and conveniences calculated to benefit Employees or past Employees and their dependents and the and the granting of pensions, allowances or other benefits to Employees or past Employees and their dependents and the making of payments towards insurance in relation to any of these purposes;
- t) establish and support or aid in the establishment or support of any other association formed for any of the prime objects;
- u) purchase or acquire and undertake all or any part of the property, assets, liabilities and engagements of any association with which The League may at any time become amalgamated in accordance with provisions of The Act and these rules;
- v) do all such other lawful things as are incidental or conducive to the attainment of any of the objects.

and The League be empowered to do all things which are necessary or conducive to the attainment of the above objectives.

5. REPEAL OF PRIOR RULES:

These rules repeal all The League's existing rules and regulations excepting any by-laws but does not affect any;

- a) right, privilege, obligation or liability or disqualification acquired, accrued or incurred under any repeal rule or regulation;
- b) offence or penalty in respect of any offence committed against the provisions of any repealed rule or regulation;
- c) proceedings or remedy in respect of any such right, privilege, obligation, liability or penalty.

6. ELIGIBILITY OF MEMBERSHIP:

The following are eligible for membership:

- a) A regular playing band consisting of more than **fourteen (14)** brass, woodwind or percussion players which is nominated and approved for membership as provided in these rules is eligible to be a senior Member on payment of the annual subscription (if any).
- b) A regular playing band consisting of more than **fourteen (14)** brass, woodwind or percussion players which is nominated and approved for membership as provided in these rules is eligible to be a junior Member on payment of the annual subscription (if any).

- c) A person who has been awarded as a Life Member.

7. CLASSES OF AWARDS:

The following are the Classes of Awards with their respective entitlements:

a) Life Membership

- i. Life Members may be elected by special resolution for dedicated service at the discretion of the Committee.
- ii. Life Members are not required to pay any subscription but have the rights and privileges of Members including the right to hold office as an officer or Ordinary Committee Member but will not be entitled to a vote on any question, unless being an Ordinary Committee Member of a Member.
- iii. The League may elect any person as a Life Member of The League at any Annual General Meeting, or at any other approved time as directed by The League, only if in the opinion of The League such a person has rendered sufficiently valuable service to The League.
- iv. Nomination for election to Life Membership must be submitted for approval by the Executive Committee and then presented to a prior General Meeting before such Life Membership is conferred.

b) Badge of Honour

- i. Badge of Honour recipients may be elected by special resolution for dedicated service at the discretion of the Committee.
- ii. Badge of Honour recipients are not required to pay any subscription but have the rights and privileges of Members including the right to hold office as an officer or Ordinary Committee Member.
- iii. Any Member may nominate persons for The League's Badge of Honour.
- iv. Every Member when nominating a person for the Badge of Honour must supply a brief history in support of the nomination. A fee to cover the current cost of the badge must also accompany the nomination.
- v. The League reserves the right to award the Badge of Honour to persons whom they consider are deserving of this award, the cost to be borne by The League.
- vi. Each Member is restricted to **one (1)** nomination per year.
- vii. All nominations must be submitted for approval by the Executive Committee by the November General Meeting.
- viii. The Badge of Honour will be awarded and presented at the Annual General Meeting or upon a special occasion deemed appropriate by the Executive Committee.

c) Certificate of Merit

- i. Members may nominate persons who have in excess of **thirty five (35)** years of service to a band or bands for The League's Certificate of Merit.

d) Jubilee Certificate

- ii. Members may nominate persons who have in excess of **fifty (50)** years of service to a band or bands for The League's Jubilee Certificate.

8. APPLICATION OF MEMBERSHIP:

- a) Application from bands for admission to The League shall be in writing, accompanied by the current year's subscription as prescribed pursuant to Rule 37, together with a list of Registered Players thereof. Such application shall be considered at the first meeting of The League held subsequent to the application being lodged.
- b) The Secretary shall with as little delay as possible, notify the applicant that they have been approved for membership and on receipt of the applicant's first years annual subscription (if any) shall enter the applicant's name in the register ("the register") of Members to be kept by the Secretary.
- c) On the Secretary placing the name of the band on the register, that band becomes a Member.

9. RESIGNATION OF MEMBERS:

A Member may at any time resign from The League by delivering or posting to the Secretary a written notice of resignation.

10. CESSATION OF MEMBERS:

- a) On the receipt of a notice of resignation or on the expulsion of a Member, the Secretary shall remove the name of the Member from the register and that band then ceases to be a Member but remains liable to The League for any subscription or other payments due by them to The League at that date.
- b) The League reserves the right to review the position of any band at any time, and to suspend or exclude such bands from Membership if in the opinion of The League such action would be in the best interests of The League.

11. WINDING UP:

If The League is wound up every Member who, within one year immediately preceding the commencement of the winding up, was a Member is liable to contribute to The League's assets for payment of The League's debt or liabilities and for the costs, charges and expenses of the winding up and for the adjustment of the rights of the contributories among themselves such sum, not exceeding **one (1) dollar** as may be required, but a former Member is not liable to contribute in respect of any debt or liability of The League contracted after they have ceased to be a Member.

12. SPECIAL RESOLUTION TO WIND UP:

A motion to wind up The League may only be carried by special resolution, subject to Section 33 of The Act, The League's net assets (if any) on winding up shall be distributed;

- a) equally among the Members at the time; or
- b) to such body or bodies, which in the opinion of the Committee have similar objectives to the prime objects; or
- c) to such other incorporated association or charitable body as the Members approve by special resolution whether or not that incorporated association or charitable body has the same or similar objectives as The League.

13. THE LEAGUE'S INCOME AND PROPERTY:

- a) The League's income and property however derived, shall be applied as follows solely towards the promotion of the objects and no portion may be paid or transferred, directly or indirectly, by dividend, bonus or otherwise, to any Member other than on the winding up of The League.
- b) Subject to Sub-Rule 13c The League may not;
 - i. appoint a person who is an Ordinary Committee Member to any office in the gift of The League to the holder of which there is payable any remuneration by way of salary, fees or allowances; or
 - ii. pay to any person any remuneration or other benefit in money or money's worth (other than the repayment of out of pocket expenses).
- c) Nothing in this rule prevents the payment in good faith to an Employee or a Member of;
 - i. remuneration in return for services is actually rendered to The League by the Employee or Member or for goods supplied to The League by the Employee or Member in the ordinary course of business;
 - ii. interest at a rate not exceeding the rate of interest from time to time charged by The League's bank on loans of a similar nature;
 - iii. a reasonable and proper sum by way of rent for premises let to The League by the Employee or Member.

14. ACCOUNTS TO BE KEPT:

- a) True accounts shall be kept of;
 - i. all sums of money received and expended by The League and the matter in respect of which the receipt or expenditure takes place;
 - ii. The League's property, credits and liabilities.
- b) The Treasurer shall faithfully keep all general records, accounting books and records of receipts and expenditure connected with The League's operation and business in the form and manner the Committee directs.
- c) The accounts, books and records referred to in Sub-Rules 15a and 15b shall be kept at The League's office or at such other place as the Committee decides.

15. BANKING AND FINANCE:

- a) The Treasurer shall;
 - i. on The League's behalf, issue official receipts for all moneys received by the Treasurer within 28 days.
 - ii. on The League's behalf, make payment of all invoices received by the Treasurer within 28 days of authorisation under Sub-Rule 15e.
 - iii. provide at each General Meeting a statement of all payments and cheques. The Committee shall ratify these payments.
- b) The Committee shall open a banking account in The League's name into which all moneys received shall be deposited by the Treasurer as soon as possible after receipt.
- c) The Committee may receive from The League's bank the cheques drawn by The League on any of its accounts with the bank and may release and indemnify the bank from and against all claims, actions, suits or demands that may be brought against the bank arising directly or indirectly out of those cheques or their surrender to The League.
- d) Except with the Committee's authority given generally or otherwise, no payment of a sum exceeding **fifty (50) dollars** may be made from The League's funds other than by cheque drawn on The League's bank account. The Committee may provide the Treasurer with a sum to meet urgent expenditure imposed by the Committee.
- e) No cheques may be drawn on The League's bank account except for the payment of expenditure which the Committee has authorised.
- f) All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments shall be signed by any two of the President, Treasurer and Secretary. All changes to account signatories are to be completed within 28 days of the Annual General Meeting of The League.
- g) The Financial Year of The League is the period beginning on 1st January in each year and concluding on 31st December next following.

16. APPOINTMENT OF AUDITOR & PUBLIC OFFICER:

- a) The League's Auditor ("the Auditor") shall be appointed each Annual General Meeting ("the AGM") of The League but if an appointment is not made at an AGM the Committee shall appoint an Auditor.
- b) The first Auditor may be appointed by the Committee before the first AGM and if so appointed holds office until that AGM unless previously removed by resolution of the Members at a General Meeting, in which case the Members at that meeting may appoint an Auditor to act until the first AGM.
- c) Except as provided in Sub-Rule 16b the Auditor may only be removed from office by a special resolution.

- d) If casual vacancy occurs in the office of Auditor during a Financial Year, the Committee may appoint a person as the Auditor.
- e) An Auditor holds office from the time of their appointment until the next AGM.
- f) The League shall appoint a Public Officer in accordance with the Incorporations Act. The appointment shall be confirmed at each AGM.

17. AUDIT OF ACCOUNTS:

- a) At least once in each Financial Year the Auditor shall examine and certify as to the correctness of The League's accounts, ("the accounts") and report to the AGM in respect of the accounts.
- b) In their report, and certifying to the accounts, the Auditor shall state whether;
 - i. he has obtained all the information required by him;
 - ii. in their opinion, the accounts are properly drawn up so as to exhibit a true and correct view of The League's financial position according to the information at their disposal and the explanations given to him and as shown by The League's books;
 - iii. the rules relating to the administration of The League's funds have been observed.
- c) The Auditor may;
 - i. have access to The League's accounts, books, records, vouchers and documents;
 - ii. require from The League's Executive Committee any information and explanations as are necessary for the performance of their duties as Auditor;
 - iii. employ persons to assist him in investigating the accounts;
 - iv. in relation to the accounts examine any Ordinary Committee Member or any Employee

18. ANNUAL GENERAL MEETING:

- a) The League shall hold an AGM in each year which shall be;
 - i. held on such day (being not later than **two (2)** months after the close of The League Financial Year) as the Committee decides;
 - ii. in addition to any other General Meetings that is held in the same year;
 - iii. specified as an AGM in the notice convening it.
- b) The ordinary business of the AGM is to;
 - i. confirm the minutes of the preceding AGM and of the last General Meeting held since the AGM;
 - ii. receive from the Committee and Auditor reports on The Leagues transactions during the preceding Financial Year;
 - iii. elect The League's officers and the Committee;
 - iv. appoint the Auditor and determine their remuneration (if any).

- v. appoint the Public Officer and determine their remuneration (if any).
- c) Not less than **fifty (50%)** percent plus **one (1)** of the affiliated Members present in person constitute a quorum for an AGM.

19. SPECIAL GENERAL MEETINGS:

- a) The Committee may at any time convene General Meetings other than the AGM ("Special General Meetings").
- b) If not less than **five (5)** Ordinary Committee Members give to the Secretary a notice or notices signed by them requiring the calling of a Special General Meeting and specifying the nature of the business of that meeting the Committee shall call a Special General Meeting for the purpose.
- c) If the Committee does not cause a Special General Meeting to be held within **twenty eight (28)** days from the date on which a notice under Sub-Rule 19b is given to the Secretary, any of those Members may convene the meeting, but any meeting so convened may not be held after **two (2)** months from the date of the delivery of that notice.
- d) A Special General Meeting convened by such Members shall be convened in the same manner as nearly as possible as that in which meetings are convened by the Committee and all reasonable expenses incurred in convening the meeting shall be refunded by The League to the person incurring them.

20. NOTICE OF GENERAL MEETING:

The President shall give at least **fourteen (14)** days written notice to all Members specifying the place, date and time for the holding of a General Meeting and the nature of the business to be transacted at the meeting.

21. QUORUMS AT GENERAL MEETINGS:

- a) No business may be transacted at a General Meeting unless a quorum of Members entitled under these rules to vote is present in person when the meeting commences.
- b) Not less than **fifty (50%)** percent plus **one (1)** of the affiliated Members present in person constitute a quorum for a General Meeting.
- c) If a quorum is not present within half an hour after the appointed time for the commencement of a General Meeting, the meeting shall;
 - i. be dissolved; or
 - ii. if convened under Sub-Rule 19a or 19b, shall be adjourned to such time as place as the Members present, notwithstanding the lack of a quorum, determine and no formal notice to Members of such adjourned meeting is required. If at the adjourned meeting a quorum is not present within half an hour after the appointed time for the commencement of the meetings, the meetings shall be dissolved.

22. SPECIAL RESOLUTIONS:

Subject to Rules 41 and 42, a special resolution may not be passed unless written notice of the nature of the business to be covered by the special resolution is given to all Members at least **fourteen (14)** days prior to the General Meeting and three quarters of the Members present in person vote in favour of the same.

23. CHAIRPERSON OF GENERAL MEETINGS:

- a) the President or in their absence, a Vice President; or
- b) if the President and the Vice Presidents are all absent, an Ordinary Committee Member chosen by the Members present shall preside as Chairperson.

24. ADJOURNMENT OF GENERAL MEETINGS:

- a) The Chairperson at a General Meeting at which a quorum is present may, with the consent of the meeting, adjourn the meeting to a different time and/or a different place but no business may be transacted at an adjourned meeting other than the business left unfinished at the meeting at which the adjournment took place.
- b) Where a meeting is adjourned for **twenty eight (28)** days or more, notice of the adjourned meeting shall be given as in the case of a new General Meeting but otherwise no notice of the adjourned meeting need to be given.

25. QUESTIONS ARISING FROM GENERAL MEETINGS:

Questions arising at a General Meeting shall be determined on a show of hands unless before or on the declaration of the result of a show of hands, a poll is demanded. A declaration by the Chairperson 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 League's minutes book is evidence of the fact, without proof of the number or portion of the votes recorded in favour, or against the resolution.

26. VOTES AND PROXIES:

- a) On any question arising at a General Meeting, a Member has one vote only.
- b) Subject to Rules 41 and 42, votes may be given personally.
- c) In the case of equality of voting on a question, the Chairperson of the meeting may cast a second or casting vote.
- d) There shall be no proxy votes for any purposes under these rules.
- e) Senior Members who have the right to hold office as an officer or Ordinary Committee Member at all General Meetings are entitled to vote.
- f) Junior Members who have the right to participate in The League's activities have the right to be an Ordinary Committee Member and vote at meetings but may not hold office.

27. POLLS:

- a) If a poll on any question is demanded at a meeting, it shall be taken at that meeting in such a manner as the Chairperson directs and the result of the poll shall be deemed to be the resolution of the meeting on that question.
- b) A poll that is demanded on the election of a Chairperson, or on a question of adjournment, shall be taken immediately and a poll that is demanded on any other question shall be taken at such time before the close of the meeting as the Chairperson directs.

28. COMMITTEE POWERS & RESPONSIBILITIES:

- a) The League's affairs shall be managed by a committee of management constituted as provided in Rule 29.
- b) Subject to these rules and The Act, the Committee;
 - i. shall control and manage The League's business and affairs;
 - ii. may exercise all The League's powers and functions except those that these rules require to be exercised by General Meetings;
 - iii. may perform all such acts and tasks desirable for the proper management of The League's business affairs;
 - iv. may make, alter, amend and repeal any by-laws for the carrying out of these rules and regulating proceedings provided that such by-laws are not inconsistent with these rules.

29. OFFICERS AND THEIR ELECTION:

- a) The League's officers ("the officers") shall be;
 - i. a President;
 - ii. a Vice President (South);
 - iii. a Vice President (North);
 - iv. a Vice President (North West)
 - v. a Secretary/Registrar;
 - vi. a Treasurer;
 - vii. an Assistant Secretary;
 - viii. the Chair of Musical Advisory Board;
 - ix. the Chair of Drill Advisory Board
- b) Financial Members of Members aged 18 years and over are eligible to be nominated to hold office.
- c) The Committee shall hold its first meeting within **twenty eight (28)** days after the AGM.
- d) The officers, shall be nominated and elected by ballot at the AGM .
- e) Each officer holds office until the close of the AGM following the date of their election.

- f) In the event of a casual vacancy in any office mentioned in Sub-Rule 29a the Committee may appoint one of its Members to the vacant office and the Member so appointed may continue in office until the close of the AGM following the date of their appointment.

30. ELECTION OF THE COMMITTEE:

- a) The Committee shall consist of the officers together with **one (1)** Ordinary Committee Member from each Member band.
- b) Each Member band is required to nominate a person to act as an Ordinary Committee Member.
- c) In the event of a casual vacancy occurring on the Committee, the Committee may appoint a Member to fill the vacancy.

31. NOMINATIONS:

- a) Nominations of candidates for elections as officers shall be called no later than **forty two (42)** days prior to the AGM.
- b) Nominations of candidates for elections as officers shall be received by Secretary no later than **seven (7)** days prior to the AGM.
- c) If the number of nominations received is equal to the number of vacancies to be filled the persons nominated shall be declared to be elected at the AGM.
- d) If insufficient nominations are received to fill all vacancies on the Committee, further verbal nominations may be received at the AGM provided that the candidate consents to their nomination either personally or in writing. The ballot for the election of such Committee Members shall be conducted at the AGM in such usual and proper manner as the Committee may direct but proxy votes shall not be counted.
- e) If more nominations are received than there are vacancies on the Committee the ballot for the election of Committee Members shall be conducted at the AGM in such manner as the Committee directs.
- f) Nominations for the Musical Advisory Board and Drill Advisory Board to be received at the AGM and taken under consideration with the names of the successful candidates announced within **twenty eight (28)** days after the AGM.

32. VACATION OF OFFICE:

The officer or Ordinary Committee Member becomes vacant if the officer or Ordinary Committee Member;

- a) gives a signed notice of resignation to the Secretary or the Committee;
- b) is deceased;

- c) becomes bankrupt or applies to take or takes advantage of any law relating to bankrupt or insolvent debtors or compounds with their creditor or makes any assignment of their estate for their benefit.
- d) ceases to be a resident of the State;
- e) fails, without leave granted by the Committee, to attend **three (3)** consecutive Committee meetings then on the motion of the Committee expelling him;
- f) ceases to be a Member;
- g) ceases to be eligible to hold their office; or
- h) fails to pay all arrears of subscription due by a band within **fourteen (14)** days after they have received a written notice signed by the Secretary stating that they have ceased to be a financial member.

33. COMMITTEE MEETINGS:

- a) The Committee may meet at such places and times to transact such business as the Committee determines. Prior notice of each Committee meeting shall be given to each Committee Member either in writing, by telephone or personally.
- b) Special Committee meetings may be convened by the President, or any **five (5)** Committee Members. Notice shall be given to the Committee Members of any such special meeting, specifying the general nature of the business to be transacted. No other business may be transacted at such a meeting except by resolution of not less than **fifty (50%)** percent plus **one (1)** of the Committee Members present at the meeting.
- c) **Fifty (50%)** percent plus **one (1)** Committee Members constitute a quorum of the Committee.
- d) No business may be transacted unless a quorum is present and if within half an hour of the time appointed for the meeting, a quorum is not present, the meeting shall be dissolved.
- e) At Committee meetings;
 - i. the President or in their absence one of the Vice Presidents; or
 - ii. if the President, all Vice Presidents are all absent, such one of the remaining Committee Members as may be chosen by the Members presents shall preside as Chairperson.
- f) Questions arising at Committee meetings shall be determined on a show of hands or if demanded by a Member, by a poll taken in such a manner as the Chairperson determines.
- g) Each Member present at a Committee or Sub-Committee meeting (including its Chairperson) is entitled to **one (1)** vote and in the event of an equality of votes on any question, the Chairperson may exercise a second or casting vote.

34. DISCLOSURE OF INTERESTS IN CONTRACTS:

- a) A Committee Member who is interested in any contract or arrangement made or proposed to be made with The League shall disclose their interest at the first Committee meeting at which the contract or arrangement is first taken into consideration.
- b) If a Committee Member becomes interested in a contract or arrangement after it is made or proposed to be made, they shall disclose their interest at the first Committee meeting after they become so interested.
- c) Unless authorised by a unanimous vote to that effect by the Committee, no Committee Member may vote as a Committee Member in respect of any contract or arrangement in which they are interested and if they do so vote, their vote is invalid.

35. SUB-COMMITTEES:

- a) The Executive Committee consists of The President, **three (3)** Vice Presidents, the Treasurer, the Secretary, the Assistant Secretary, the Chair of the Musical Advisory Board and Chair of the Drill Advisory Board. The Executive Committee may issue instructions to the Members in matters of urgency connected with the management of The League's affairs during the intervals between Committee meetings and shall report on any such instructions to the next Committee meeting.
- b) A Musical Advisory Board shall be formed and shall comprise of **six (6)** members to be elected at the AGM.
- c) A Drill Advisory Board shall be formed and shall comprise of **four (4)** members to be elected at the AGM.
- d) The Committee may;
 - i. Appoint Sub-Committees of the Committee and prescribe their powers and functions.
 - ii. Co-opt as members of a Sub-Committee such persons as it thinks fit, whether or not those persons are Members but a person so co-opted is not entitled to vote.
 - iii. Determined the quorums and procedures of any Sub-Committee whether appoint by these rules, the Committee or by any General Meeting or may delegate to any Sub-Committee the power to determine its own quorum and procedures.

36. VALIDATION OF COMMITTEE PROCEEDINGS:

No Committee proceedings shall be invalidated by reason of any defect in the election of Members or of any disqualification of any Member or by reason of any vacancy on the Committee.

37. ANNUAL SUBSCRIPTIONS:

- a) Until otherwise fixed pursuant to Sub-Rule 37b, the annual subscription becomes due and payable by 31st January of each year;
- b) The amount of the annual subscription may be set by the Committee during the month of November for the forthcoming Financial Year.

38. SERVICE OF NOTICE:

- a) A notice may be served or given by or on The League's behalf on or to any Member either personally or by sending it through the post in a prepaid letter addressed to the Member at their usual or last known place of abode and may be served on all Members by publication in a newspaper generally circulating Tasmania or by and League's Newsletter addressed to all current Members.
- b) Where a notice is required by these rules to be given to The League, the Committee or any officer, the same may be served or given by sending it through the post in a prepaid letter so addressed to the Secretary's address or such other postal address as the Committee from time to time advises the Members to be The League's postal address.
- c) Secretary's address or such other postal address as the Committee from time to time advise the Members to be The League's postal address.

39. EXPULSION OR SUSPENSION OF A MEMBER:

- a) Subject to this rule, the Committee may expel or suspend a Member if;
 - i. in the Committee's opinion the Member has been guilty of conduct detrimental to The League; or
 - ii. ceases to be eligible to be a Member.
- b) The expulsion or suspension of a Member does not take effect;
 - i. until **fourteen (14)** days after the service on the Member of a notice under Sub-Rule 39c; or
 - ii. if a Member exercises their right of appeal under this rule, until the conclusion of the Special General Meeting convened to hear the appeal; then
 - iii. whichever is the later date.
- c) Where the Committee expels or suspends a Member, the Secretary shall, without undue delay, cause to be served on the Member a written notice ("a notice of expulsion");
 - i. stating that the Committee has expelled or suspended the Member;
 - ii. specifying the grounds for the expulsion or suspension;
 - iii. Stating the period of suspension (if applicable);
 - iv. informing the Member that if they wish, they may within **fourteen (14)** days after the service of the notice on them, appeal against the expulsion or suspensions as provided in this rule.

- d) A Member on whom a notice of expulsion is served may give written notice to the Secretary within **fourteen (14)** days after the service of the notice of expulsion, requiring the convening of a Special General Meeting for the purpose of hearing their appeal against the expulsion or suspension.
- e) On receipt of a notice under Sub-Rule 39d, the Secretary shall forthwith notify the Committee or its receipt and the Committee shall cause a Special General Meeting of Members to be held within **twenty eight (28)** days after the date on which the notice is received by the Secretary.
- f) At a Special General Meeting convened for the purpose of this rule;
 - i. no business other than the question of the expulsion or suspension may be transacted unless the notice calling the meeting gives notice of the general nature of such other business;
 - ii. the Committee may place before the meeting details of the grounds of the expulsion or suspension and the Committee's reasons for the expulsion or suspension;
 - iii. the expelled or suspended Member shall be given an opportunity to be heard;
 - iv. the Members present in person shall vote by secret ballot on the question whether the expulsion or suspension should be lifted, confirmed or varied.
- g) A meeting held pursuant to this rule may determine that;
 - i. A Member whom the Committee has expelled be suspended only and may determine the length of such suspension;
 - ii. the length of the suspension set by the Committee be reduced to such length as the meeting sets;
 - iii. but the meeting may not expel a Member whom the Committee has suspended, nor increase the length of a suspension determined by the Committee.
- h) If at a Special General Meeting a majority of the Members present vote in favour of;
 - i. the lifting of the expulsion or suspension, the expelled Member is entitled to continue their Membership or registration;
 - ii. expulsion, the expulsion takes effect and the expelled Member ceases to be a Member. The Secretary shall immediately remove the expelled Member from the register;
 - iii. suspension, the suspension takes effect and the suspended Member ceases to be a Member for the period of the suspension.

40. SEAL OF ASSOCIATION:

- a) The League's seal ("the seal") shall be in the form of a rubber stamp inscribed with The League's name encircling the word, "Seal" or "Common Seal".
- b) The seal may not be fixed to any document except by the Committee's authority and the fixing of the seal shall be witnessed by the signatures either of **two (2)**

Committee Members or of one Committee Member and the Secretary or such other person as the Committee may appoint for that purpose and that witnessing is sufficient for all purposes that the seal was affixed by authority of the Committee.

- c) The seal shall remain in the custody of the Secretary.

41. AMENDMENTS TO RULES:

Subject to the provisions of The Act these rules may be altered, added to or rescinded by special resolution. Notwithstanding the provisions of Rule 22, a special resolution may only be passed for the purpose of this rule if;

- a) written notice specifying the intention to propose the resolutions was given to all Members at least **fourteen (14)** days prior to the General Meeting at which the sub resolution is to be considered; and
- b) not less than **fifty (50%)** percent plus **one (1)** of the Members present in person at the at General Meeting vote in favour of the same.

42. SPECIAL RULE RESOLUTION:

Where The Act requires the passing of a special resolution, the same shall comply with the provisions of the preceding rule.