



ABN 84 391 163 868

FORMATION MEETING

Meeting No. 1

Friday 10th April 2015

The Oxford, 101 O'Connell Street, North Adelaide

RAVSTASS

www.ravstass.com



Prepared by 'RAVSTASS'
ABN 84 391 163 868
PO Box 8040
Station Arcade
ADELAIDE SA 5000
ravstass@gmail.com

Public Officer's Report

In 2013 the RAVSTASS brand was created out of a simple idea. To be a multi-sport entity that is largely undefined beyond its eight environments, River, Air, Valley, Sea, Track, Aim, Snow & Street; whereby any activity can be enjoyed.

In 2014 I considered that the most appropriate shape for the brand would be to become an Association.

With effect 1 Jan 2015 RAVSTASS was registered with ABN 84 391 163 868 under the act, *A New Tax System (Australian Business Number) Act 1999*. IAW para 2.6(c) of the Act I nominated as the entity's Public Officer, with view to it becoming Incorporated.

Today I propose that RAVSTASS be incorporated as an Association in the state of South Australia under the provisions of the *Associations Incorporation Act 1985 (South Australia)*.

The rules of the RAVSTASS Association have been developed from the recommended guidelines as required by the Act. Under 5.1 of these rules I declare those present today, should they be willing to agree to be bound by its rules be promoted from Social Members to Comrade Members recognised with effect 26 Mar 15. As Comrade Members, you are now eligible to vote under Rule 8.5.A and should you wish to hold appointments, Rule 6.2.A.

Under Rule 6.2.C as the Public Officer and promoter of the Association I wish to provisionally appoint the following positions until the occasion of the first Annual General Meeting (Rule 6.2.B).

President	Tim Muehlberg
Vice-President	Lana Bartkowski
Secretary	William Howie
Treasurer	Steve Nicolacopoulos

Thank you for volunteering for these inaugural positions. I eagerly look forward to what comes next!



Tim Muehlberg
Public Officer
RAVSTASS
www.ravstass.com
ravstass@gmail.com

10 April 2015

Meeting Agenda

Under Rule 8.3.A the following notice was published on 12 March 2015 via the following channels:

www.facebook.com/groups/RAVSTASS/

www.facebook.com/RAVSTASS

www.ravstass.com/collections/calendar

Notice of Pre-Incorporation Meeting

Fri 10 Apr 15, 5:30pm

@ The Oxford, 101 O'Connell Street, North Adelaide

Agenda.

1. Provisional appointment of committee by promoter.
2. Confirm Rules.
3. Confirm Public Officer.
4. Decision to Incorporate.
5. Set date for AGM.

Meeting is IAW para 6.2.c of the rules.

<http://ravstass.com/pages/rules>



RAVSTASS FORMATION MEETING

Meeting No. 1

Friday 10th April 2015

The Oxford, 101 O'Connell Street, North Adelaide

Membership:

The Secretary provided the following membership data IAW Rule 8.4.

Social Members	134
Comrade Members	6
Senior Members	0
Total Members	140

Attendees:

The Secretary advised the President that a quorum was present IAW Rule 8.4.

Tim Muehlberg	President
Lana Bartkowski	Vice-President
William Howie	Secretary
Steve Nicolacopoulos	Treasurer
Robert Brooks	
Harry Marlow	

The President as Chairperson declared the meeting open at 1747 hrs.

The Secretary outlined the order of business shall be conducted as per Rule 8.1.C.

1. **Previous Minutes.** There were no previous meeting minutes to be confirmed. The Chairperson directed that the Secretary would be responsible for the recording, lodging and safekeeping of Meeting Minutes.
2. **Reports.** There were no accounts or reports to be considered. The Chairperson advised that all costs borne by the entity had been donated by him. The Chairperson further confirmed that RAVSTASS has no liabilities. The Chairperson directed that the Treasurer shall be responsible for these.
3. **Elections.** The Chairperson suggested that the Meeting Minutes confirm the provisional appointment of the Elected Committee by the Promoter of the Association as per Rule 6.2.C. These provisional appointments continue until the first Annual General Meeting when they will be open for election under Rule 6.2.B.

President	Tim Muehlberg
Vice-President	Lana Bartkowski
Secretary	William Howie
Treasurer	Steve Nicolacopoulos

4. **Auditors.** The future requirement for an auditor under Rule 11.5 was noted, and deemed not required at this time.



5. **Other Business.**

- a. **Rules.** The Chairperson asked the committee to confirm the Rules of the Association as promulgated at www.ravstass.com/pages/rules, noting that ability for amendments to the rules are provided under Rule 15.

Proposed by:	Chairperson
Outcome:	All agreed to adopting the Rules of Association without amendment.

- b. **Public Officer.** The Chairperson asked the committee to appoint a Public Officer IAW Rule 6.1.D.

Proposed by:	Chairperson
Outcome:	Timothy Karl MUEHLBERG installed as Public Officer.

- c. **Incorporation.** The Chairperson proposed that RAVSTASS apply for Incorporation in the state of South Australia under the *Associations Incorporation Act 1985*.

Proposed by:	Chairperson
Outcome:	The Public Officer is authorised to make application for incorporation.

- d. **AGM.** The Chairperson advised that the Annual General Meeting must occur within 12 months of Incorporation IAW Rule 8.1.B. The date for the AGM was proposed as Fri 1 April 2016.

Proposed by:	Chairperson, Vice-President
Outcome:	AGM scheduled for Fri 01 April 2016. In addition Vice-President proposed Quarterly General Meetings be held.

The chairperson declared the meeting closed at 1810 hrs.

We hereby certify these meeting minutes as true and correct.

Tim Muehlberg
President
20 April 2015

Lana Bartkowski
Vice-President
20 April 2015

William Howie
Secretary
20 April 2015

Steve Nicolacopoulos
Treasurer
20 April 2015



1 Application for incorporation of an association and

2 Statutory declaration to accompany application for incorporation of an association

Important information

The Office of Consumer and Business Affairs (OCBA) undertakes the administration of the *Associations Incorporation Act 1985* (the Act) on behalf of the Corporate Affairs Commission.

Please print all information using BLOCK CAPITALS in blue or black ink.

Please attach copies of the following documents to this application:

- the rules (sometimes known as 'the constitution') of the association (Please note: the rules of the association must contain essential minimum provisions. For guidance, please refer to section 23A of the Act and example rules booklet.)
- the checklist of proposed rules of the association
- if relevant, any trust instrument (or trust document) referred to in the rules of the association or on which a rule relies for its operation, and
- if relevant, the draft of a document prepared to establish a trust of which the association is the proposed trustee, and where the proposed trust is referred to in the rules of the association or a rule of the association relies on the proposed trust for its operation.

Attached documents must be clearly printed or typed on single sheets of A4 white paper.

Fees - please refer to the fee schedule. The application fee should be enclosed with this application.

Please complete ALL the sections of form 1 and 2 and ensure that form 1 is signed and form 2 is declared before a Justice of the Peace before submitting this application. Provision of a contact phone number or email is optional but if you supply it we can contact you at short notice.



1 Application for incorporation of an association

1 Details of the applicant

I (full name of applicant) **TIMOTHY KARL MUEHLBERG**

of (full residential address of applicant) **13 HURLING DRIVE, MT BARKER 5251**

am authorised by the association to apply for incorporation of the association under the name (full name of association)

RAVSTASS Mult.-Sport Association

2 Purpose of the association

Please insert a brief description of the purpose of the association (e.g. educational, for conserving resources etc)

Mult.-Sport + recreation association

The association is considered to be eligible for incorporation under section 18(1) **(d)** of the Act.

Please refer to copy of section 18(1) shown opposite and insert which paragraph of section 18(1) is relevant.

The financial year of the association ends on **30/6/15** (should be consistent with the relevant clause in the rules).

3 Details of the public officer

Full name of public officer **TIMOTHY KARL MUEHLBERG** Phone no **08 7200 4447**

of (full residential address of public officer) **13 HURLING DR, MT BARKER 5251**

Postal address (if it is different from above) **PO Box 8040, STATION ARCADE, ADELAIDE SA 5000**

Occupation of public officer **CAPABILITY SPECIALIST, ROYAL AUSTRALIAN AIR FORCE**

Email **RAVSTASS@GMAIL.COM**

being a person above the age of 18 years and a resident of South Australia, has consented to be the first public officer of the above named association.

Full name (of applicant) **TIMOTHY KARL MUEHLBERG** Phone no (optional) **08 7200 4447.**
(BLOCK LETTERS)

Signature  Date **19 MAY 15.**

Email (optional) **RAVSTASS@GMAIL.COM**

Fees - please refer to the fee schedule. The prescribed fee must accompany forms 1 and 2 when making an application.

The checklist for the proposed rules of the association must accompany this form.



2 Statutory declaration to accompany form 1

I (full name of applicant) TIMOTHY KARL MUEHLBERG
of (full residential address of applicant) 13 HURLING DRIVE
MT BARKER SA Postcode 5251
Occupation CAPABILITY SPECIALIST, ROYAL AUSTRALIAN AIR FORCE

do solemnly and sincerely declare that:

- I am the person authorised to apply for the incorporation of an association under the name:
RAVSTASS Mult. - Sport Association
(full name of association applying for incorporation)
- The particulars set out in my application for incorporation of the association dated 19/5/15 are true
- The copy of the association's rules marked 'Annexure A' (attached and signed as outlined below) are a true copy of the association's rules.

And I make this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the Oaths Act 1936.

Signature (of applicant) [Signature]

The books of the association will be kept at (insert details of location)

13 HURLING DRIVE
MT BARKER SA 5251.

Justice of the Peace

Declared before me at

Chesser House
91-97 Grenfell Street
ADELAIDE SA 5000

this 19/5 day of MAY 20 15

Signature (Justice of the Peace) [Signature]

Note: JP must also sign the attached rules/constitution marked Annexure A (see example below).

David Mitchell JP # 30447
A Justice of the Peace for
South Australia

Important:

The rules must be marked 'Annexure A' and the following example statement must be written on them and signed by the Justice of the Peace.

EXAMPLE ONLY

This is the annexure marked 'A' referred to in the statutory declaration of

////////// (name of applicant) //////////

(name of person making declaration)

made on the ////////// (day) ////////// day of ////////// (month) ////////// 20 // (year) //

before me (Justice of the Peace signature) ////////// (Justice of the Peace) //////////

The checklist for the proposed rules of the association must accompany this form.

Please lodge this form at the Office of Consumer and Business Affairs, Business and Occupational Services, Level 3, Chesser House, 91-97 Grenfell Street, Adelaide SA 5000, GPO Box 1719, Adelaide SA 5001
Tel 1300 138 918 Fax (08) 8204 9771 www.ocba.sa.gov.au



Checklist

for proposed rules/alteration
of rules of an association.

Section 23A of the Act applies to new applications and to alterations to rules submitted to the Corporate Affairs Commission for registration. This checklist must be completed and lodged if the association is submitting a new set of rules or an alteration of rules.

An example set of rules may be obtained from the Office of Consumer and Business Affairs, or by logging onto our website at www.ocba.sa.gov.au.

The following matters required by section 23A are provided for in the proposed rules of the association.

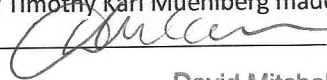
Example rule no.	Matter	Your association's rule no.
1	The name of the association	1
3	The objects or purposes of the association	3
4, 6.1	The powers of the association and by whom and in what manner they are exercised	4, 6.1
5	Membership in the case of an association that has members, including:	5
5.1	- types of membership	5.1
5.2	- subscriptions	5.2
5.3	- resignations	5.3
5.4	- expulsions	5.4
5.5	- register of members	5.5
6.1b	Who has the management and control of the funds and other property of the association	6.1b
6.1	The powers, duties and manner of appointment of the committee, including:	6.1
6.2	- composition of the committee	6.2
6.2	- terms of office of the members of the committee	6.2
6.2	- notice of proposed appointments/elections to the committee	6.2
6.2	- filling of casual vacancies occurring on the committee	6.2
6.3	- proceedings of committee	6.3
6.4	- disqualification of committee members	6.4
8	The calling of and procedure at general meetings, including:	8
8.1	- annual general meetings	8.1
8.2	- special general meetings	8.2
8.3	- notice of meetings	8.3
8.4	- proceedings at meetings	8.4
8.5	- voting at meetings	8.5
8.6	- poll at meetings	8.6
8.7	- special and ordinary resolutions	8.7
8.8	- whether members are entitled to vote by proxy	8.8
11.5	Appointment of an auditor of a prescribed association (i.e. an association with gross receipts in excess of \$500,000 per year - refer to section 3 of the Act)	11.5
13	How the association shall be dissolved	13
15	The manner in which the rules of the association may be altered.	15

Please note: this checklist is to accompany forms 1&2, 4 and 6&7.

www.ocba.sa.gov.au

Office of Consumer and Business Affairs, Business and Occupational Services, Chesser House,
91-97 Grenfell Street, Adelaide SA 5000. Telephone 1300 138 918 Facsimile (08) 8204 9771

April 2008

This is the annexure marked 'A' referred to in the statutory declaration of Timothy Karl Muehlberg made on the 19th day of May 2015 before me (Justice of the Peace Signature) 

David Mitchell JP # 30447
A Justice of the Peace for
South Australia

Rules of RAVSTASS Multi-Sport Association Inc

1. Name

The long name of the incorporated association is **RAVSTASS Multi-Sport Association Inc**, referred to herein as 'the association'. The short name of the incorporated association is **RAVSTASS**.

2. Definitions

'committee' means the committee of management of the association.

'general meeting' means a general meeting of members of the association convened in accordance with these rules.

'IAW' means in accordance with.

'member' means a member of the association.

'NLT' means no later than.

'the Act' means the Associations Incorporation Act 1985 (South Australia).

'special resolution' means a special resolution defined in the Act.

'month' shall mean a calendar month.

3. Objects or purposes of the association

The purposes of the association conform with the ACT and IAW Section 18 (1) in particular:

Section 18 (1) (d) for the purpose of sport, recreation or amusement.

The specific purpose of the association IAW Section 18 (1) (d) is:

for the purpose of sport and recreation within activities categorised in the eight divisions of the association.

Section 18 (1) (j) for the purpose of promoting the common interests of persons who are engaged in, or interested in, a particular business, trade or industry.

The specific purpose of the association IAW Section 18 (1) (j) is:

for the purpose of promoting the common interests of persons who are engaged in, or interested in, related industries of the activities within the eight divisions of the association.

The objects of the association are:

- i) To provide opportunities for members to participate in multiple sport and/or recreational disciplines and promote these activities throughout the general community.
- ii) To network members who share common sport and/or recreational interests with other members, competitors, educators, stakeholders, peak bodies and industry.
- iii) To grow the available resources controlled by the association and its members for the benefit and use of members.

4. Powers of the association

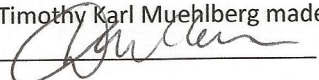
The association shall have all the powers conferred by section 25 of the Act.

5. Membership

5.1 Types

Social Members. Any person who supports the objects of the association and agrees to be bound by its rules and who applies for membership of the association may become a social member.

Comrade Members. Any social member who supports the objects of the association and agrees to be bound by its rules and who is recommended for promotion in the association, whose nomination is proposed by one comrade member and seconded by another comrade member may become a comrade member.

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Senior Members. Any comrade member who supports the objects of the association and agrees to be bound by the rules and who is recommended for promotion in the association, whose nomination is proposed by a senior member and seconded by a majority of senior members may become a senior member.

5.2 Subscriptions

- a. The subscription fees for membership shall be such sum (if any) as the members shall determine from time to time in general meeting.
- b. The subscription fees shall be payable annually on 1 July or at a time that the committee determines.
- c. Any member whose subscription is outstanding for more than three months after the due date for payment shall cease to be a member of the association, provided always that the committee may reinstate such a person's membership on such terms as it thinks fit.

5.3 Resignations

A member may resign from membership of the association by giving written notice to the secretary or public officer of the association. Any resigning member shall be liable for any outstanding subscriptions which may be recovered as a debt due to the association.

5.4 Expulsion of a member

- a. Subject to giving a member an opportunity to be heard or to make a written submission, the committee may resolve to expel a member upon a charge of misconduct detrimental to the interests of the association.
- b. Particulars of the charge shall be communicated to the member at least one month before the meeting of the committee at which the matter will be determined.
- c. The determination of the committee shall be communicated to the member, and in the event of an adverse determination the member shall, (subject to 5.4d below), cease to be a member 14 days after the committee has communicated its determination to the member.
- d. It shall be open to a member to appeal the expulsion to the association at a general meeting. The intention to appeal shall be communicated to the secretary or public officer of the association within 14 days after the determination of the committee has been communicated to the member.
- e. In the event of an appeal under 5.4d above, the appellant's membership of the association shall not be terminated unless the determination of the committee to expel the member is upheld by the members of the association in general meeting after the appellant has been heard by the members of the association, and in such event membership will be terminated at the date of the general meeting at which the determination of the committee is upheld.

5.5 Register of members

Persons who join the association's facebook group shall be recognised at minimum as social members of the association. The secretary shall be responsible for ensuring that persons who are not considered members are removed from the group.

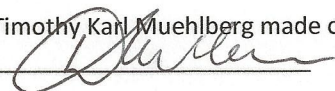
A register of comrade members and senior members shall be recorded in a register, maintained by the Secretary with the following minimum detail:

- i) the name and address of each member;
- ii) the date(s) on which each member was admitted to each membership level of the association; and
- iii) if applicable, the date of and reason(s) for termination of membership.

6. The committee

6.1 Powers and duties

- a. The affairs of the association shall be managed and controlled by a committee which, in addition to any powers and authorities conferred by these rules, may exercise all such powers and do all such things as are within the objects of the association, and are not by the Act or by these rules required to be done by the association in general meeting.

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- b. The committee has the management and control of the funds and other property of the association.
- c. The committee shall have authority to interpret the meaning of these rules and any other matter relating to the affairs of the association on which these rules are silent.
- d. The committee shall appoint a public officer as required by the Act.

Notice of appointment and any change in the identity or address of the public officer are to be lodged within one month after the change (Form 10) with Consumer and Business Services (CBS), Chesser House, 91-97 Grenfell Street, Adelaide 5000; postal address: GPO Box 1719, Adelaide 5001.

6.2 Appointment

- a. Committee members shall be natural persons and are required to be at minimum comrade members.
- b. The elected committee shall be comprised of a President, Vice-president, Secretary and Treasurer. All elected committee positions shall be subject to re-election at each AGM. The elected committee may appoint a person to fill a vacancy arising between AGM's, and such a committee member shall hold office until the next annual general meeting of the association. Notice of all persons seeking election to the committee shall be promulgated to all members of the association with the notice calling the annual general meeting at which the election is to take place, NLT 28 days prior.
- c. The first elected committee of the association prior to Incorporation shall be provisionally appointed by the promoters of the association and shall hold office until the first annual general meeting after incorporation.
- d. The appointed committee shall be comprised of positions as created by and in support of an elected committee member and subordinate to that portfolio. Appointed committee positions may be created, amended, disbanded at any time. Appointments of members to these positions may be commenced or ceased at any time.

6.3 Proceedings of committee

- a. The elected committee and any elected members sub-committee portfolio of appointed committee members shall meet together for the dispatch of business as required. The elected committee should settle on how often meetings are to be held.
- b. Questions arising at any meeting of the committee shall be decided by a majority of votes, and in the event of equality of votes the President as Chairperson shall have a casting vote in addition to a deliberative vote.
- c. A quorum for a meeting of the elected committee shall be three-quarters of the members of the elected committee.
- d. A member of the committee having a direct or indirect pecuniary interest in a contract or proposed contract with the association must disclose the nature and extent of that interest to the committee as required by the Act, and shall not vote with respect to that contract or proposed contract. The member of the committee must disclose the nature and extent of his or her interest in the contract at the next annual general meeting of the association.

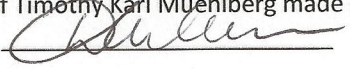
6.4 Disqualification of committee members

The office of a committee member shall become vacant if a committee member is:

- disqualified from being a committee member by the Act, or
- expelled as a member under these rules, or
- permanently incapacitated by ill health, or
- absent without apology from more than two meetings in a financial year, or
- no longer the duly appointed representative of a corporate member.

7. The seal

The association shall have a common seal upon which RAVSTASS Inc shall appear in legible characters. Section 26(1)(a) deals with contracts made under common seal. Section 63(5) deals with documents bearing the common seal. The seal shall not be used without the express authorisation of the elected committee, and every use of the seal shall be recorded in the minute book of the Association. The affixing of the seal shall be witnessed by a minimum of two elected committee members.

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David Mitchell JP # 30447
A Justice of the Peace for
South Australia

8. General meetings

8.1 Annual general meetings

- a. The elected committee shall call an annual general meeting in accordance with the Act and these rules.
- b. The first annual general meeting shall be held within 12 months after the incorporation of the association, and thereafter within two months after the end of its financial year.
- c. The order of the business at the meeting shall be:
 - i) the confirmation of the minutes of the previous annual general meeting and of any special general meeting held since that meeting.
 - ii) the consideration of the accounts and reports of the committee and the auditor's report (if auditor's report is required)
 - iii) the election of committee members
 - iv) the appointment of auditors (if required - see rule 11.5)
 - v) any other business requiring consideration by the association in general meeting.

8.2 Special general meeting

- a. The committee may call a special general meeting of the association at any time.
- b. Upon a requisition in writing of not less than 5% of the total number of comrade and senior members of the association, the committee shall, within one month of the receipt of the requisition, convene a special general meeting for the purpose specified in the requisition. Every requisition for a special general meeting shall be signed by the relevant members and shall state the purpose of the meeting.

8.3 Notice of general meetings

- a. At least 28 days notice of any general meeting shall be given to members. The notice shall set out where and when the meeting will be held, and particulars of the nature and order of the business including any special resolutions to be transacted at the meeting.
- b. A notice may be promulgated by the association to the members of the association via existing communication channels already in use for the regular communications to members.

8.4 Proceedings at general meetings

A quorum of members will be declared where the following is present personally or by proxy:

- a. Three quarters of the elected committee.
- b. 10% of members not including social members. The total number of members is as registered with secretary of comrade members and senior members NLT 14 days prior. The above shall constitute a quorum for the transaction of business at any general meeting.
- c. If within 30 minutes after the time appointed for the meeting a quorum of members is not present, a meeting convened upon the requisition of members shall lapse. In any other case, the meeting shall stand adjourned to the same day in the next week, at the same time and place and if at such adjourned meeting a quorum is not present within 30 minutes of the time appointed for the meeting the members present shall form a quorum.
- d. Subject to 8.4e, the president shall preside as chairperson at a general meeting of the association.
- e. If the president is not present within five minutes after the time appointed for holding the meeting, or he or she is present but declines to take or retires from the chair, the vice-president shall be the chairperson of that meeting.

8.5 Voting at general meetings

- a. Subject to these rules, every comrade member and senior member of the association has only one vote at a meeting of the association.
- b. Subject to these rules, a question for decision at a general meeting, other than a special resolution, must be determined by a majority of members who vote in person or, where proxies are allowed, by proxy, at that meeting by a show of hands.
- c. A poll to ascertain count of hands is to occur where demanded by at least three members.

This is the annexure marked 'A' referred to in the statutory declaration of Timothy Karl Muehlberg made on the 19/6 day of May 2015 before me (Justice of the Peace Signature) David Mitchell

David Mitchell JP # 30447
Justice of the Peace for
South Australia

8.6 Poll at general meetings

- a. If a poll is demanded by at least three members, it must be conducted in a manner specified by the presiding and the result of the poll is the resolution of the meeting on that question.
- b. A poll demanded for the election of a person presiding or on a question of adjournment must be taken immediately, but any other poll may be conducted at any time before the close of the meeting.

8.7 Special and ordinary resolutions

- a. A special resolution is a resolution passed by three-quarters of members entitled to vote in person or by proxy. Special resolutions must give at least 21 days written notice specifying the intention to propose the resolution as a special resolution of a general meeting and this be given to all members of the association.
- b. An ordinary resolution is a resolution passed by a simple majority at a general meeting.

8.8 Proxies

A voting member shall be entitled to appoint in writing a natural person who is also a voting member of the association to be their proxy, and attend and vote at any general meeting of the association.

9. Minutes

- a. Proper minutes of all proceedings of general meetings of the association and of meetings of the committee, shall be recorded and promulgated within one month after the relevant meeting.
- b. The minutes kept pursuant to this rule must be confirmed by the members of the association or the members of the committee (as relevant) at a subsequent meeting.
- c. The minutes kept pursuant to this rule shall be signed by the chairperson of the meeting at which the proceedings took place or by the chairperson of the next succeeding meeting at which the minutes are confirmed.
- d. Where minutes are entered and signed they shall, until the contrary is proved, be evidence that the meeting was convened and duly held, that all proceedings held at the meeting shall be deemed to have been duly held, and that all appointments made at a meeting shall be deemed to be valid.

10. Dispute resolution

- a. The dispute resolution procedure set out in this rule applies to disputes under these Rules between:
 - (i) a member and another member
 - (ii) a member and the association
- b. The parties to the dispute must meet and discuss the matter in dispute and, if possible, resolve the dispute within 14 days after the dispute comes to the attention of all of the parties.
- c. If the parties are unable to resolve the dispute at the meeting the parties may choose to meet and discuss the dispute before an independent third person agreed to by the parties.
- d. In this rule 'member' includes any person who was a member not more than six months before the dispute occurred.

Section 40 of the Act provides that where the committee exercises any power of adjudication in relation to a dispute between the members, or a dispute between itself and members of the association, the rules of natural justice must be observed; Section 61 of the Act provides that an application to the Court for an order under the section may be made by a member of an incorporated association or by a former member expelled from the association (provided that the application is made within six months of the expulsion); who believes that the affairs of the association are being conducted in a manner that is oppressive or unreasonable.

11. Financial reporting

11.1 Financial year

The first financial year of the association shall be the period ending on the next 30 June following incorporation, and thereafter a period of 12 months commencing on 1 July and ending on 30 June of each year.

This is the annexure marked 'A' referred to in the statutory declaration of Timothy Karl Muehlberg made on the 19/6 day of May 2015 before me (Justice of the Peace Signature) David Mitchell

David Mitchell JP # 30447
A Justice of the Peace for
South Australia

11.2 Accounts to be kept

The association shall keep and retain such accounting records as are necessary to correctly record and explain the financial transactions and financial position of the association in accordance with the Act.

11.3 Accounts and reports to be laid before members

The accounts, together with the auditor's report on the accounts (if required under section 35(6) of the Act), the committee's statement and the committee's report, shall be laid before members at the annual general meeting.

11.4 Annual returns

The annual periodic return (if required under section 36(1) of the Act) shall be lodged with CBS within six months after the end of each financial year. It must be accompanied by a copy of the accounts, the auditor's report, the committee's statement, and the committee's report.

11.5 Appointment of auditor

- a. At each annual general meeting, the members shall appoint a person to be auditor of the association. Refer to sections 35(2)(b) and 35(4) of the Act for qualifications of auditor.
- b. The auditor shall hold office until the next annual general meeting and is eligible for re-appointment.
- c. If an appointment is not made at an annual general meeting, the committee shall appoint an auditor for the current financial year.

12. Prohibition against securing profits

The income and capital of the association shall be applied exclusively to the promotion of its objects and no portion shall be paid or distributed directly or indirectly to members or their associates except as bona fide remuneration of a member for services rendered or expenses incurred on behalf of the association. Section 55 of the Act provides a prohibition against securing profits for members.

13. Winding up

The association may be wound up in the manner provided for in the Act.

14. Application of surplus assets

- a. If after the winding up of the association there remains 'surplus assets' as defined in the Act, such surplus assets shall be distributed to any organisation which has similar objects and has rules which prohibit the distribution of its assets and income to its members. The association may determine to distribute surplus assets to nominated charities.
- b. Such organisation or organisations shall be identified and determined by a resolution of members in general meeting. Section 43 of the Act prohibits the distribution of surplus assets at the completion of a winding up to members or former members, or associates of those persons.

15. Rules

These rules may be altered (including an alteration to the association's name) by special resolution of the eligible voting members of the association. This includes rescission or replacement by substitute rules. The alteration shall be registered with CBS, Corporate Affairs Commission, as required by the Act. The registered rules shall bind the association and every member to the same extent as if they have respectively signed and sealed them, and agreed to be bound by all of the provisions thereof. The Act provides that an alteration to a rule may be made by special resolution of the association unless other provision is made in the rules. Note requirements of Section 24(6) and 24(7):

Subject to any provision in the rules or a resolution to the contrary, an alteration to the rules comes into force at the time that the alteration is passed. This does not apply to an alteration to the name of the association which does not come into force until registered by CBS, Corporate Affairs Commission.