



TRIATHLON ACT INC

CONSTITUTION

Adopted September 2017

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1. Interpretation

- (1) In these rules, unless a contrary intention appears –

“**Act**” means the *Associations Incorporation Act 1991*;

“**Affiliated Club**” means a club, incorporated association or a commercial entity whose objects are similar to the objects of the association and which is a financial member of the association;

“**board member**” means a member of the board

“**financial year**” means each year ending on 30 June;

“**Individual Member**” means an individual who is a financial member of the association;

“**Life Member**” means a person appointed to life membership under Rule 10A;

“**Member**” means a member, however described, of the association and includes Affiliated Clubs, Individual Members and Life Members;

“**Regulations**” means the Associations Incorporation Regulations;

“**TA**” means Triathlon Australia Limited.

- (2) In these rules –

(a) a reference to a function includes a reference to a power, authority and duty; and

(b) a reference to the exercise of a function includes, where the function is a power, authority or duty, a reference to the exercise of the power or authority or the performance of the duty.

- (3) The provisions of the *Interpretation Act 1967* apply to and in respect of these rules in the same manner as those provisions would so apply if these rules were an instrument made under the Act.

PART II – MEMBERSHIP

2. Membership qualifications

- (1) A person is qualified to be a member if the person has applied for membership in accordance with sub rule 3(1).

- (2) A club or association is qualified to be Affiliated Club if the club or association has applied for membership in accordance with rule 4A.

3. Application for and renewal of individual membership

- (1) An application of a person and each renewal of a member for membership of the association shall be made via the method and for the membership period determined by the TACT Board and published on the TACT website or through email advice to current members.
- (2) If a membership registration record is referred to the TACT Board, then the board shall determine whether or not to accept or cancel the membership registration.

4A Application for and renewal of membership as an Affiliated Club

- (1) An application of a club, incorporated association or commercial entity to be an Affiliated Club and each renewal of membership of the association as an Affiliated Club shall be made via the method and for the membership period determined by the TACT Board and published on the TACT website or through email advice to current members.
- (2) Each application of a club, incorporated association or commercial entity to be an Affiliated Club must be approved by a majority of the members of the TACT Board.
- (3) If a majority of the members of the TACT Board reject an application of a club, incorporated association or commercial entity to be an Affiliated Club, then that decision and the reasons for the decision are to be communicated, in writing, to the applicant within 5 business days of the decision being made.

name being so entered; the club or association shall become an Affiliated Club and member of the association.

- (3) If an application lodged under sub rule 4A(1) is referred to the Board, then the procedures in sub rule 3(3) apply in respect of that application.
- (4) Each application for renewal of membership by a club or association shall be lodged within a reasonable time after the commencement of each financial year.

4. Membership, entitlements not transferable

- (1) A right, privilege or obligation which a Member has by reason of being a member of the association –
 - (a) is not capable of being transferred or transmitted to another person; and
 - (b) terminates upon cessation of the membership.

5. Cessation of membership

- (1) A Member ceases to be a member of the association if the Member –
 - (a) being an Individual Member, dies;
 - (b) resigns from membership of the association;
 - (c) is expelled from the association; or
 - (d) fails to renew membership of the association.

6. Resignation of membership

- (1) A Member is not entitled to resign from membership of the association except in accordance with this rule.
- (2) A Member who has paid all amounts payable by the Member to the association may resign from membership of the association by first giving notice (being not less than 1 week or, if the board has determined a shorter period, that shorter period) in writing to the Executive Officer of the member's intention to resign and, upon the expiration of the period of notice, the member ceases to be a member.
- (3) Where a Member ceases to be a member of the association, the Executive Officer shall complete an appropriate digital transaction to finalise the Member's membership.

- (4) All instances of resignation of members from the association shall be reported by the Executive Officer to the TACT Board at the end of the month in which the resignation(s) occur.

7. Fee, subscriptions etc.

- (1) The membership fees of the association shall be the fees determined by agreement with the majority of STTAs and Triathlon Australia.
- (2) If there is no agreement with a majority of STTAs and Triathlon Australia, the TACT Board will determine the membership fees using membership fees set by Triathlon NSW as a guide.

8. Members' liabilities

- (1) The liability of a Member to contribute towards the payment of the debts and liabilities of the association or the costs, charges and expenses of the winding up of the association is limited to the amount, if any, unpaid by the Member in respect of membership of the association as required by rule 7.

9. Discipline of members

(1) Where the board is of the opinion that a Member –

- a. has persistently refused or neglected to comply with a provision of these rules; or
- b. has persistently and wilfully acted in a manner prejudicial to the interests of the association;
- c. has acted in or failed to act in such a manner that brings the association into disrepute;
- d. the board may, by resolution –
- e. expel the Member from the association; or
- f. suspend the Member from such rights and privileges of membership of the association as the board may determine for a specified period.

(2) A resolution of the board under sub rule (1) is of no effect unless the board, at a meeting held not earlier than fourteen (14) days and not later than twenty-eight (28) days after service on the Member of a notice under sub rule (3), confirms the resolution in accordance with this rule.

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- (3) Where the board passes a resolution under sub rule (1), the Executive Officer shall, as soon as practicable, cause a notice in writing to be served on the Member
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- (a) setting out the resolution of the board and the grounds on which it is based;
 - (b) stating that the Member or, in the case of an Affiliated Club, the club's representative, may address the board at a meeting to be held not earlier than fourteen (14) days and not later than twenty-eight (28) days after service of the notice;
 - (c) stating the date, place and time of that meeting; and
 - (d) informing the Member that the Member or, in the case of an Affiliated Club, the club's representative, may do either or both of the following:
 - (i) attend and speak at that meeting;
 - (ii) submit to the board at or prior to the date of that meeting written representations relating to the resolution.
- (4) Subject to section 50 of the Act, at a meeting of the board mentioned in sub rule (2), the board shall –
- (a) give to the Member or, in the case of an Affiliated Club, the club's representative, mentioned in sub rule (1) an opportunity to make oral representations;
 - (b) give due consideration to any written representations submitted to the board by that Member or, in the case of an Affiliated Club, the club's representative, at or prior to the meeting; and
 - (c) by resolution determine whether to confirm or to revoke the resolution of the board made under sub rule (1).
- (5) Where the board then passes a resolution under sub rule (4), they shall, within seven (7) days after that confirmation, by notice in writing inform the Member of that confirmation and of the member's right of appeal under rule 10.
- (6) A resolution confirmed by the board under sub rule (4) does not take effect –

- (a) until the expiration of the period within which the member is entitled to appeal against the resolution where the member does not exercise the right of appeal within that period; or
- (b) where within that period the member exercises the right of appeal, unless and until the association confirms the resolution in accordance with sub rule 10(4).

10 Right of appeal of disciplined member

- (1) A Member may appeal to the association in general meeting against a resolution of the board which is confirmed under sub rule 9(4), within seven (7) days after notice of the resolution is served on the member, by lodging with the Executive Officer a notice to that effect.
- (2) Upon receipt of a notice under sub rule (1), the Executive Officer shall notify the board which shall convene a general meeting of the association to be held within twenty one (21) days after the date on which the Executive Officer received the notice or as soon as possible after that date.
- (3) Subject to section 50 of the Act, at a general meeting of the association convened under sub rule (2) –
 - (a) no business other than the question of the appeal shall be transacted;
 - (b) the board and the member (or, in the case of an Affiliated Club, the club's representative) shall be given the opportunity to make representations in relation to the appeal orally or in writing, or both; and
 - (c) the members present shall vote by secret ballot on the question of whether the resolution made under sub rule 9(4) should be confirmed or revoked.
- (4) If the meeting passes a special resolution in favour of the confirmation of the resolution made under sub rule 9(4), that resolution is confirmed.

10A Life membership

- (1) The Board may recommend to a General Meeting that any natural person who has rendered distinguished service to Triathlon, Duathlon, Aquathlon in the ACT through the promotion of the interests and objects of the Association be appointed as a Life Member.

- (2) A resolution of a General Meeting to confer life membership on the recommendation of the Board must be a Special Resolution.
- (3) A person nominated for Life Membership must accept or reject the Association's resolution to confer life membership in writing. Upon written acceptance, the person's details will be entered upon the Register, and from the time of entry on the Register the person will be a Life Member.
- (4) A Life Member may elect to be an Individual Member and will be entitled to all privileges and all obligations of the relevant membership category.

PART III – THE BOARD

11 Powers of the board

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

12 Composition and membership

- (1) The board shall consist of –
 - (a) President,
 - (b) Vice-President,
 - (c) Treasurer,
 - (d) 4 other members
 - (e) the Executive Officer who shall be an ex-officio member of the board.
- (2) With the exception of the Executive Officer, each board member shall be elected pursuant to rule 13 or appointed in accordance with sub-rule (6).
- (3) From the 2019 Annual General Meeting onwards, board members will be elected for 2 year terms on a rotational basis whereby:
 - (a) in each year of even number, 4 board members shall be elected for a 2 year term and
 - (b) in each year of odd number, 3 board members shall be elected for a 2 year term.
- (4) Transition arrangements to the rotational basis are:

- (a) at the 2019 Annual General Meeting, 3 board members shall be elected for a 2 year term and 4 members shall be elected for a 1 year term;
 - (b) at the 2020 annual general meeting, the 4 member positions that expire at the conclusion of the annual general meeting shall be filled by board members who are elected for a 2 year term.
- (5) Each member of the board shall, subject to these rules, hold office until the conclusion of the annual general meeting 2 years following the date of the member's election, but is eligible for re-election.
- (6) In the event of a vacancy in the membership of the board, 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 at which the vacant membership position was due to expire.

13. Election of board members**(1) Qualifications for Elected Board Members**

- a. Nominees for elected positions on the Board must meet the qualifications as prescribed from time to time by the Board.
- b. Elected Board Members must be members of the association at the time of their election.
- c. Nominees for Elected positions on the Board must declare any position they hold in an Affiliated Club, including as an office bearer, director or a paid appointee.

(2) Nominations of Candidates

- a. The Executive Officer shall call for nominations 30 days before the date of the Annual General Meeting. All members and Affiliated Clubs shall be notified of the call for nominations.

(3) Nominations of candidates for election as Board members will be:

- a. made in writing, using the nomination form provided on the TACT website
- b. signed by 2 Individual Members and accompanied by the written consent of the nominee; and
- c. delivered to the Executive Officer at least 15 days prior to the Annual General Meeting.

(4) If insufficient nominations are received to fill all vacancies on the board, the candidates nominated shall be deemed to be elected and further nominations shall be received at the annual general meeting.

(5) If insufficient further nominations are received, any vacant positions remaining on the board shall be deemed to be vacancies.

(6) If the number of nominations received is equal to the number of vacancies to be filled, the persons nominated shall be taken to be elected.

(7) If the number of nominations received exceeds the number of vacancies to be filled, a ballot shall be held.

(8) The ballot for the election of board members other than the Executive Officer shall be conducted at the annual general meeting in such manner as the board may direct.

14 Election of President, Vice President and Treasurer

- (1) Immediately following the conclusion of an annual general meeting, the board members must elect board members to fill any vacancies for the position of President, Vice President or Treasurer.

15 Treasurer

- (1) The treasurer of the association shall:
- (a) monitor the financial affairs of the association including full details of all revenue, expenditure and grant funds connected with the activities of the association; and
 - (b) provide reports about the financial affairs of the association to the board as may be determined by the board from time to time.

16 Vacancies

- (1) For the purposes of these rules, a vacancy in the office of a member of the board occurs if the Member –
- (a) dies;
 - (b) ceases to be a member of the association;
 - (c) resigns the office;
 - (d) is removed from office pursuant to rule 17;
 - (e) becomes an insolvent under administration within the meaning of the Corporations Law;
 - (f) suffers from mental incapacity;
 - (g) suffers from physical incapacity that affects their capacity to fulfil their duties as a member of the board;
 - (h) is disqualified from office under subsection 63(1) of the Act; or
 - (j) is absent without the consent of the board from all meetings of the board held during a period of six (6) months.

17 Removal of board members

- (1) The association in general meeting may by resolution, subject to section 50 of the Act, remove any member of the board from the office of member of the board before the expiration of the member's term of office.

18 Board meetings and quorum

- (1) The board shall meet at least three (3) times in each calendar year at such place and time as the board may determine.
- (2) Additional meetings of the board may be convened by the President, the Vice-President or by any 2 members of the board.
- (3) Oral or written notice of a meeting of the board shall be given by the Executive Officer to each member of the board at least 48 hours (or such other period as may be unanimously agreed upon by the members of the board) before the time appointed for the holding of the meeting.
- (4) Notice of a meeting given under sub rule (3) shall specify the general nature of the business to be transacted at the meeting and no business other than that business shall be transacted at the meeting, except business which the board members present at the meeting unanimously agree to treat as urgent business.
- (5) Any four (4) members of the board constitute a quorum for the transaction of the business of a meeting of the board.
- (6) No business shall be transacted by the board unless a quorum is present and if within half an hour after the time appointed for the meeting a quorum is not present the meeting stands adjourned to the same place and at the same hour of the same day in the following week.
- (7) If at the adjourned meeting a quorum is not present within half an hour after the time appointed for the meeting, the meeting shall be dissolved.
- (8) At meetings of the board –
 - (a) the President or in the absence of the President, the vice-President shall preside; or
 - (b) if the President and the vice-President are absent, 1 of the remaining members of the board may be chosen by the members present to preside.

19 Delegation by board to sub-committee

- (1) The board may, by instrument in writing, delegate to 1 or more sub-committees (consisting of such member or members of the association as the board thinks fit) the exercise of such of the functions of the board as are specified in the instrument, other than –
 - (a) this power of delegation; and

- (b) a function which is a function imposed on the board by the Act, by any other law of the Territory, or by resolution of the association in general meeting.
- (2) A function, the exercise of which has been delegated to a sub-committee under this rule may, while the delegation remains unrevoked, be exercised from time to time by the sub-committee in accordance with the terms of the delegation.
- (3) A delegation under this rule may be made subject to such conditions or limitations as to the exercise of any function, or as to time or circumstances, as may be specified in the instrument of delegation.
- (4) Notwithstanding any delegation under this rule, the board may continue to exercise any function delegated.
- (5) Any act or thing done or suffered by a sub-committee acting in the exercise of a delegation under this rule has the same force and effect as it would have if it had been done or suffered by the board.
- (6) The board may, by instrument in writing, revoke wholly or in part any delegation under this rule.
- (7) A sub-committee may meet and adjourn as it thinks proper.

19A Clubs Sub-committee

- (1) Without limiting rule 19 the board may establish a Clubs' Sub-committee to advise and assist the board in the performance of its functions, including but not limited to:
 - (a) the development of policy, calendars, procedures and by-laws for the association and triathlon;
 - (b) the facilitation of communication between the association and Members;
 - (c) the scheduling of general meetings of the association, and the setting of the agenda for such General Meetings.
- (2) The Clubs' Sub-committee, if established, shall comprise of one representative only from each Affiliated Club. The Affiliated Club's representative must be an Individual Member of the association and shall be appointed and removed at the discretion of the association. The Clubs' Sub-committee will elect one of their number as chair for such period as the Clubs' Sub-committee determines.

20 Voting and decisions

- (1) Questions arising at a meeting of the board or of any sub-committee appointed by the board shall be determined by a majority of the votes of members of the board or sub-committee present at the meeting.
- (2) Each member present at a meeting of the board or of any sub-committee appointed by the board (including the person presiding at the meeting) is entitled to 1 vote but, in the event of an equality of votes on any question, the person presiding may exercise a second or casting vote.
- (3) Subject to sub rule 18(5) the board may act notwithstanding any vacancy on the board.
- (4) Any act or thing done or suffered, or purporting to have been done or suffered, by the board or by a sub-committee appointed by the board, is valid and effectual notwithstanding any defect that may afterwards be discovered in the appointment or qualification of any member of the board or sub-committee.

21 Duty statements

- (1) All board members shall comply with, as far as practicable, the duty statements determined by the board from time to time in relation to their respective positions.

PART IV – GENERAL MEETINGS

22 Annual general meetings – holding of

- (1) The association shall hold an annual general meeting, once in each calendar year, within the period of 5 months beginning at the end of the association's most recently ended financial year.
- (2) The association shall hold its first annual general meeting –
 - (a) within the period of 18 months after its incorporation under the Act; and
 - (b) within the period of 5 months after the expiration of the first financial year of the association.
- (3) Sub rules (1) and (2) have effect subject to the powers of the Registrar-General under section 120 of the Act in relation to extensions of time.

23 Annual general meetings – call of and business at

- (1) The annual general meeting of the association shall, subject to the Act, be convened on such date and at such place and time in the month of either August or September as the board thinks fit.
- (2) In addition to any other business which may be transacted at an annual general meeting, the business of an annual general meeting shall be –
 - (a) to confirm the minutes of the last preceding annual general meeting and of any general meeting held since that meeting;
 - (b) to receive from the board reports on the activities of the association during the last preceding financial year;
 - (c) to elect members of the board; and
 - (d) to receive and consider the statement of accounts and the reports that are required to be submitted to members pursuant to subsection 73(1) of the Act.
- (3) An annual general meeting shall be specified as such in the notice convening it in accordance with rule 24.
- (4) An annual general meeting shall be conducted in accordance with the provisions of this Part.

24 General meetings – calling of

- (1) The board may, whenever it thinks fit, convene a general meeting of the association.
- (2) The board shall, on the requisition in writing of not less than five per cent (5%) of the total number of Members, convene a general meeting of the association.
- (3) A requisition of Members for a general meeting –
 - (a) shall state the purpose or purposes of the meeting;
 - (b) shall be signed by the members making the requisition;
 - (c) shall be lodged with the Executive Officer; and
 - (d) may consist of several documents in a similar form, each signed by 1 or more of the members making the requisition.

- (4) If the board fails to convene a general meeting within one (1) month after the date on which a requisition of members for the meeting is lodged with the Executive Officer, any one or more of the members who made the requisition may convene a general meeting to be held not later than three (3) months after that date.
- (5) A general meeting convened by a Member or Members referred to in subrule (4) shall be convened as nearly as is practicable in the same manner as general meetings are convened by the board and any member who thereby incurs expense is entitled to be reimbursed by the association for any reasonable expense so incurred.

25 Notice

- (1) Except where the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the association, the Executive Officer shall, at least 14 days before the date fixed for the holding of the general meeting, cause to be sent to each Member by:
 - (a) pre-paid post to the address for the Member appearing in the register of members; or
 - (b) in the case of a Member that has nominated an electronic address, electronic mail to the electronic address of the Member nominated by that Member;

a notice specifying the place, date and time of the meeting and the nature of the business proposed to be transacted at the meeting.

- (2) Where the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the association, the Executive Officer shall, at least 21 days before the date fixed for the holding of the general meeting, cause notice to be sent to each member in the manner provided in sub rule (1) specifying, in addition to the matter required under that sub rule, the intention to propose the resolution as a special resolution.
- (3) No business other than that specified in the notice convening a general meeting shall be transacted at the meeting except, in the case of an annual general meeting, business which may be transacted pursuant to sub rule 23(2).
- (4) A member desiring to bring any business before a general meeting may give notice in writing of that business to the Executive Officer who shall include that business in the next notice calling a general meeting given after receipt of the notice from the member.

26 General meetings – procedure and quorum

- (1) 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 the meeting is considering that item.
- (2) Ten (10) Members present in person (being Members entitled under these rules to vote at a general meeting) constitute a quorum for the transaction of the business of a general meeting.
- (3) If within half an hour after the appointed time for the commencement of a general meeting a quorum is not present, the meeting if convened upon the requisition of members shall be dissolved and in any other case shall stand adjourned to the same day in the following week at the same time and (unless another place is specified at the time of adjournment by the person presiding at the meeting or communicated by written notice to members given before the day to which the meeting is adjourned) at the same place.
- (4) If at the adjourned meeting a quorum is not present within half an hour after the time appointed for the commencement of the meeting, the members present (being not less than 5) shall constitute a quorum.

27 Presiding member

- (1) The President, shall preside at each general meeting of the association.
- (2) If the President is absent from a general meeting, the members present shall elect 1 of their number to preside at the meeting.

28 Adjournment

- (1) The person presiding at a general meeting at which a quorum is present may, with the consent of the majority of members present at the meeting, adjourn the meeting from time to time and place to place, but no business shall be transacted at an adjourned meeting other than the business left unfinished at the meeting at which the adjournment took place.
- (2) Where a general meeting is adjourned for 14 days or more, the Executive Officer shall give written or oral notice of the adjourned meeting to each member of the association stating the place, date and time of the meeting and the nature of the business to be transacted at the meeting.
- (3) Except as provided in subrules (1) and (2), notice of an adjournment of a general meeting or of the business to be transacted at any adjourned meeting is not required to be given.

29 Making of decisions

- (1) 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 person presiding that a resolution has, on a show of hands, been carried or carried unanimously or carried by a particular majority or lost, or an entry to that effect in the minute book of the association, is evidence of the fact without proof of the number or proportion of the votes recorded in favour of or against that resolution.
- (2) At a general meeting of the association, a poll may be demanded by the person presiding or by not less than 3 members present in person or by proxy at the meeting.
- (3) Where the poll is demanded at a general meeting, the poll shall be taken –
 - (a) immediately in the case of a poll which relates to the election of the person to preside at the meeting or to the question of an adjournment;
or
 - (b) in any other case, in such manner and at such time before the close of the meeting as the person presiding directs, and the resolution of the poll on the matter shall be deemed to be the resolution of the meeting on that matter.

30 Voting

- (1) Subject to sub rules (3) and (5), upon any question arising at a general meeting of the association a Member has 1 vote only.
- (2) All votes shall be given personally or by proxy.
- (3) In the case of an equality of votes on a question at a general meeting, the person presiding is entitled to exercise a second or casting vote.
- (4) A Member or proxy is not entitled to vote at any general meeting of the association unless all money due and payable by the Member or proxy to the association has been paid.
- (5) Affiliated Clubs have no right to debate or vote at General Meetings.

31 Appointment of proxies

- (1) Each Member shall be entitled to appoint another member as proxy by notice given to the Executive Officer 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 1 to these rules.
- (3) For the avoidance of doubt, Affiliated Clubs are not entitled to appoint another Member as proxy.

PART V – MISCELLANEOUS

32 Funds – source

- (1) The funds of the association shall be derived from annual subscriptions of members, donations and, subject to any resolution passed by the association in general meeting and subject to section 114 of the Act, such other sources as the board determines.
- (2) All money received by the association shall be deposited as soon as practicable and without deduction to the credit of the association's bank account.
- (3) The association shall, as soon as practicable after receiving any money, issue an appropriate receipt.
- (4) The association may borrow or take investment of money from members and may pay interest on moneys so invested or borrowed.
- (5) Members of the association may be paid for services which they render or goods which they supply to the association as the board determines from time to time.

33 Funds – management

- (1) Subject to any resolution passed by the association in general meeting, the funds of the association shall be used in pursuance of the objects of the association in such manner as the board determines.
- (2) All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments shall be signed by any two (2) members of the board or employees of the association, being members of the board or employees authorised to do so by the board.

34 Alteration of objects and rules

Neither the objects of the association referred to in Section 29 of the Act nor these rules shall be altered except in accordance with the Act.

35 Common seal

- (1) The common seal of the association shall be kept in the custody of the Executive Officer.
- (2) The common seal shall not be affixed to any instrument except by the authority of the board and the affixing of the common seal shall be attested by the signatures of two members of the Board or as otherwise determined by the Board from time to time.

36. Custody of books

Subject to the Act, the Regulations and these rules, the Executive Officer shall keep in his or her custody or under his or her control all records, books, and other documents relating to the association.

37 Inspection of books

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

38 Service of notice

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

39 Name

- (1) The name of the association shall be the Australian Capital Territory Triathlon Association Inc.

40 Surplus Property

- (1) In the event of dissolution or winding up of the association any surplus property shall vest in Triathlon Australia.

PART VI – OBJECTS**41 The objects of the Association are:**

- (1) to promote interest in triathlons and multi-sport endurance events;
- (3) to promote good fellowship among those interested in triathlons and multi-sport events;
- (4) to educate, train, coach and encourage members of the association;
- (5) to ensure triathlons and multi-endurance sport events are conducted in the best interests of the participants and the sport of triathlon and to liaise with and, where appropriate, in the absolute discretion of the association, to sanction event promoters and relevant bodies to achieve this;
- (6) to do all such things and acts conducive to the furtherance of the objects and interests of the association;
- (7) to do any one or all of the following, to promote, advertise, organise, conduct or sanction triathlon and multi-endurance sport events for its members and members of the public.

PART VII – PUBLIC OFFICER**42 Appointment of public officer**

- (1) The board shall appoint a Public Officer pursuant to section 57 of the Act and such person may be a member of the Board or an employee of the Association.

**APPENDIX 1
Sub-rule 29(2)
FORM OF APPOINTMENT OF PROXY**

I,

.....
(full name)

of

.....
(address)

being a member of

.....
(name of incorporated association)

hereby appoint

.....
(full name of proxy)

of

.....
(address)

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 other general meeting, as the case may be) to be held on theday of 20.....

and at any adjournment of that meeting.

*My proxy is authorised to vote in favour of/against (*delete as appropriate*) the resolution (*insert details*).

.....
(signature of member appointing proxy)

.....
(date)

(*To be inserted if desired)

Note: A proxy vote may not be given to a person who is not a member of the association.



APPENDIX 2

POLICY NAME:	LIFE MEMBERSHIP POLICY
POLICY AREA:	MEMBER POLICY
DATE APPROVED:	21 SEPTEMBER 2017
DATE LAST REVIEWED:	21 SEPTEMBER 2017

The award of Life Membership is the highest honour Triathlon ACT can bestow on an individual and is awarded in recognition of those who have made an outstanding contribution to the existence or effectiveness of the association during their membership. No more than one Life Membership will be awarded on an annual basis.

CRITERIA

Each nomination for Life Membership of Triathlon ACT should be considered on its individual merits. Decisions will be made on the basis of or having due regard to:

- Service to Triathlon ACT well above what is normally expected;
- Significant leadership within Triathlon ACT;
- Strong support for Triathlon ACT activities;
- Enhancement of the standing of Triathlon ACT in the community;
- Long association with the activities of Triathlon ACT;
- The duration of membership of Triathlon ACT

PROCESS

- (1) Triathlon ACT Board will call for nominations for life membership in the final month of the Financial Year preceding the AGM.
- (2) Nominations must reach the Board no later than the Board Meeting preceding the Annual General Meeting.
- (3) Any current financial member of Triathlon ACT may nominate any other current financial member for Life Membership, provided that the nomination is seconded by one other financial member. If the nominee is a Board Member, they will not be involved in any aspect of the selection process.
- (4) Nominations must be submitted on the appropriate nomination forms. All nomination submissions must address the criteria for selection as outlined above.
- (5) The nomination must articulate the reasons why Life Membership is considered appropriate. Where possible, specific examples of work or involvement should be cited.
- (6) Nominations must be treated confidentially by the nominators and the Board.
- (7) The nominations will be discussed and facts and claims included in the nominations will be verified where possible by the TACT Board Governance sub-committee prior to being presented to the Board. The Board at the meeting following receipt of the nominations and before the Annual General Meeting will agree on the nominations presented

- (8) While each nomination is to be treated on its merits, the Board has the information as outlined in the Criteria above to use as guidelines. For the Board to send a nomination forward as a motion at the Annual General Meeting, the nomination must be supported by at least 75 percent of the membership of the Board. The Board's decision is final.
- (9) If the Board decides not to support a nomination for Life Membership, then the proposer and seconder of the motion will receive a written notification of the Board's decision, signed by the President of Triathlon ACT.
- (10) If the nomination is successful, then the President of Triathlon ACT will present the nomination at the Annual General Meeting for voting as per the Triathlon ACT Constitution.

EXCERPT FROM TACT CONSTITUTION

10A Life membership

- (5) The Board may recommend to a General Meeting that any natural person who has rendered distinguished service to Triathlon, Duathlon, Aquathlon in the ACT through the promotion of the interests and objects of the Association be appointed as a Life Member.
- (6) A resolution of a General Meeting to confer life membership on the recommendation of the Board must be a Special Resolution.
- (7) A person nominated for Life Membership must accept or reject the Association's resolution to confer life membership in writing. Upon written acceptance, the person's details will be entered upon the Register, and from the time of entry on the Register the person will be a Life Member.
- (8) A Life Member may elect to be an Individual Member and will be entitled to all privileges and all obligations of the relevant membership category.