



**Rules**

**of the**

**PC Users Group (ACT)**

**Incorporated**

**(As Amended to 3<sup>rd</sup> October 2006)**

---

**TABLE OF PROVISIONS**

<b>PART I: PRELIMINARY</b>	<b>3</b>
1. Interpretation	3
2. Further interpretation	3
3. Interpretation Act 1967 applies	3
4. Name	3
5. Objects	3
<b>PART II: MEMBERSHIP</b>	<b>4</b>
6. Membership of the Association	4
6A. Application for Membership	4
7. Classes of Membership	4
8. Membership entitlements not transferable	4
9. Cessation of membership	4
10. Resignation of membership	4
11. Fees, subscriptions etc.	5
12. Members' liabilities	5
13. Disciplining of members	5
14. Right of appeal of disciplined member	6
<b>PART III: THE COMMITTEE</b>	<b>7</b>
15. Powers of the Committee	7
16. Constitution and membership of the Committee	7
17. Election of Committee members	7
18. Secretary	8
19. Treasurer	8
20. Library	8
21. Vacancies	9
22. Removal of Committee members	9
23. Committee meetings and quorum	9
24. Delegation by Committee to sub-committee	10
25. Delegation of functions from one Committee member to another person	10
26. Voting and decisions	10
<b>PART IV: GENERAL MEETINGS</b>	<b>12</b>
27. Annual general meetings - holding of	12
28. Annual general meetings - calling of and business at	12
29. General meetings - calling of	12
30. Notice	13
31. General meetings - procedure and quorum	13
32. Presiding member	14
33. Adjournment	14
34. Making of decisions	14
35. Voting	15
36. Appointment of proxies	15
<b>PART V: MISCELLANEOUS</b>	<b>16</b>
37. Funds - source	16
38. Funds - management	16
39. Common seal	16
40. Custody of books	16
41. Inspection of books	16
42. Service of notices	16
43. Surplus property	17
<b>APPENDIX 1</b>	<b>18</b>

## **PART I: PRELIMINARY**

### **1. Interpretation**

In these Rules, unless a contrary intention appears –

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

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

"ordinary Committee member" means a member of the Committee who is not an office-bearer of the Association as referred to in paragraph 16(1)(a);

"Secretary" means the person holding that office or, where no person holds that office, the public officer of the Association;

"the Act" means the Australian Capital Territory Associations Incorporation Act 1991; and

"the Regulations" means the Associations Incorporation Regulations.

### **2. Further interpretation**

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. Interpretation Act 1967 applies**

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.

### **4. Name**

The name of the Association shall be "PC Users Group (ACT) Incorporated".

### **5. Objects**

The objects of the Association shall include but not be limited to -

(1) To disseminate information on all aspects of personal computers to members and the community.

(2) To assist members in solving problems with personal computers.

(3) To arrange seminars, lectures, workshops and other educational activities on all aspects of personal computers for members and the community.

(4) To acquire and distribute software.

(5) To encourage research and educational projects on the use of personal computers.

(6) To disseminate and encourage the dissemination of the results of such research and educational projects for the benefit of the community at large.

(7) To promote such legislative changes to the present law as are necessary to adjust the law to cope with information technology.

(8) To develop and promote policies on any aspect of personal computers.

(9) To do all such other things as may be incidental to the objects of the Association including all such social activities as are compatible with the foregoing.

## **PART II: MEMBERSHIP**

### **6. Membership of the Association**

A person including a body corporate shall be considered a member if -

- (a) the person is a person referred to in paragraph 21(2)(a) or (b) of the Act and has not ceased to be a member of the Association at any time after incorporation of the Association under the Act; or
- (b) the person has made an application for membership in accordance with rule 6A and the person's name has been entered into the Register of Members of the Association.

### **6A. Application for Membership**

An application for membership of the Association shall be made by –

- (a) delivering to the Association a completed Application for Membership form (as prescribed from time to time by the Committee of the Association); and
- (b) payment of the entrance fee, if any, and the annual membership fee.

### **7. Classes of Membership**

- (1) –The Association may provide for different classes of membership.
- (2) Unless otherwise provided, the Act, these Rules and any resolution of the Association or its Committee shall apply equally to each and every class of membership.

### **8. Membership entitlements not transferable**

A right, privilege or obligation which a person 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 person's membership.

### **9. Cessation of membership**

A person ceases to be a member of the Association if the person -

- (a) dies or, in the case of a body corporate, is wound up;
- (b) resigns from membership of the Association;
- (c) is expelled from the Association;
- (d) fails to renew membership of the Association; or
- (e) in the case of a natural person representing a body corporate, that person ceases to represent the body corporate.

### **10. 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 one month or, if the Committee has determined a shorter period, that shorter period) in writing to the Secretary 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 person ceases to be a member, the Secretary shall make an appropriate entry in the register of members recording the date on which the member ceased to be a member.

**11. Fees, subscriptions etc.**

- (1) The entrance fee to the Association is \$1.00, or if any other amount has been determined by resolution of the Committee, such other amount.
- (2) The annual membership fee of the Association is \$2.00, or if any other amount has been determined by resolution of the Committee that other amount.
- (3) The annual membership fee is payable on each anniversary of the date upon which a member joined the Association.
- (4) The Committee may prescribe for different membership fees to apply to different classes of membership.

**12. Members' liabilities**

The liability of a member to contribute towards the payment of 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 11.

**13. Disciplining of members**

- (1) Where the Committee is of the opinion that a member -
- (a) has persistently refused or neglected to comply with a provision of these Rules: or
  - (b) has persistently and wilfully acted in a manner prejudicial to the interests of the Association,
- the Committee may, by resolution -
- (c) expel the member from the Association; or
  - (d) suspend the member from such rights and privileges of membership of the Association as the Committee may determine for a specified period.
- (2) A resolution of the Committee under sub-rule (1) is of no effect unless the Committee, at a meeting held not earlier than 14 days and not later than 28 days after service on the member of a notice under sub-rule (3), confirms the resolution in accordance with this Rule.
- (3) Where the Committee passes a resolution under sub-rule (1), the Secretary shall, as soon as practicable, cause a notice in writing to be served on the member -
- (a) setting out the resolution of the Committee and the grounds on which it is based;
  - (b) stating that the member may address the Committee at a meeting to be held not earlier than 14 days and not later than 28 days after service of the notice;
  - (c) stating the date, place and time of that meeting; and
  - (d) informing the member that the member may do either or both of the following -
    - (i) attend and speak at that meeting;
    - (ii) submit to the Committee at or prior to the date of that meeting written representations relating to the resolution.
- (4) Subject to section 50 of the Act, at a meeting of the Committee mentioned in sub-rule (2), the Committee shall
- (a) give to the member mentioned in sub-rule (1) an opportunity to make oral representations;

- (b) give due consideration to any written representations submitted to the Committee by that member at or prior to the meeting; and
  - (c) by resolution determine whether to confirm or to revoke the resolution of the Committee made under sub-rule (1).
- (5) Where the Committee confirms a resolution under sub-rule (4), the Secretary shall, within seven days after that confirmation, by notice in writing inform the member of that confirmation and of the member's right of appeal under Rule 14.
- (6) A resolution confirmed by the Committee 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 14(4).

**14. Right of appeal of disciplined member**

- (1) A member may appeal to the Association in general meeting against a resolution of the Committee which is confirmed under sub-rule 13(4), within seven days after notice of the resolution is served on the member, by lodging with the Secretary a notice to that effect.
- (2) Upon receipt of a notice under sub-rule (1), the Secretary shall notify the Committee which shall convene a general meeting of the Association to be held within 21 days after the date on which the Secretary 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 Committee and the member shall be given the opportunity to make representations in relation to the appeal orally or in writing, or both; and
  - (c) the members present shall vote by secret ballot on the question of whether the resolution made under sub-rule 13(4), is confirmed.
- (4) If the meeting passes a special resolution in favour of the confirmation of the resolution made under sub-rule 13(4), that resolution is confirmed.

### **PART III: THE COMMITTEE**

#### **15. Powers of the Committee**

The Committee, 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 these Rules to be exercised by the Association in general meeting; and
- (c) has the power to perform all such acts and do all such things as appear to the Committee to be necessary or desirable for the proper management of the affairs of the Association.

#### **16. Constitution and membership of the Committee**

- (1) The Committee shall consist of -
  - (a) the office-bearers of the Association and up to 10 ordinary members of the Association; each of whom shall be elected pursuant to Rule 17 or appointed in accordance with sub-rule (4); and
  - (b) the Immediate Past President.
- (2) The office-bearers of the Association shall be -
  - (a) the President;
  - (b) the Vice-President;
  - (c) the Treasurer; and
  - (d) the Secretary.
- (3) Each member of the Committee shall, subject to these Rules, hold office from the conclusion of the annual general meeting at which he or she is elected until the conclusion of the annual general meeting following the date of the member's election, but is eligible for re-election.
- (4) In the event of a vacancy in the membership of the Committee, the Committee may appoint a member of the Association to fill the vacancy and the member so appointed shall hold office, subject to these Rules, until the conclusion of the annual general meeting following the date of the appointment.

#### **17. Election of Committee members**

- (1) Nomination of candidates for election as office-bearers of the Association or as ordinary Committee members can only be made by current and financial members of the Association, and shall be made by delivering a completed Committee Nomination Form to the Association no later than six days before the date fixed for the annual general meeting at which the election is to take place ("the election date").
- (2) If insufficient nominations are received to fill all vacancies on the Committee, the candidates nominated shall be deemed to be elected.
- (3) A vacant position remaining on the Committee shall be deemed to be a vacancy for the purpose of Rule 16(4).
- (4) If the number of nominations received is equal to the number vacancies to be filled, the persons shall be taken to be elected.

- (5) If the number of nominations received exceeds the number of vacancies to be filled, a ballot shall be held.
- (6) The ballot for the election of office-bearers and ordinary Committee members shall be completed at the annual general meeting in such manner as the Committee may direct, but having regard to Rule 28, sub-rule (2).
- (7) A person is not eligible to simultaneously hold more than one position on the Committee.
- (8) The President shall promptly draw to the attention of Committee members their responsibilities under the Act with particular reference to Section 65, "Disclosure of Committee Members' Interest".

**18. Secretary**

- (1) The Secretary of the Association shall, as soon as practicable after being appointed as Secretary, notify the Association of his or her address.
- (2) The Secretary shall keep minutes of -
  - (a) all elections and appointments of office-bearers and ordinary Committee members;
  - (b) the names of members of the Committee present at a Committee meeting or a general meeting; and
  - (c) all proceedings at Committee meetings and general meetings.
- (3) Minutes of proceedings at a meeting shall be signed by the person presiding at the meeting or by a person presiding at the next succeeding meeting.
- (4) The Secretary of the Association shall issue all notices of meetings of the Association and the Committee and such other notices as the Committee may direct to be issued.
- (5) The Secretary shall keep in safe keeping a copy of these Rules and of any amendment thereto which from time to time may lawfully be made.
- (6) The Secretary shall keep and maintain a register of all members of the Association and ensure that all matters under Section 67 of the Act regarding the register are complied with.

**19. Treasurer**

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

**20. Library**

- (1) The Committee shall be responsible for the purchase, stocking, sale, loan or borrowing of all such software, journals and other media as are compatible with the objects of the Association.
- (2) The Committee shall keep members informed of all stocks available to them.



**21. Vacancies**

- (1) For the purposes of these Rules, a vacancy in the office of a member of the Committee occurs if the member -
- (a) dies;
  - (b) ceases to be a member of the Association;
  - (c) resigns from office;
  - (d) is removed from office pursuant to Rule 22;
  - (e) becomes an insolvent under administration within the meaning of the Corporations Law;
  - (f) suffers from mental or physical incapacity;
  - (g) is disqualified from office under subsection 63(1) of the Act; or
  - (h) is absent without the consent of the Committee members from all meetings of the Committee held during a period of three months.

**22. Removal of Committee members**

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

**23. Committee meetings and quorum**

- (1) The Committee shall meet at least three times in each calendar year at such place and time as the Committee may determine.
- (2) Additional meetings of the Committee may be convened by any three members of the Committee.
- (3) Oral or written notice of a meeting of the Committee shall be given by the Secretary to each member of the Committee at least 48 hours (or such other period as may be unanimously agreed upon by the members of the Committee) before the time appointed for the holding of the meeting.
- (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 Committee members present at the meeting unanimously agree to treat as urgent business.
- (5) Any four members of the Committee constitute a quorum for the transaction of the business of a meeting of the Committee.
- (6) No business shall be transacted by the Committee unless a quorum is present and if within half an hour after the time appointed for the meeting a quorum is not present the meeting stands adjourned to the same place and at the same hour of the day in the following week.
- (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 Committee -
  - (a) the President or in the absence of the President, the Vice-President shall preside; or

- (b) if the President and the Vice-President are absent, one of the remaining members of the Committee may be chosen by the members present to preside.

**24. Delegation by Committee to sub-committee**

- (1) The Committee may by instruction in writing delegate to one or more sub-committees (consisting of such member, members or employees of the Association as the Committee thinks fit) the exercise of such of the functions of the Committee as are specified in the instrument, other than
  - (a) this power of delegation; and
  - (b) a function which is a function imposed on the Committee by the Act, by any other law of the Territory, or by resolution of the 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 Committee 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 Committee.
- (6) The Committee 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.
- (8) The President of the Association shall be an ex-officio member of all sub-committees which may be formed.

**25. Delegation of functions from one Committee member to another person**

Unless otherwise provided for in these Rules and subject to Committee approval any Committee member may delegate any of his or her functions to another Committee member or to an employee of the Association.

**26. Voting and decisions**

- (1) Questions arising at the meeting of the Committee or of any sub-committee appointed by the Committee shall be determined by a majority of the votes of members of the Committee or sub-committee present at the meeting.
- (2) Each member present at a meeting of the Committee or of any sub-committee appointed by the Committee (including the person presiding at the meeting) is entitled to one 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 23(5), the Committee may act notwithstanding any vacancy on the Committee.

- (4) Any act or thing or suffered, or purporting to have been done or suffered, by the Committee or by the sub-committee appointed by the Committee, is valid and effectual notwithstanding any defect that may afterwards be discovered in the appointment or qualification of any member of the Committee or sub-committee.

## **PART IV: GENERAL MEETINGS**

### **27. Annual general meetings - holding of**

- (1) With the exception of the first annual general meeting of the Association, the Association shall, at least once in each calendar year and within the period of five months after the expiration of each financial year of the Association, convene an annual general meeting of its members.
- (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 five 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 of Incorporated Associations under section 120 of the Act in relation to extensions of time.

### **28. Annual general meetings - calling 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 as the Committee thinks fit.
- (2) The President, or in the absence of the President, the Vice-President, shall preside at each annual general meeting of the Association, however:
  - (a) If the President and the Vice-President are absent from the annual general meeting, the members present shall elect one of their number to preside at the meeting.
  - (b) Immediately prior to the election of Committee members, those members present shall elect one of the people present as Returning Officer. The person so elected shall preside over the meeting until the election of Committee members is completed and the results have been announced. Nominees and current Committee members are not permitted to act as Returning Officer.
- (3) 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 Committee reports on the activities of the Association during the last preceding financial year;
  - (c) 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; and
  - (d) to elect members of the Committee, including office-bearers.
- (4) An annual general meeting shall be specified as such in the notice convening it in accordance with Rule 30.
- (5) An annual general meeting shall be conducted in accordance with the provisions of this Part.

### **29. General meetings - calling of**

- (1) The Committee may, whenever it thinks fit, convene a general meeting of the Association.
- (2) The Committee shall, on the requisition in writing of not less than five per cent 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 Secretary; and
  - (d) may consist of several documents in a similar form, each signed by one or more of the members making the requisition.
- (4) If the Committee fails to convene a general meeting within one month after the date on which a requisition of members for the meeting is lodged with the Secretary, any one or more of the members who made the requisition may convene a meeting to be held not more than three months after that date.
- (5) A general meeting convened by a member or members referred to in sub-rule (4) shall be convened as nearly as is practicable in the same manner as general meetings are convened by the Committee and any member who thereby incurs expense is entitled to be reimbursed by the Association for any reasonable expense so incurred.

### **30. 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 Secretary shall, at least 14 days before the date fixed for the holding of the general meeting, cause to be sent by pre-paid post or email or other electronic means to each member at the member's address appearing in the register of members, 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 Secretary 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 28(3).
- (4) A member desiring to bring any business before a general meeting may give notice in writing of that business to the Secretary who shall include that notice from the member.

### **31. 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) Six 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 the members shall be dissolved and in any other case shall stand adjourned to the same day in the following week at the same time and (unless another place is specified at the time of the adjournment by the person presiding at the meeting or communicated by written notice to members given before the day to which the meeting is adjourned) at the same place.

- (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 meeting shall be dissolved.

**32. Presiding member**

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

**33. 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 Secretary 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 sub-rules (1) and (2), notice of an adjournment of a general meeting or of the business to be transacted at an adjourned meeting is not required to be given.

**34. Making of decisions**

- (1) A question arising at a general meeting of the Association shall be determined on a show of hands and unless a poll is demanded, a declaration by the person presiding that a resolution has, on a show of hands, been carried or carried unanimously or carried by a particular majority or lost, or an entry to that effect in the minute book of the 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 any member 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.

**35. Voting**

- (1) Subject to sub-rule (3), upon any question arising at a general meeting of the Association a member has one vote only.
- (2) All votes shall be given personally or by proxy but no member may hold more than 5 proxies .
- (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, other than the amount of the annual subscription payable in respect of the then current year.

**36. Appointment of proxies**

- (1) Each member shall be entitled to appoint another member as proxy by notice given to the Secretary no later than 24 hours before the time of the meeting in respect of which the proxy is appointed.
- (2) The notice appointing the proxy shall be in the form set out in Appendix 1 to these Rules.

**PART V: MISCELLANEOUS**

**37. Funds - source**

- (1) The funds of the Association shall be derived from entrance fees and 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 Committee determines.
- (2) All money received by the Association shall be deposited as soon as practicable and without deduction to the association's bank account.

**38. 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 a manner as the Committee determines.
- (2) All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments shall be signed by any two members of the Committee or employees of the Association, being members of the Committee or employees authorised to do so by the Committee.

**39. Common seal**

- (1) The common seal of the Association shall be kept in the custody of the Secretary.
- (2) The common seal shall not be affixed to any instrument except by the authority of the Committee and the affixing of the common seal shall be attested by the signatures either of two members of the Committee or of one member of the Committee and of the Secretary.

**40. Custody of books**

Subject to the Act, the Regulations and these Rules, the Secretary shall keep in his or her control all records, and other documents relating to the Association.

**41. Inspection of books**

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 by prior arrangement with the Secretary.

**42. Service of notices**

- (1) For the purpose of these Rules, a notice may be served by or on behalf of the Association upon any 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.

**43. Surplus property**

- (1) At any general meeting of the Association, the Association may pass a special resolution nominating -



- (a) another Association for the purpose of paragraph 92(1)(a) of the Act; or
  - (b) a fund, authority or institution for the purpose of paragraph 92(1)(b) of the Act, in which it is to vest its surplus property in the event of the dissolution or winding up of the Association.
- (2) An Association nominated under paragraph (1)(a) must fulfil the requirements specified in subsection 92(2) of the Act.

**APPENDIX 1**

FORM OF APPOINTMENT AS PROXY      Sub -rule 35(2)

I, \_\_\_\_\_  
(full name)

of \_\_\_\_\_  
(address)

being a member of the PC Users Group (ACT) Incorporated,

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 the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_

\* My proxy is authorised to vote in favour of/or against (delete as appropriate) the resolution (insert details).  
(\*to be inserted if desired.)

(signature of member appointing Proxy)

Date \_\_\_\_\_ 20\_\_