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Lodged in the office of the Commissioner for Consumer Protection on the 12 JUN 2023

LAKESIDE RESIDENTS' ASSOCIATION INCORPORATED
RULES OF ASSOCIATION

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LAKESIDE RESIDENTS' ASSOCIATION INCORPORATED.
RULES OF ASSOCIATION

1. Name of the Association

The name of the Association is:

LAKESIDE RESIDENTS' ASSOCIATION INCORPORATED

2. Definitions

In the Rules of Association unless the contrary intention appears:

"**By-laws**" are additional arrangements or processes to supplement these Rules. They do not form part of the Rules and are not required to be lodged with the Commissioner.

"Association" means the Lakeside Residents' Association Incorporated.

"Act" means the Associations Incorporations Act 2015.

"Code" means the Fair Trading (Retirement Villages Interim Code) Regulations 2021.

"Chairperson" means the person who presides over a committee or general meeting.

"Committee" means the Committee of Management of the Association including Office Bearers and Ordinary Committee Members as defined in Section 9 of these Rules.

"Committee member" means a member of the Committee of Management as defined in Rule 9.

"Financial year" means the financial year of the Association which runs from 1 July to 30 June.

"Member" means a member of the Association.

"Office Bearers" means the President, Vice President, Secretary and Treasurer of the Association.

"Ordinary resolution" means a motion requiring a simple majority vote as referred to in Rule 15.1.

"Poll" means voting conducted in written form which may include but is not limited to, a secret ballot as opposed to general agreement or a show of hands.

"President" means the person referred to in Rule 9.1.

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"Proxy" means a member who has authorised by another member to cast votes on behalf of the authorizing member at a General Meeting at which the authorised member is unable to attend.

"Rules" means these Rules of Association as amended from time to time under Rule 24.

"Special Resolution" means a motion that is submitted and passed in accordance with Rule 15.2.

"Village" means Lakeside Village 194 Old Mandurah Road Ravenswood Western Australia.

"Village Management" means the Owners of the Village and the Village Manager.

"Village Rules" means the Rules of the Village as set out in Schedule 5 of the Village Scheme and Residency Deed.

3. Purpose and Objectives.

3.1 The purpose of the Association is to provide a voice for members either individually or as a collective body to address member interests, concerns and general wellbeing and to provide a structured forum to discuss and consider experience of life within the Village.

3.2 The objectives of the Association are to:

(a) Promote the interests and activities of members in order that they may have a quiet enjoyment of their residence and a happy and healthy lifestyle.

(b) Coordinate and encourage participation in recreational and social activities for the benefit of members.

(c) Consult and cooperate with Village Management about:
(i) The Village Operating Costs (budget and actual costs).
(ii) Future planning, including estimate costs, involving alterations to the Village, upgrading of buildings or changes to services.
(iii) Changes to the Village Rules.

(d) Assist in the establishment and operation of a proper process for the resolution of any disputes between members and between members and Village Management.

(e) Facilitate members' understanding of their rights and obligations, disclose and provide all relevant information to members, received from, and directed to the Village Management, thereby promoting fair trading practices in accordance with the Code.

(f) Not deter, restrict nor seek to deny any freedom of decision and action between members and Village Management.

4. Powers and Responsibilities

4.1 Subject to the requirements of the Act and the Code, the Association may do all things necessary or convenient to enable it to pursue its objectives. In particular, the Association may:

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(a) acquire, hold, deal with and dispose of any real or personal property where such action is in the general or personal interest of members.
(b) open and operate bank accounts.
(c) invest its money in the interest of members.
(d) take steps to ensure that all the sporting and activity facilities provided by the Village for members' use are safe, appropriate to use and properly supervised where necessary, considering such as insurance and health and safety matters.
(e) agree with Village Management on the general use of residents' voluntary effort where this is in the interest of cost savings and health and safety matters.
(f) take necessary steps to ensure any fundraising activities undertaken by members for the benefit of members conform to legislative requirements.

4.2 No member shall commit the Association in any manner whatsoever without the authority of the Committee.

4.3 These Rules bind every member and the Association to the same extent as if every member and the Association had individually signed and sealed these Rules and agreed to be bound by all their provisions.

5. Property

5.1 Income and property of the Association shall be applied solely towards the promotion of the objectives of the Association.

5.2 No part of the income or property may be paid, transferred, or distributed, directly or indirectly, to members, except in good faith in the promotion of the Association's objectives.

6. Membership

6.1 Membership of the Association is afforded to each resident of the Village who has duly executed a Residency Deed to reside at the Village and which Residency Deed is current.

6.2 There will be no joining fee or periodic subscription payable.

7. Resignation.

7.1 A member whose Residency Deed has been terminated for any reason is deemed to have resigned from the resigned from the Association.

8. Proxy Votes

8.1 A member (in this section called the Appointing Member) may appoint in writing, another member to be the proxy of the Appointing Member to attend and vote on behalf of the Appointing Member at a specified General Meeting.

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8.2 Such "proxy" member may hold no more than five (5) proxies relating to a particular General Meeting.

8.3 The Appointing Member must complete the relevant proxy voting form by nominating the proxy, specifying the date of the General Meeting, and signing and dating the form.

9. Committee of Management

9.1 Management and administration of the Association shall be vested in the Committee of Management which shall comprise of:

(a) President
(b) Vice President
(c) Secretary
(d) Treasurer, and
(e) no less than three (3) and no more than seven (7) Ordinary Committee Members, all of whom must be current members of the Association.

9.2 The Committee will arrange for the Treasurer and three other members of the Committee to manage payments on behalf of the Association with any two of the nominated members required to authorise each payment in the accepted manner.

9.3 For the purposes of continuity, the immediate past President, if not re-elected to the Committee, may be invited by the Committee to remain as an ex officio member of the Committee for a maximum of one year, but without voting rights.

9.4 The function of the Committee is to consult with the Village Management on behalf of the members about the day to day running of the Village and any issues or proposals raised by the members. Responsibilities of the Committee include by are not necessarily limited to:

(a) ensuring that the Association complies with its obligations under the Act and the Code as expressed by these Rules.

(b) assisting in the establishment and ongoing running or sporting and activity groups where sufficient interest is shown, and it is reasonable to do so.

(c) overseeing the use of Village common property and facilities and coordinating usage by members so they do not clash.

(d) overseeing all assets of the Association and adjudicating on how they are to be applied on behalf of all members.

(e) determining and approving funding to members and generally assisting with their requirements.

(f) working with Village Management to resolve issues arising from members requirements or concerns.

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(g) ensuing all relevant information of the Association is conveyed to members in a timely manner.

9.5 A person is prohibited from sitting on a management committee of an incorporated association (without prior approval by the Commissioner for Consumer Protection) if they:

(i) are an undischarged bankrupt or their affairs are under insolvency laws.
(ii) Have been convicted of an offence in connection with the promotion, formation, or management of a body corporate.
(iii) Have been convicted of an offence involving fraud or dishonesty punishable on conviction by at least three months or more imprisonment.
(iv) Have been convicted of an offence under Division 3 (the duties of officer's provision) or Section 127 (the duty with respect to incurring of debt) of the Act.

9.6 Where a person is prohibited because they have been convicted of an offence, they cannot be a committee member for a period of five years from their conviction, except where the conviction resulted in imprisonment, in which case they cannot be a committee member for five years from their release from custody.

9.7 Existing common law duties to be reinforced by Committee Members include:
(i) A duty of care and diligence.
(ii) A duty to act in good faith in the best interest of the Association and for a proper purpose.
(iii) A duty not to misuse one's position not to misuse information obtained through the position to gain an advantage for self or someone else or to cause detriment to the Association.

9.8 Prime roles of the Office Bearers are to:

(a) President
(i) Preside at all Committee and General Meetings.
(ii) Call non routine Committee Meetings as necessary.
(iii) Represent the Association at external meetings and events.

(b) Vice President
(i) Deputise for the President in that person's absence.

(c) Secretary
(i) Coordinate and keep in good order the Association's correspondence.
(II) Consult with the President regarding the business to be conducted at each committee meeting and general meeting.
(iii) Prepare the notices required for meetings and for the business to be conducted at meetings.
(iv) Convene, attend and take full and accurate minutes of all meetings. Have custody of such minutes and all associated papers and documents.
(v) Maintain and keep in good order the Association's records as defined at Rule 16 other than those of a financial nature.
(vi) Maintain and make available to members, current copies of the Association's Rules.

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(vii) Have custody of all the Association's relevant books and documents other than those of a financial nature.

(d) Treasurer
   (i) Receive and disburse monies on behalf of the Association, issuing receipts for all monies received.
   (ii) Pay all monies received into financial account(s) as the Committee many from time to time direct.
   (iii) Disperse funds on the direction of the Association membership in general or of the committee ensuring payments are authorised by two of the authorised signatories.
   (iv) Compile and maintain full accounting records which record correctly and explain the financial transactions and financial position of the Association including a current evaluation of the Association's assets. These records are to be maintained in such a manner to enable true and fair accounts to be prepared as required and to be conveniently and properly reviewed.
   (v) Prepare and present to the committee at its monthly meetings, interim accounts that reflect the Association's financial transactions and position for the immediately preceding month.
   (vi) Prepare for presentation to the AGM, the Association's Income and Expenditure Account and Balance Sheet showing the financial position of the Association at the end of the immediately preceding year.
   (vii) Arrange for the annual accounts to be reviewed by a competent auditor, who is not a member.
   (viii) Have custody of all the Association's securities, books, and documents of a financial nature.

9.9 All committee members are required to perform such other reasonable duties as are imposed by the Committee to ensure the obligations of the Association are fulfilled in a proper and expedient manner.

9.10 In executing their duties and responsibilities, all committee members must act in good faith and in the best interests of the Association. Payment of a sum of money to an individual committee member (e.g. honoraria) from the Association's funds must be authorised by resolution of the members at a General Meeting. A committee member, including a member of an authorised sub-committee, is entitled to be paid out of the funds of the Association for any out-of-pocket expenses for travel and accommodation properly incurred in attending a committee, sub-committee or general meeting.

9.11 Committee members must also, always respect the need for confidentiality as appropriate in dealings at committee meetings or in any relevant dealings with individual members.

9.12 If a committee member fails to attend three (3), consecutive routine monthly committee meetings without an apology, that member will be deemed to have resigned unless the committee decides otherwise.

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9.13 A committee member can only be expelled from the Committee as a result of a Special Resolution passed at a General Meeting.

9.14 Outgoing committee members are obliged to return all Association documents and records in their possession to the Committee as soon as practicable after their appointment ceases.

Casual Vacancies

9.15 If a vacancy on the committee arises through a committee member's:

(a) inability to attend meetings under Rule 9.12.
(b) formal resignation (in writing to the Secretary or in the case of the Secretary, to the President).
(c) expulsion from the committee because of a Special Resolution,

the committee may fill the vacancy by calling for fresh nominations or, if insufficient nominations are received by seeking volunteers; such vacancy shall be filled for the remainder of the term of office.

9.16 A volunteer appointed in accordance with Rule 9.15 above shall be afforded full rights as if elected to the committee by the general membership.

9.17 If the President is unable to continue for any reason, the position will be filled by the Vice President, and that of the Vice President by an existing committee member.

9.18 Should the Secretary or Treasurer be substituted by a non-committee member on a temporary basis, the substitute shall be regarded as ex-officio and be entitled to enter into any discussions as appropriate at meetings but is not entitled to vote on any issue.

9.19 The President shall preside at all committee meetings. In the event that the President is not present or is not willing to preside, the Vice President will preside at the meeting. Should both the President and Vice President be unavailable or not willing to preside, the committee members present will elect one of their number to preside at the meeting.

10. Sub-Committees

10.1 The committee may set up sub-committees from within the general membership to manage particular matters and which for which appropriate knowledge and expertise may be required. Sub-committees will be responsible and answerable to the committee. The committee will appoint a convenor for each sub-committee who will provide the committee with a situation report for review at the committee's monthly meetings.

10.2 Where a sub-committee recommends action to be taken with the Village Management, this will be directed through the committee.

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11. Committee Meetings

11.1 The committee shall hold routine meetings at least once per calendar month. The Chairperson may call for additional meetings should the need arise.

11.2 The order of business to be followed at the meetings shall be determined by the committee members.

11.3 Each committee member (except the Chairperson) shall be entitled to a single vote which shall be by show of hands unless otherwise decided.

11.4 Where a motion has been tabled in writing, it shall be read out by the Chairperson prior to any discussion. Motions proposed from the floor verbally shall be agreed between the Chairperson and the proposer and written down accurately by the Secretary prior to discussion. In both cases, the chairperson shall read out the motion again prior to voting. This will ensure all motions are properly understood and together with any resolutions, are accurately recorded in the minutes.

11.5 Decisions shall be reached by majority vote. Should voting result in a tie, the Chairperson shall have the deciding vote. The Secretary will record total votes for and against in the minutes.

11.6 A committee member having a pecuniary or other conflict of interest in a particular topic under discussion shall disclose the nature and extent of that interest to the committee. Any such interest shall be recorded also in the minutes of the committee meeting and to be disclosed at the next AGM.

11.7 A quorum for a committee meeting shall be six (6) of the committee members of whom two (2), shall be office bearers. If a quorum is not present, those in attendance may consider business matters and refer any action that need immediate attention, to the President or, in that person's unavailability, the Vice President. Any decision reached shall be referred to the next committee meeting for ratification.

12. General Meetings

12.1 The Annual General Meeting of the Association shall take place within six (6) months of the end of the Association's Financial Year, or within a longer period as the Commissioner may approve.

12.2 If the Association requires approval from the Commissioner to hold the AGM within a longer period as provided for in 12.1, the Secretary must apply to the Commissioner for approval no later than four months after the end of the Association's Financial Year.

12.3 The Secretary shall distribute to all members not less than 30 days prior to the planned date of the AGM, a preliminary notice of the Meeting. Such notice must state:

(a) the date, venue and time of the AGM.
(b) list of Office Bearers and Ordinary Committee positions available for election.
(c) request for nominations for Office Bearers and Ordinary Committee positions and details of where the relevant nomination forms are available.

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(d) invitations for motions, with relevant supporting rationale, to be tabled at the AGM for discussion and possible resolution.

12.4 Proposed motions, together with supporting rationale, shall be submitted to the propriate forms, to the Secretary at least fifteen (15) days prior to the date of the planned AGM.

12.5 The Secretary shall distribute to all members not less than twelve (12) days prior to the date of the AGM, a final notice of the meeting. Such notice must state:
(a) the date, venue and time of the meeting.
(b) details of motions, with supporting rationale, to be table at the meeting.
(c) details of location from where proxy voting forms (if necessary) may be obtained.
(d) the agenda.

12.6 Prior to the meeting, the committee shall appoint a Returning Officer from among non-nominated members to undertake responsibilities as outline in By-law 4.
(a) take charge of all nomination forms as they are received;
(b) register any proxy voting forms prior to the start of the meeting. The proxy voting forms shall be retained throughout the meeting by a proxy member.

12.7 The order in which business is to be conducted shall be:
(a) apologies
(b) President's welcome and opening remarks
(c) approval of the minutes of the previous AGM
(d) President's Annual Report
(e) Treasurer's Report on the Association's reviewed financial accounts
(f) Determination of formal motions tabled for resolution
(g) report by the Returning Officer giving the results of the election of Office Bearers and Ordinary Committee Members
(If the existing President has not been elected, the newly elected President shall take the chair; but other committee members not re-elected shall remain in situ until the end of the meeting.)
(h) any other relevant business raised for consideration.

12.8 If, after the election of Office Bearers and Ordinary Committee members, vacancies remain, nominations (duly seconded) may be taken from the floor and determination of these subsequent elections will be by show of hands unless another ballot is called for by the meeting.

12.9 The counting of votes at the AGM, whether by ballot or show of hands, shall be conducted by the Returning Officer who shall pass the results to the Chairperson for proclamation.

12.10 All committee members are elected to serve a term of not more than one year. Their term will commence at the completion of the AGM at which they were elected and expire at the completion of the next AGM. They may, however, be re-elected to serve another term at the next AGM; but cannot serve on the committee for more than three (3) consecutive terms unless invited to by residents at the AGM to retain enough committee members for the committee to remain viable.

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12.11 Only those motions previously notified to members will be table for discussion. No other business will be discussed.

Special General Meeting.

12.12 A SGM may be called by the committee or by written request of at least 2% of members, which shall include details of any motion(s) to be tabled at the meeting together with a brief supporting rationale for each motion,

12.13 Where a SGM has been requested by members, the meeting must be convened within 30 days of receipt of the request.

12.14 The Secretary shall distribute to all members not less than 21 days prior to the date of the meeting of the SGM, preliminary notice of the meeting. Such notice must state the date, venue, and time of the meeting.

12.15 The Secretary shall distribute to all members no later than 12 days prior to the date of the meeting, a further notice of the meeting. This notice must state:

(a) the date, venue, and time of the meeting.
(b) details of motion(s), with brief supporting rationale, to be tabled at the meeting.
(c) details of location of where proxy voting forms may be obtained
(d) the agenda.

12.16 Prior to the start of the meeting, the committee will appoint a member as Returning Officer to register proxy voting forms. The proxy voting forms shall be retained throughout the meeting by the proxy member.

12.17 Only those motion(s) previously notified to members will be tabled for discussion at a SGM. No other business will be discussed.

12.18 All counting of votes at the SGM, whether by ballot or show of hands, shall be conducted by the Returning Officer, who shall pass the results to the Chairperson for proclamation.

13. AUDITOR

Appointment:

13.1 Except as provided for in 13.2 an auditor may only be appointed by resolution of the members at a General Meeting.

13.2 The committee may appoint an auditor if:

(a) under Part 5 of the Act, the Association is required to ensure that the financial statements for a year are reviewed and
(b) no appointment is of effect under 13.1 for the Association.

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13.3 The auditor appointed at a general meeting holds office under the auditor:
(a) dies.
(b) becomes insolvent under administration as that term is defined in the Corporations Act.
(c) ceases to be qualified for appointment as provided in Rule 13.8.
(d) is removed from office under Rule 13,9.
(e) resigns from office as provided under Rule 13.5.

13.4 An auditor appointed under Rule 13.2 only holds office until the auditor's report has been presented for consideration at the AGM of the Association.

13.5 An auditor may resign as auditor of the Association by giving notice in writing.

13.6 The Association must, within 14 days after receiving notice of resignation by the Auditor, lodge with the Commissioner, notice of the resignation on the approved form.

Qualifications of Auditor

13.7 An auditor must not be appointed if the person is not qualified for appointment.

13.8 A person is qualified for appointment as the auditor, if the person is:
(a) a member of a professional accounting body who has a designation in respect of that membership that is prescribed by the regulations for the purpose of this Rule; or
(b) a registered company auditor under the Corporations Act; or
(c) a person the Commissioner considers has appropriate qualifications or experience and approves for the purpose of this Rule.

Removal of Auditor

13.9 An auditor may only be removed from office by resolution at a general meeting of the Association.

13.10 Written notice of an intention to move a resolution referred in in Rule 13.9 must be given to every member of the Association at least two (2) months before the general meeting is to be held.

13.11 The written notice must state in full the proposed resolution.

13.12 As soon as possible after being given notice of the resolution, the committee must:
(a) give a copy of the notice to the auditor and
(b) lodge a copy of the notice with the Commissioner.

13.13 The auditor who receives notice from the Association under Rule 13.12 (a) may within 30 days after receiving the notice, make written representation not exceeding a reasonable length to the committee.

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13.14 The auditor is allowed to attend the meeting and address the members present before the vote on the resolution.

14. Quorums for General Meetings.

14.1 At a general meeting, at least 30% of members must be present in person or represented by proxy voting forms to constitute a quorum.

14.2 The President will preside at all general meetings. In the event that the President is unavailable or unwilling to preside at the meeting, the Vice President will preside at the meeting. Should both the President and the Vice President by unavailable or not willing to preside at the meeting, the committee members present will elect one of their number to preside at the meeting.

14.3 If, upon an elapsed time of thirty minutes after the time specified for holding the general meeting, a quorum is not present, the Chairperson will declare the meeting adjourned to the following week on the same day and time and at the same venue.

14.4 If, upon an elapsed time of thirty minutes after the time specified for holding the adjourned meeting, a quorum is not present, the members who are present in person may nevertheless proceed with the business of that general meeting as if a quorum is present.

14.5 The Chairperson may, with the consent of a General Meeting at which a quorum is present, and shall, if so, directed by such General Meeting, adjourn that General Meeting from time to time and from place to place.

15. Voting at General Meetings

15.1 Determination of an ordinary resolution shall be by majority vote of those members attending, including proxy votes. Should voting result in a tie, the Chairperson shall have the deciding vote.

15.2 Determination of a special resolution requires a vote of at least 75% of members present including proxy votes, in favour.

15.3 The Secretary shall record total votes for and against in the minutes.

15.4 At all general meetings, each member present in person or represented by a proxy vote is entitled to a vote.

16. Minutes

16.1 The Secretary shall take proper minutes of the proceedings of all Committee and General Meetings.

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16.2 A hard or electronic copy of the agreed minutes will then be distributed to Committee members and a copy will be posted on the Association's notice board for the information of all members.

16.3 The Secretary shall present the agreed minutes to the next relevant meeting for acceptance by those members in attendance. Subject to any corrections necessary, the chairperson of that meeting shall sign the minutes as a correct record of proceedings and decisions reached.

16.4 When minutes have been endorsed as a correct record, the Secretary shall retain the minutes in a form suitable for future reference. The endorsed minutes shall be evidence that:

(a) the meeting to which they relate was duly convened and held.
(b) all proceedings recorded as having taken place at the meeting did in fact take place.
(c) all decisions and appointments purporting to be made at the meeting are valid.

17. Records

17.1 Records will be maintained up to date containing details of:

(a) Register of the names and addresses, including their residential, postal or email address of:

(i) all members,
(ii) Office Bearers and Ordinary Committee Members.
(iii) Members who are authorised to use the Association's common seal together with details of every use of the common seal.

(b) the Association's assets.
(c) the Association's financial transactions and balances
(d) the Association's Certificate of Incorporation.

17.2 A member may at any reasonable time, inspect without charge the books, documents, records and securities of the Association.

18. Notices

18.1 A notice or other communication connected with these Rules has no legal effect unless it is in writing and given as follows:

(a) delivered by hand to the nominated address of the member; or
(b) sent by post to the nominated address of the member; or
(c) sent to the e-mail or any other method of electronic communication to the nominated electronic address of the member.

18.2 Any notice given to a member under these Rules must be sent to the member's address as soon as set out in the register of members.

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19. Complaints and Disputes

19.1 Any complaint referred by a member to the Committee concerning another or other members or concerning the Association must be submitted by the complainant in writing within 14 days of the incident giving rise to the complaint.

19.2 The Committee must investigate the complaint fully and expediently and inform the complainant in writing of the outcome within fourteen (14) days of receiving the written complaint.

19.3 In the case of a dispute, the parties to the dispute must meet within thirty five (35) days of the incident giving rise to the dispute to try to resolve the problem. If the parties are unable to resolve the problem and the matter is referred to the Committee, the Committee shall appoint a committee member to act as a mediator and the parties concerned must meet with the mediator within ten (10) days of the referral.

19.4 The mediator must be a competent person chosen by agreement between the parties and a person who is in no way involved in the dispute.

19.5 If it is not possible or acceptable to appoint a Committee Member as mediator, another member may be appointed.

19.6 Every attempt must be made by both parties to resolve the dispute through mediation; the mediator must not directly determine the outcome. Mediation must be confidential and without prejudice.

19.7 If the dispute proves to be incapable of resolution within the power of the Association, the matter may be referred to the State Administrative Tribunal.

20 Common Seal

20.1 The Association may execute a document using a common seal. The name of the Association must appear in legible character
rs and be sealed by the authority of the committee and in the presence of 2 committee members or one committee member and a person authorised by the committee.

20.2 The common seal of the Association shall not be used without the express authority of the committee. Every use of the common seal shall be entered in a record which shall be maintained by the Secretary.

20.3 The common seal of the Association must be kept in the custody of the Secretary or of such other person as the committee from time to time may decide.

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20.4 The Association may execute a document without using a common seal if the document is signed by two (2) committee members or one committee member and a person authorised by the committee.

21. Winding up of the Association

21.1 The Association may be wound up providing it is solvent and subject to the passing of a special resolution at a Special General Meeting.

21.2 A copy of the special resolution determining the wind-up must be lodged with the Commissioner within 14 days of the relevant special meeting.

22. Distribution of the Association's Surplus Property on Wind-up

22.1 If, on winding up of the Association, any surplus property of the Association remains after satisfaction of the debts and liabilities of the Association and the costs, charges and expenses of the winding up, that surplus shall be distributed to:

(a) an incorporated body.
(b) a company limited by guarantee registered under the prevailing Incorporated Associations Act.
(c) an organisation that holds a current licence under the prevailing charitable Collections Act.
(d) an organisation that is a member of former member of the Association and whose constitutional provisions or rules prevent the distribution of property to its members.
(e) non-distributing cooperative registered under the prevailing Cooperative Act.

22.2 The incorporated association or other nominated organisation, as the case requires, shall be determined by resolution of the members when authorizing and directing the committee to prepare a distribution plan for the distribution of the surplus property of the Association.

22.3 A copy of the distribution plan must be sent to Consumer Protection.

22.4 The Association must not implement the distribution plan until one (1) month after the distribution plan has been lodged with the Consumer Protection.

22.5 The winding-up becomes effective seven (7) days after final distribution of the surplus property.

23. Review

23.1 These Rules of Association shall be subject to a complete review at least every five (5) years unless otherwise as necessary.

24. Amendments to the Rules of Association

I certify that this is a true copy of the original document. Dated 21-06-2023

24.1 The Association may add to, alter or rescind the Rules by special resolution passed at an Annual or Special General Meeting. Details of any motion proposing an alteration together with supporting rationale, must accompany the notice of meeting to be distributed to all members.

24.2 Any changes agreed by the Association must be referred to the Commissioner within one month of the relevant meeting for formal approval before they can be incorporated into the Rules of Association.