

North Queensland Conservation Council

Rules of Association

Accepted at Annual General Meeting on 24th September 2025

Contents

1.	Name.....	3
2.	Geographical Area of Interest.....	3
3.	Objects	3
4.	Furtherance of Objects	3
5.	Membership.....	4
6.	Membership Fees.....	4
7.	Termination of Membership	4
8.	Grievance Procedure	5
9.	Grievance Procedure Not Continued in Particular Circumstances	5
10.	Appointment of Mediator	6
11.	Conduct of Mediation	6
12.	Representation for grievance procedure	7
13.	Electronic Communication for Grievance Procedure.....	7
14.	Register of Members	7
15.	Prohibition on use of information on register of members.....	7
16.	Annual General Meetings, Special General Meetings and General Meetings	8
17.	Voting.....	9
18.	Committee Members.....	10
19.	Election Of Committee Member	10
20.	Meeting of the Committee.....	10
21.	Termination Of Committee Membership	10
22.	Casual Appointments	11
23.	Functions of the Committee.....	11
24.	Public Statements	11
25.	Sub-Committees.....	11
26.	Funds and accounts	11
27.	General Financial Matters	12
28.	Documents	12
29.	Financial Year	12
30.	Property	12
31.	Patrons	12
32.	By-Laws	13
33.	Common Seal	13
34.	Dissolution.....	13

35. Distribution of surplus assets to another entity 13

36. Transfer of relevant assets and distribution of other surplus assets on winding-up 13

37. Distribution of relevant assets on revocation of endorsement as deductible gift recipient..... 14

38. Amendments to the Constitution 14

39. Interpretation and Contingencies 14

1. Name

The name of the incorporated association shall be the NORTH QUEENSLAND CONSERVATION COUNCIL INC. (hereinafter referred to as “the Council”).

2. Geographical Area of Interest

The geographical area of concentrated interest of the Council (hereinafter referred to as “the Region”) shall be the area encompassing the local government areas of: City of Townsville; Shire of Burdekin; Charters Towers Region; Shire of Hinchinbrook; Aboriginal Shire of Palm Island; Shire of Cloncurry; Shire of Flinders; Shire of McKinlay; City of Mount Isa; and Shire of Richmond.

3. Objects

- a. to operate as the peak environmental non-government organisation for the north Queensland region.
- b. to act as a voice for and promote and protect the values of the natural environment of north Queensland.
- c. to work towards protection and rehabilitation of the environment through advocacy and education.
- d. to work to ensure that resource use in the region occurs in an ecologically sustainable manner and respects species, habitats and the integrity of ecosystems.
- e. to collaborate and, where possible, assist organisations and individuals working toward environmental conservation within the region.
- f. to work with governments to ensure that legislation, regulations, policies and plans are designed and implemented to protect the values of the natural environment of north Queensland.
- g. to follow directions, engage in issues and participate in activities deemed by the management committee to be in the interests of the Council.

4. Furtherance of Objects

In furtherance of the aforesaid aims and objects the Council may:

- a. Exercise any of the powers which it may lawfully exercise including the power to purchase, lease, hire, exchange, acquire and receive any real or personal property and sell, transfer, demise, improve or otherwise deal with any real or personal property rights or interests of the Council.
- b. To subject to such statutory sanctions, registrations or approvals necessary under the law of the State of Queensland and other states and the Commonwealth of Australia collect funds and solicit, receive, enlist and accept subscriptions, donations, bequests and other aid from any person, member body, trust, corporation, firm, association, institution, government, instrumentality of government, municipal authority or other body.
- c. Raise and borrow money and secure repayment of money raised or borrowed or the payment of any debt or liability of the Council by any lawful means, including mortgage, charge, security, dividend or debenture upon or overall or any other property of the Council.
- d. Undertake and execute any trust it considers necessary or desirable and accept any gift, endowment request or devise money to the Council generally or for the purpose of any specific object and carry out any trust attached to any such gift, endowment request or devise.

- e. Draw, make, accept, endorse, discount, execute and issue promissory notes, bills of exchange, warrants and other negotiable instruments.
- f. Invest monies, the property of the Council not immediately required for the purpose or purposes for which the same were paid in such investments as may from time to time be lawfully allowable.
- g. To carry on and be interested in any business which is capable of being carried on pursuant to and in furtherance of the aims and objects of the Council.

5. Membership

- a. The members of the Council shall consist of:
 - i. Ordinary members being natural persons;
 - ii. Member Bodies being incorporated or unincorporated associations;
 - iii. Student/Pensioner/Unwaged Members being persons able to show proof of the status claimed;
 - iv. Life Members being members of three or more years standing who elect to become Life Members;
 - v. Honorary Life Members being members granted that status by majority vote at a General Meeting as hereinafter constituted.
- b. Application for membership (hereinafter termed “application”) shall be open to any person or body interested in upholding and promoting the aims and objects of the Council. The number of members shall be unlimited.
- c. An applicant for membership of the Council must be proposed by one member of the Council (the proposer) and seconded by another member (the seconder).
- d. An application for membership must be in writing and signed by the applicant and the applicant’s proposer and seconder and in the form decided by the management committee.
- e. Any applicant whose application has been rejected may, within one (1) month after receiving notice of such rejection, give notice of appeal against the decision. The notice shall be in writing and shall state the grounds of appeal and the facts alleged in support of it, and shall be forwarded to the Secretary.
- f. Within three (3) months from the date of receipt of the notice by the Secretary, the Committee shall convene a special general meeting at which such appeal shall be determined. At such general meeting, the appellant, or in the case of an appellant-body, its duly authorised agent, shall be given the opportunity to be heard in support of such appeal. The appeal shall be determined by a majority of members present and voting in accordance with Clause 17 of this Constitution.

6. Membership Fees

The membership fee for each ordinary membership and for each other class of membership (if any)—

- a. is the amount decided by the members from time to time at a general meeting; and
- b. is payable when, and in the way, the management committee decides.

7. Termination of Membership

- a. A member may resign from the Council at any time by giving notice in writing to the Secretary. Such resignation shall only take effect at the time when such notice is received by the Secretary unless a later date is specified in the notice when it shall take effect on that later date.

- b. The management committee may terminate a member's membership if the member:
 - i. is convicted of an indictable offence; or
 - ii. wilfully breaches the provisions of this Constitution, or
 - iii. engages in conduct considered to be injurious or prejudicial to the character and interest of the Council, the Council shall consider whether such membership shall be terminated.
 - iv. Termination shall be determined by a majority of members present at a Special General Meeting called for the purpose, voting in accordance with Clause 9 of this Constitution. In the event of termination, the Secretary shall notify in writing forthwith the member giving reasons therefor.
 - v. Termination may be appealed in the manner provided for appeal of rejected application set out in Clause 5, parts (i) and (j).
- c. Any member, failing to remit the annual subscription for continuation of membership within one (1) month from the due date for renewal, shall thereupon lose all rights of membership prescribed in this Constitution. Such rights may thereafter be reinstated by payment of the subscription within a further period of two (2) months, but membership shall be deemed to be terminated if the subscription remains unpaid upon expiry of that period.

8. Grievance Procedure

- a. This rule sets out a grievance procedure for dealing with a dispute under the rules between parties as mentioned in section 47A(1) of the Act.
- b. To remove any doubt, it is declared that the grievance procedure can not be used by a person whose membership has been terminated if the rules provide for an appeal process against the termination.
- c. A member (the aggrieved party) initiates the grievance procedure in relation to the dispute by giving a notice in writing of the dispute to—
 - i. the other party; and
 - ii. if the other party is not the management committee—the management committee.
- d. If 2 or more members initiate a grievance procedure in relation to the same subject matter, the management committee may deal with the disputes in a single process and the members must choose 1 of the members (also the aggrieved party) to represent the members in the grievance procedure.
- e. Subject to rule 9, the parties to the dispute must, in good faith, attempt to resolve the dispute.
- f. If the parties to the dispute can not resolve the dispute within 14 days after the aggrieved party initiates the grievance procedure, the aggrieved party may, within a further 21 days, ask the association's secretary to refer the dispute to mediation.
- g. Subject to rule 9, if the aggrieved party asks the association's secretary to refer the dispute to mediation under subrule (f.), the management committee must refer the dispute within 14 days after the request.
- h. If the aggrieved party does not ask the association's secretary to refer the dispute to mediation under subrule (f), the grievance procedure in relation to the dispute ends.

9. Grievance Procedure Not Continued in Particular Circumstances

- a. This rule applies if—
 - i. a member initiates a grievance procedure in relation to a dispute and the association or association's management committee is the other party to the dispute; or
 - ii. the aggrieved party asks the association's secretary to refer the dispute to mediation under rule 8(h).

- b. The management committee does not have to act under rule 8(e) or (g) if—
 - i. the aggrieved party has, within 21 days before initiating the grievance procedure, behaved in a way that would give the management committee grounds for taking disciplinary action under the rules against the aggrieved party in relation to the matter the subject of the grievance procedure; or
 - ii. before the grievance procedure was initiated, a process had started to take action under the rules against the aggrieved party or terminate the aggrieved party’s membership, as provided for under the rules, and the dispute relates to that process or to a matter relevant to that process; or
 - iii. the dispute relates to an obligation under the Liquor Act 1992 or any other State law to prevent the entry of the aggrieved party to, or to remove the aggrieved party from, premises used by the association, or to refuse to serve liquor to the aggrieved party at the premises; or
 - iv. the dispute could reasonably be considered frivolous, vexatious, misconceived or lacking in substance, or relates to a matter that has already been the subject of the grievance procedure.

10. Appointment of Mediator

- a. If a dispute under rule 8 is referred to mediation—
 - i. the parties to the dispute must choose a mediator to conduct the mediation; or
 - ii. if the parties are unable to agree on the appointment of a mediator within 14 days after the dispute is referred to mediation, the mediator must be—
 - i. for a dispute between a member and another member—a person appointed by the management committee; or
 - ii. for a dispute between a member and the management committee or the association—an accredited mediator or a mediator appointed by the director of a dispute resolution centre.
- b. An accredited mediator may refuse to be the mediator, or the director of a dispute resolution centre may refuse to appoint a mediator, to mediate the dispute.
- c. If subrule (b) applies, the parties may seek to resolve the dispute in accordance with the Act or otherwise at law.

11. Conduct of Mediation

- a. If a mediator is appointed under rule 10, the mediator must start the mediation as soon as possible after the appointment and try to finish the mediation within 28 days after the appointment.
- b. Subrule (a) does not apply if the mediator is a mediator appointed by the director of a dispute resolution centre.
- c. The mediator—
 - i. must give each party to the dispute an opportunity to be heard on the matter the subject of the dispute; and
 - ii. must comply with natural justice; and
 - iii. must not act as an adjudicator or arbitrator; and
 - iv. during the mediation—may see the parties with or without their representatives, together or separately.
- d. The parties to the dispute must act reasonably and genuinely in the mediation and help the mediator to start and finish the mediation within the period mentioned in subrule (a).

- e. The costs of the mediation, if any, are to be shared equally between the parties unless otherwise agreed.
- f. If the mediator can not resolve the dispute, the parties may seek to resolve the dispute in accordance with the Act or otherwise at law.

12. Representation for grievance procedure

- a. A party to a dispute may appoint any qualified person to act on behalf of the party in the grievance procedure.
- b. For subrule (a), a person is qualified to act on behalf of a party if the person—
 - i. has sufficient knowledge of the matter the subject of the dispute to be able to represent the party effectively; and
 - ii. is authorised to negotiate an agreement for the party.
- c. If a party appoints a person under subrule (a) to act on the party's behalf, the party must give written notice of the appointment to each of the following entities—
 - i. the other party to the dispute;
 - ii. the management committee;
 - iii. if a mediator has been appointed before the party appoints the person—the mediator.

13. Electronic Communication for Grievance Procedure

Any meeting or mediation session required under the grievance procedure may be conducted by electronic means if the parties to the dispute and, for a mediation, the mediator agree.

14. Register of Members

- a. The management committee must keep a register of members of the association.
- b. The register must include the following particulars for each member—
 - i. the full name of the member;
 - ii. the postal or residential address of the member;
 - iii. the date of admission as a member;
 - iv. the date of death or time of resignation of the member;
 - v. details about the termination or reinstatement of membership;
 - vi. any other particulars the management committee or the members at a general meeting decide.
- c. The register must be open for inspection by members of the association at all reasonable times.
- d. A member must contact the secretary to arrange an inspection of the register.
- e. However, the management committee may, on the application of a member of the association, withhold information about the member (other than the member's full name) from the register available for inspection if the management committee has reasonable grounds for believing the disclosure of the information would put the member at risk of harm.

15. Prohibition on use of information on register of members

- a. A member of the association must not—

- i. use information obtained from the register of members of the association to contact, or send material to, another member of the association for the purpose of advertising for political, religious, charitable or commercial purposes; or
 - ii. disclose information obtained from the register to someone else, knowing that the information is likely to be used to contact, or send material to, another member of the association for the purpose of advertising for political, religious, charitable or commercial purposes.
- b. Subrule (a) does not apply if the use or disclosure of the information is approved by the association.

16. Annual General Meetings, Special General Meetings and General Meetings

- a. At all Annual General, Special General and General Meetings:
 - i. A quorum shall be double the number of members presently on the Committee plus one.
 - ii. The president shall be Chairperson or, in his/her absence a chairperson shall be elected by a majority vote in accordance with rule 17 of this constitution.
 - iii. All members have a right to be present and to take part in debate subject to the control of the chairperson, and the usual rules for the meeting conduct.
 - iv. Observers shall be allowed at the discretion of the Chairperson or of the Committee.
 - v. The Secretary shall cause full and accurate minutes to be kept and entered in an electronic record or a book provided for that purpose, such electronic record or book to be open for inspection at all reasonable times by any financial member. For the purpose of ensuring the accuracy of the recording of the minutes, such minutes shall be signed by the Chairperson of the next succeeding General Meeting; provided that the minutes of any Annual General Meeting shall be signed by the Chairperson of the next succeeding Annual General Meeting; verifying their accuracy.
- b. The Secretary shall convene all Annual General, Special General and General Meetings by giving not less than 14 days notice of such meetings. Such notice shall state the time, place and nature of the meeting and shall set forth the business to be transacted. No business other than that of which notice has been given as herein provided shall be conducted at such meetings.
- c. The management committee may decide the way in which the notice must be given. However, notice of the following meetings must be given in writing—
 - i. a meeting called to hear and decide the appeal of a person against the management committee's decision—
 - i. to reject the person's application for membership of the association; or
 - ii. to terminate the person's membership of the association;
- d. The Annual General Meeting shall be held before the last day of September in each year.
- e. The business to be transacted at every Annual General Meeting shall be:
 - i. To receive the annual report, balance sheet, and statement of accounts for the previous financial year;
 - ii. to receive the Auditor's report for the preceding financial year;
 - iii. The election of members of the Committee;
 - iv. The appointment of an Auditor.
- f. The Secretary will convene a Special General Meeting:
 - i. When directed to do so by the Committee, or
 - ii. Upon being given a requisition in writing signed by not less than three (3) members or one (1) member body clearly stating the purpose for which the general meeting is desired, or

- iii. Upon being given notice in writing to appeal against a decision of the Council to reject an application for membership, or to terminate a membership.
- g. General Meetings shall be held at least half-yearly.

17. Voting

- a. At each Annual General, Special General and General Meeting:
 - i. Each financial ordinary member, student/pensioner/unemployed member and honorary life member shall be entitled to one vote;
 - ii. Each financial member body shall be entitled to one vote through a delegate appointed by the member body for the purpose;
- b. All voting at Annual General, Special General and General Meetings shall be by show of hands unless a secret ballot is demanded by a member and approved by a majority of members present.
- c. Members may vote at Annual General, Special General and General Meetings by proxy or by attorney. The instrument appointing a proxy shall be in writing (in the common or usual form) under the hand of the appointer or of his attorney duly authorised in writing or if the appointer is a corporation is a corporation either under seal or under the hand of an officer or attorney duly authorised. A proxy may only be held by a member of the Council. Where it is desired to afford members an opportunity of voting for or against a resolution the instrument appointing a proxy shall be in the following form or a form as thereto as circumstance admit:

NORTH QUEENSLAND CONSERVATION COUNCIL INC.

I/We, _____ of _____

being a member of the above named Council hereby appoint

_____ of _____

as my/our proxy to vote for me/us on my/our behalf at the Annual General Meeting/ Special General Meeting of the Council to be held on the ___ day of _____ 20____, and at any adjournment thereof.

Signed this _____ day of _____ 20 ____

This form is to be used *in favour of / against the resolution

Signature

**Strike out which is not desired*

Unless specifically instructed how to vote, the proxy may vote as he or she thinks fit.

- d. The instrument appointing a proxy and the power of attorney or other authority, if any, under which it is signed or a notarially certified copy of that power or authority shall be deposited with the Secretary.
- e. A vote given in accordance with the terms of the instrument of proxy or attorney shall be valid notwithstanding revocation of the instrument or of the authority under which the instrument was



executed, if no intimation in writing of such revocation as aforesaid has been received by the Council before the commencement of the meeting or adjourned meeting at which the instrument is used.

18. Committee Members

The elected committee members of the Council shall be a President, two (2) Vice-Presidents, a Secretary, a Treasurer and not more than five (5) ordinary committee members.

19. Election Of Committee Member

- a. At each Annual General Meeting the whole of the Committee shall retire but shall be eligible for re-election.
- b. The election of members of the committee shall be in accordance with rule 17 of this constitution.
- c. Nominations for positions on the Committee may be received from financial members:
 - i. in writing prior to the commencement of an Annual General Meeting;
 - ii. on the floor of the meeting.
and must be seconded by a financial member.
- d. Any nominee must be either a member of the Council or a delegate of a member body and, if not present at the Annual General Meeting, must indicate in writing prior to such meeting, acceptance of the nomination.
- e. No employee of the Council may nominate for election of the Committee

20. Meeting of the Committee

- a. The Committee shall meet at least every two calendar months.
- b. A special meeting of the Committee shall be convened by the Secretary (or person acting in that capacity) on the requisition in writing of not less than two (2) members of the Committee, which requisition shall clearly state why such special meeting is being convened and the nature of the business to be transacted thereat. Such meeting will be convened within fourteen days of the receipt of the requisition.
- c. The Secretary (or person acting in that capacity) shall give reasonable notice to each Committee member of the date, time, venue and agenda of all Committee meetings.
- d. At all meetings of the Committee:
 - i. the President shall be the Chairperson. In the event of the President being absent, a Vice-President shall chair the meeting or, in the absence of both, a chairperson may be elected by the members.
 - ii. a simple majority of a number equal to the number of members elected and/or appointed to the Committee as at the close of the last General Meeting of the members, shall constitute a quorum.
 - iii. The Secretary shall cause full and accurate minutes to be kept and entered in an electronic record or book provided for the purpose, such electronic record or book to be open for inspection at all reasonable times by any financial member. For the purposes of ensuring the accuracy of the recording of the minutes, such minutes shall be signed by the Chairperson of the next succeeding Committee Meeting verifying their accuracy.

21. Termination Of Committee Membership

- a. Any member of the Committee may resign at any time from membership of the Committee by notice in writing to the Secretary but such resignation shall only take effect at the time such notice is received by

the Secretary unless some later date is specified in the notice when it shall take effect on that later date.

- b. Any member of the committee absent from three (3) consecutive meetings of the Committee without permission of the Committee shall have his or her membership of the Committee terminated.
- c. Any member may be removed from office at a general meeting of the Council where that member shall be given the opportunity to fully present his or her case. The question of removal shall be determined by a majority vote in accordance with rule 17 of this Constitution.

22. Casual Appointments

The Committee shall have the power to appoint members to fill casual vacancies in any office on the Committee and such members so appointed may hold office until the next Annual General Meeting.

23. Functions of the Committee

- a. Except as otherwise provided by this constitution, the management of the affairs, property, and funds of the Council shall be vested in the Committee subject to resolutions of members of the Council at General and Special General Meetings.
- b. The Committee may exercise all the powers of the Council:
 - i. To borrow or raise or secure the payment of money in such manner as the members of the Council may think fit and secure the same or the payment or performance of any debt, liability, contract, guarantee or other engagement incurred or to be entered into by the Council in any way and in particular by the issue of debentures, perpetual or otherwise, charged upon all or any of the Council's property, both present and future, and to purchase redeem or pay off any such securities.
- c. To invest in such manner as the members of the council may from time to time determine.

24. Public Statements

Public statement on behalf of and in the name of the Council shall be made only by a person or persons authorised by the Council or the Committee on its behalf. Such authorisations may be limited or general as decided by the Council or the Committee.

25. Sub-Committees

The Council or the Committee shall have the power to appoint any sub-committee for any purpose whatsoever within the limitation of the objects of the Council or Committee may think necessary to impose.

Any such appointments may be revoked by the Council or Committee at its pleasure and any such sub-committees, may be dissolved at the discretion of the Council or Committee. All or any of the powers of the Council or Committee may be delegated to any such sub-committee.

26. Funds and accounts

- a. The funds of the association must be kept in an account in the name of the association in a financial institution decided by the management committee.
- b. Records and accounts must be kept in the English language showing full and accurate particulars of the financial affairs of the association.
- c. All amounts must be deposited in the financial institution account as soon as practicable after receipt.
- d. A payment by the association of \$100 or more must be made by cheque or electronic funds transfer.

- e. If a payment is made by cheque or electronic bank transfer, the transaction must be signed by any 2 of the following—
 - i. the president;
 - ii. the vice-president;
 - iii. the secretary;
 - iv. the treasurer;
 - v. any 1 of 3 other members of the association who have been authorised by the management committee to authorise electronic payments issued by the association.
- f. However, 1 of the persons who electronically authorises the payment must be the president, the vice-president, the secretary or the treasurer.
- g. A petty cash account must be kept on the imprest system, and the management committee must decide the amount of petty cash to be kept in the account.
- h. All expenditure must be approved or ratified at a management committee meeting.

27. General Financial Matters

- a. On behalf of the management committee, the treasurer must, as soon as practicable after the end date of each financial year, ensure a financial statement for its last reportable financial year is prepared.
- b. The income and property of the association must be used solely in promoting the association's objects and exercising the association's powers.
- c. No part of the association's income or property is to be distributed, paid or transferred by way of a bonus, dividend or other similar payment to the association's members.
- d. Subrule (c.) does not apply to—
 - i. reasonable remuneration paid to a member of the association for work done by the member for or on behalf of the association; or
 - ii. any payments or dispositions of property that are incidental to activities of the association in accordance or consistent with the association's objectives.

28. Documents

The management committee must ensure the safe custody of books, documents, instruments of title and securities of the association.

29. Financial Year

The end date of the association's financial year is the 30th day of June in each year.

30. Property

- a. The income and property of the Council whencesoever derived shall be applied solely to the promotion of the objects of the Council.
- b. No member by reason of its/his membership shall have any transmissible or assignable interests, by operation of law or otherwise, in any of the property of the Council.

31. Patrons

The Council may appoint to the patrons of the Council such persons as it deems fit.

32. By-Laws

The Committee may make such by-laws not inconsistent with this Constitution as it deems necessary for the proper and effective management of the Council and may alter or repeal any such by-laws.

33. Common Seal

The Committee shall provide for a Common Seal and for its safe custody. The Common Seal shall only be used by the authority of the Committee and every instrument to which the seal is affixed shall be signed by a member of the Committee and shall be countersigned by the Secretary or by some other person appointed by the Committee for the purpose.

34. Dissolution

The Council shall be dissolved in the event of the membership being less than three (3) member bodies. It may also be dissolved upon the vote of a three-fourth (3/4) majority of the members present at a Special General Meeting convened to consider the question.

35. Distribution of surplus assets to another entity

- a. This rule applies if the association—
 - i. is wound-up under part 10 of the Act; and
 - ii. has surplus assets.
- b. The surplus assets must not be distributed among the members of the association.
- c. The surplus assets must be given to another entity—
 - i. having objects similar to the association's objects; and
 - ii. the rules of which prohibit the distribution of the entity's income and assets to its members.
- d. Subrule (c) applies subject to rule 36.
- e. In this rule— *surplus assets* see section 92(3) of the Act.

36. Transfer of relevant assets and distribution of other surplus assets on winding-up

- a. This rule applies to an association that has been endorsed as a deductible gift recipient under the Income Tax Assessment Act 1997 (Cwlth) if the association –
 - i. is wound-up under part 10 of the Act; and
 - ii. has surplus assets.
- b. The association must transfer the association's relevant assets to another entity that has been endorsed as a deductible gift recipient under that Act.
- c. If the association is a charity registered under the Australian Charities and Not-for-profits Commission Act 2012 (Cwlth), the entity to which the association's relevant assets are transferred must be a charity at law.
- d. Any surplus assets that are not relevant assets must be distributed under rule 35.
- e. In this rule—
relevant assets, of an association, means the association's surplus assets that are—
 - i. gifts of money or property given to the association for use for its principal purpose; or
 - ii. contributions made in relation to a fund-raising event within the meaning of the Income Tax Assessment Act 1997 (Cwlth) held for the principal purpose of the association; or

- iii. money received by the association because of the gifts or contributions mentioned in paragraph (i) or (ii).

surplus assets see section 92(3) of the Act.

37. Distribution of relevant assets on revocation of endorsement as deductible gift recipient

- a. This rule applies if an association's endorsement as a deductible gift recipient under the Income Tax Assessment Act 1997 (Cwlth) is revoked under that Act.
- b. The association must transfer the association's relevant assets to another entity that has been endorsed as a deductible gift recipient under that Act.
- c. In this rule—
 - relevant assets*, of an association, see rule 36.
 - surplus assets* see section 92(3) of the Act

38. Amendments to the Constitution

This Constitution may be amended, added to or repealed only by resolution on a General Meeting of the Council, a resolution to amend, add to, or repeal this constitution must be passed by a three-fourths (3/4) majority of members present at the General Meeting working in accordance with rule 17 of the Constitution provided that no such amendment, addition, or repeal shall take effect unless the same shall have been submitted to and approved by the Queensland Office of Fair Trading.

39. Interpretation and Contingencies

- a. Any questions which may arise as to the interpretation of this Constitution or any matter relating to the Council upon which this Constitution is silent shall be decided by the Council only by resolution at a General Meeting of the Council.
- b. In these rules—
 - Act* means the Associations Incorporation Act 1981.
 - aggrieved party* see rule 8 (c)
 - dispute resolution centre* means a dispute resolution centre established under the Dispute Resolution Centres Act 1990.
- c. A word or expression that is not defined in these model rules, but is defined in the Act has, if the context permits, the meaning given by the Act.