

**ASSOCIATION RULES FOR  
THE TASMANIAN NATIONAL PARKS ASSOCIATION INC  
[BASED ON SCHEDULE 1 - MODEL RULES FOR AN ASSOCIATION]**

Regulation 4

**1 Name of association**

The name of the Association is as follows:

**Tasmanian National Parks Association Inc**

**2 Interpretation**

In these rules –

"**Act**" means the Associations Incorporation Act 1964;

"**Association**" means the association referred to in rule 1;

"**basic objects of the Association**" means the objects and purposes of the Association as stated in an application under section 7 of the Act for the incorporation of that Association;

"**committee**" means a committee as defined by the Act;

"**general meeting**" includes –

(a) the annual general meeting; and

(b) any special general meeting;

"**ordinary business of the annual general meeting**" means the business specified in rule 11(5);

"**ordinary committee member**" means a member of the committee to whom rule 23(1)(b) relates;

"**special general meeting**" means any general meeting other than the annual general meeting.

**3 Association's office**

The office of the Association is to be at the following place or any other place the committee determines: No fixed office, postal address is PO Box 2188 Hobart, 7001

**4 Objects and Powers of the Association** (modified by AGM (5/9/2005))

4. (1) The primary objects of the Tasmanian National Parks Association include:

(a) The conservation, protection and where necessary the rehabilitation of the natural environment of national parks and other conservation reserves.

(b) To secure the continuing reservation of suitable areas for national parks and other conservation reserves.

(c) To advocate conservation as the primary role of the Tasmanian Parks & Wildlife Service.

(d) To promote and encourage community involvement in national park and other conservation reserves management.

(e) To promote effective legislation for national parks and other conservation reserves.

(f) To increase community awareness of the value and importance of national parks and other conservation reserves and conservation in general.

(g) To promote the conservation of the cultural heritage of national parks and other conservation reserves, and to secure its ongoing reservation.

4. (2) The powers of the Association include the following:

(a) the purchase, taking on lease or in exchange, and the hiring or otherwise acquiring of any real or personal property necessary or convenient for any of the objects of the Association;

(b) the buying, selling and supplying of, and dealing in, goods of all kinds;

(c) the construction, maintenance and alteration of buildings or works necessary or convenient for any of the objects of the Association;

(d) the accepting of any gift for any one or more of the objects of the Association;

(e) the taking of any step the committee or the members in general meeting consider expedient for the purpose of procuring contributions to the funds of the Association;

(f) the printing and publishing of any newspapers, periodicals, books, leaflets or other documents the committee or the members in general meeting consider desirable for the promotion of the objects and purposes of the Association;

(g) the borrowing and raising of money in any manner and on terms –

(i) the committee thinks fit; or

(ii) approved or directed by resolution passed at a general meeting;

(h) subject to the provisions of the Trustee Act 1898, the investment of any moneys of the Association not immediately required for any of its objects in any manner the committee determines;

(i) the making of gifts, subscriptions or donations to any of the funds, authorities or institutions to which Income Tax Assessment Act 1936 of the Commonwealth relates; and where the making of any such gift, subscription or donation is consistent with the objectives of the association

(j) the establishment and support, or aiding in the establishment and support, of associations, institutions, funds, trusts, schemes and conveniences calculated to benefit servants or past servants of the Association and their dependants, and the granting of pensions, allowances or other benefits to servants or past servants of the Association and their dependants, and the making of payments towards insurance in relation to any of those purposes;

(k) the establishment and support, or aiding in the establishment or support, of any other association formed for the promotion or implementation of any of the basic objects of the Association;

(l) the purchase or acquisition, and undertaking, of all or any part of the property, assets, liabilities and engagements of any association with which the Association is amalgamated in accordance with the provisions of the Act and the rules of the Association;

(m) the doing of any lawful thing incidental or conducive to the attainment of the objects of the Association or of any of the objects specified in this rule.

(n) to establishment and maintenance of a public fund to be called the Tasmanian National Parks Association Public Fund for the specific purpose of supporting the environmental objectives/purposes of The Tasmanian National Parks Association Inc. The Fund is to be established to receive all gifts of money or property for this purpose and any money received because of such gifts must be credited to its bank account. The Fund must not receive any other money or property into its account and it must comply with subdivision 30-E of the Income Tax assessment Act 1977.

(o) the assets and income of the association shall be applied solely in furtherance of its above mentioned objects and no portion shall be distributed directly or indirectly to the members of the organisation except as bona fide compensation for services rendered or expenses incurred on behalf of the association.

(p) in the event of the association being dissolved the amount that remains after such dissolution and the satisfaction of all debts and liabilities shall be transferred to another organisation with similar purposes which is not carried on for the profit or gain of its individual members.

## **5 Membership of Association** *(modified by SGM (6/12/2004))*

**5. (1)** A person who applies for, and is approved for, membership as provided in these rules is eligible to be a member of the Association on payment of the annual subscription fixed under these rules.

**(2)** A person who is not a member of the Association at the time of the incorporation of the Association is not to be admitted to membership unless –

**(a)** the person applies to the Association for membership of the Association; and

**(b)** signs a statement agreeing to abide by the objects and rules of the Association as set out in the Association constitution; and

**(c)** the admission as a member is approved by the committee.

**(3)** As soon as practicable after the receipt of an application, the application is to be referred to the committee for consideration.

**(4)** On an application being approved by the committee, the secretary

**(a)** is to notify the applicant, in writing, that he or she has been approved for membership of the Association; and

**(b)** upon receipt of the sum payable as the first year's subscription, is to enter the applicant's name in a register of members.

**(5)** Any person under the age of 18 years may become an Associate member under a family membership or as an individual at the unwaged members fee. Any organisation that wishes to subscribe to *TNPA News* or join TNPA may become an Associate member at the family membership rate. Associate members shall enjoy the privileges of full membership except the right to vote or be elected as a committee member or other stakeholder of the association.

**(6)** The Committee may from time to time bestow a life membership upon a member. Such benefit may at the Committee's discretion be bestowed by way of reward or for a donation to the association as shall be determined from time to time by the committee.

**(7)** A life member shall enjoy the same privileges as an adult financial member, except they shall be exempt from the annual membership fee.

**(8)** A member of the Association may resign from the Association by delivering or sending by post to the Association a written notice of resignation.

**(9)** Notwithstanding the provisions of subrule (8), a member who becomes unfinancial and who remains unfinancial for a continuous period of 3 months is deemed to have resigned from membership of the association effective the last day of that period in the same way as if that member had resigned pursuant to the provisions of subrule (8)

**(10)** A person –

**(a)** becomes a member of the Association when his or her name is entered in the register of members; and

**(b)** ceases to be a member of the Association when his or her name is removed from the register of members.

(11) Any right, privilege or obligation of a person as a member of the Association –

(a) is not capable of being transferred or transmitted to another person; and

(b) terminates on the cessation of the membership.

(12) If the Association is wound up –

(a) every member of the Association; and

(b) every person who, within the period of 12 months immediately preceding the commencement of the winding up, was a member of the Association –

is liable to contribute –

(c) to the assets of the Association for payment of the debts or liabilities of the Association; and

(d) for the costs, charges and expenses of the winding up; and

(e) for the adjustment of the rights of the contributories among themselves.

(13) Any liability under subrule (12) is not to exceed the paid up value of the annual membership fee for the Tasmanian National Parks Association as shall be determined from time to time.

(14) A former member is not liable to contribute under subrule (12) in respect of any debt or liability of the Association incurred after he or she ceased to be a member.

## **6 Income and property of Association**

6. (1) The income and property of the Association is to be applied solely towards the promotion of the objects and purposes of the Association.

(2) No portion of the income and property of the Association is to be paid or transferred to any member of the Association.

(3) The Association is not to –

(a) appoint a person who is a member of the committee to any office in the gift of the Association to the holder of which there is payable any remuneration by way of salary, fees or allowances; or

(b) pay to any such person any remuneration or other benefit in money or money's worth, other than the repayment of out-of-pocket expenses.

(4) A servant or member of the Association may be paid –

(a) remuneration in return for services rendered to the Association or for goods supplied to the Association in the ordinary course of business; or

(b) interest at a rate not exceeding the prime lending rate of the association's bank at the applicable time.

(c) a reasonable and proper sum by way of rent for premises let to the Association.

## **7 Accounts of receipts and expenditure**

7. (1) True accounts are to be kept of –

(a) all money received and expended by the Association and the matter in respect of which the receipt or expenditure takes place; and

(b) the property, credits and liabilities of the Association.

(2) The accounts are to be open to inspection by the members of the Association subject to any reasonable restrictions as to time and manner of inspecting the Association may impose.

(3) The treasurer of the Association is to keep all general records, accounting books and records of receipts and expenditure connected with the operations and business of the Association in the form and manner the committee directs.

(4) The accounts, books and records are to be kept at the Association's office or at any other place the committee decides.

## **8 Banking and finance**

8. (1) The treasurer of the Association, on behalf of the Association, is to –

(a) receive all money paid to the Association; and

(b) immediately after the receipt issue official receipts.

(2) The committee is to cause to be opened with any bank, building society or credit union the committee selects an account in the name of the Association into which all money received is to be paid as soon as possible after receipt.

(3) The committee may –

(a) receive from the Association's financial institution the cheques drawn by the Association on any of its accounts with the financial institution; and

(b) release and indemnify the financial institution from and against all claims, actions, suits or demands that may be brought against the financial institution arising directly or indirectly out of those cheques.

(4) Except with the authority of the committee, a payment of any sum exceeding \$50 or such other sum as determined from time to time at a general meeting is not to be made from the funds of the Association otherwise than by cheque drawn on the Association's account.

(5) The committee may provide the treasurer with a sum to meet urgent expenditure, subject to any conditions in relation to the use and expenditure the committee may impose.

(6) Cheques are not to be drawn on the Association's account except for the payment of expenditure that has been authorised by the committee and details of that authority are to be endorsed on the record of cheques issued.

(7) All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments are to be –

(a) signed by the treasurer or, in his or her absence, by any other member or members of the committee the committee nominates for that purpose; and

(b) countersigned by the public officer or other authorised signatories.

## **11 Annual general meeting *(modified by AGM (17/9/2007))***

11. (1) The Association is to hold an annual general meeting each year.

(2) The annual general meeting is to be held on any day (being not later than 5 months after the close of the financial year of the Association) the committee determines. The financial year being 1 July to 30 June

(3) The annual general meeting is to be in addition to any other general meetings that may be held in the same year.

(4) The notice convening the annual general meeting is to specify the purpose of the meeting.

(5) The ordinary business of the annual general meeting is to be as follows:

- (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, auditor and servants of the Association reports on the transactions of the Association during the last preceding financial year;
- (c) to elect the officers of the Association and the ordinary committee members;
- (d) to appoint the auditor and determine his or her remuneration;
- (e) to determine the remuneration of servants of the Association.

(6) The annual general meeting may transact special business of which notice is given in accordance with these rules.

## **12 Special general meetings**

12. (1) The committee may convene a special general meeting of the Association at any time.

(2) The committee, on the requisition in writing of at least 10 members, may convene a special general meeting of the Association.

(3) A requisition for a special general meeting –

- (a) is to state the objects of the meeting; and
- (b) is to be signed by the requisitionists; and
- (c) is to be deposited at the office of the Association; and
- (d) may consist of several documents, each signed by one or more of the requisitionists.

(4) If the committee does not cause a special general meeting to be held within 30 days from the day on which a requisition is deposited at the office of the Association, the requisitionists, or any of them, may convene the meeting within 3 months from the day of the deposit of the requisition.

(5) A special general meeting convened by requisitionists is to be convened in the same manner as nearly as possible as meetings are convened by the committee.

(6) All reasonable expenses incurred by requisitionists in convening a special general meeting are to be refunded by the Association.

## **13 Notices of general meetings**

13.(1) The secretary at least 14 days before the fixed date of the general meeting shall send to each financial member a written notice.

The notice shall in accordance with Clause 32

- (a) specify the place, day and time for the holding of the meeting; and
- (b) the nature of the business to be transacted at the meeting.

## **14 Business and quorum at general meetings**

**14. (1)** All business transacted at a general meeting, except the ordinary business of the annual general meeting, is special business.

**(2)** Business is not to be transacted at a general meeting unless a quorum of members entitled to vote is present at the time the meeting is considering that business.

**(3)** A quorum for the transaction of the business of a general meeting is 10 members present and entitled to vote.

**(4)** If a quorum is not present half an hour after the appointed time for the commencement of a general meeting, the meeting –

**(a)** if convened on the requisition of members, is to be dissolved; or

**(b)** in any other case, is to be adjourned to the same day in the next week at the same time at the same place.

**(5)** If at an adjourned meeting a quorum is not present one hour after the time appointed for the commencement of the meeting, the meeting is to be dissolved.

**(6)** The chairperson, by written notice or at the time of the adjournment, may specify another place to which a meeting is to be adjourned.

## **15 President to preside at general meetings**

**15. (1)** The president, or in his or her absence, the senior vice-president, or in the absence of both the president and the senior vice-president, the other vice-president, is to preside as chairperson at every general meeting of the Association.

**(2)** If the president and both vice-presidents are absent from a general meeting, the members present are to elect one of their number to preside as chairperson.

## **16 Adjournment of general meetings**

**16. (1)** The chairperson of a general meeting at which a quorum is present may, with the consent of the meeting, adjourn the meeting from time to time and place to place, but no business is to be transacted at an adjourned meeting other than the business left unfinished at the meeting at which the adjournment took place.

**(2)** If a meeting is adjourned for 14 days or more, the notice of the adjourned meeting is to be given in the same manner as the notice of the original meeting.

**(3)** It is not necessary to give any notice of an adjournment or of the business to be transacted at an adjourned meeting.

## **17 Determination of questions arising at general meetings**

**17. (1)** A question arising at a general meeting of the Association is to be determined on a show of hands.

**(2)** Unless before or on the declaration of the result of the show of hands a poll is demanded, a declaration by the chairperson that a resolution has, on a show of hands, been carried, or carried unanimously, or carried by a particular majority, or lost, and 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.

## **18 Votes**

- 18. (1)** On any question arising at a general meeting of the Association, a member has one vote only.
- (2)** All votes are to be given personally.
- (3)** In the case of an equality of voting on a question, the chairperson has a second or casting vote.

## **19 Taking of poll**

- 19.** If at a meeting a poll on any question is demanded –
- (a)** it is to be taken at that meeting in the manner the chairperson directs; and
- (b)** the result of the poll is taken to be the resolution of the meeting on that question.

## **20 When poll to be taken**

- 20. (1)** A poll that is demanded on the election of a chairperson, or on a question of adjournment, is to be taken immediately.
- (2)** A poll that is demanded on any other question is to be taken at any time before the close of the meeting as the chairperson directs.

## **21 Affairs of Association to be managed by a committee**

- 21. (1)** The affairs of the Association are to be managed by a committee of management constituted as provided in rule 23.
- (2)** The committee –
- (a)** is to control and manage the business and affairs of the Association; and
- (b)** may exercise all the powers and perform all the functions of the Association, other than those powers and functions that are required by these rules to be exercised by general meetings of members of the Association; and
- (c)** has power to do anything that appears to the committee to be essential for the proper management of the business and affairs of the Association.
- (d)** shall cause to be created and properly maintained a record of minutes of every meeting of the Association, its committee, executive committee and every sub committee created under this constitution. The record of minutes shall be kept in accordance with clause 7 (4) of the constitution and made freely available for inspection by a member of the association by appointment.

## **22 Officers of the Association**

- 22. (1)** The officers of the Association are as follows:
- (a)** a president;
- (b)** 2 vice-presidents; the first elected of which at each AGM will be the Senior Vice President
- (c)** a treasurer;
- (d)** a secretary.
- (e)** public officer



(2) The provisions of rule 24(2), (3) and (4), so far as they are applicable and with the necessary modifications, apply in relation to the election of persons to any of the offices referred to in subrule (1).

(3) Each officer of the Association is to hold office until the annual general meeting next after the date of election, and is eligible for re-election.

(4) If a casual vacancy in any office referred to in subrule (1) occurs, or in one of the ordinary member positions referred to in 23. (1) (b), the committee may appoint another member of the association to fill the vacancy until the next AGM.

(5) The continuing members of the management committee may act despite a casual vacancy on the management committee.

(6) But if the number of committee members is less than the number fixed as a quorum of the management committee the continuing members may act only to;

(a) increase the number of management committee members up to the number prescribed by this constitution; or

(b) call a general meeting of the association

## **23 Membership of the Management committee**

23. (1) The management committee of the Association shall consist of;

(a) the officers of the Association as listed in subrule 22(1);

(b) up to a maximum of 4 ordinary members of the committee, the vacant positions for which have been proposed at the discretion of the management committee and who have been elected in accordance with rule 24.

(2) All members of the management committee must retire at each annual general meeting but are eligible on nomination for re-election subject in the case of ordinary members to the general meeting approving the election of such members to the incoming committee.

## **24 Election of members of the Management committee**

24. (1) Nominations of candidates for election as officers of the Association or as ordinary committee members are to be –

(a) made in writing signed by 2 members of the Association and accompanied by the written consent of the candidate (which may be endorsed on the nomination); and

(b) delivered to the public officer of the Association. prior to the opening of the AGM

(2) If insufficient nominations are received to fill all vacancies on the committee –

(a) Where only one candidate is nominated to a position that candidate is taken to be elected to that position

(b) Where no candidate is nominated to a position that position may be filled by a candidate who had been nominated to another position (or as an ordinary member of the committee) subject to that nominee's consent.

(c) Where no candidate is nominated to a position and no nominee to another position is available or consents, nominations shall be called from the floor.

(3) Where there is more than one candidate for a position a ballot is held.

(4) The ballot for the election of officers and ordinary committee members is to be conducted at the annual general meeting in the usual manner as directed by the committee.

## **25 Vacation of office**

**25.** For the purpose of these rules, the office of an officer of the Association or of an ordinary committee member becomes vacant if the officer or committee member –

- (a)** dies; or
- (b)** becomes bankrupt or applies to take or takes advantage of any law relating to bankrupt or insolvent debtors or compounds with his or her creditors, or makes any assignment of his or her estate for their benefit; or
- (c)** becomes of unsound mind; or
- (d)** resigns office in writing addressed to the committee; or
- (f)** fails, without leave granted by the committee, to attend 3 consecutive meetings of the committee; or
- (g)** ceases to be a member of the Association; or
- (h)** fails to pay all arrears of subscription due, within 14 days after receiving a notice in writing signed by the public officer stating that he or she has ceased to be a financial member of the Association.

## **26 Meetings of the committee and of subcommittees**

**26. (1)** The committee is to meet at least once in every 2 months at any place and time the committee determines.

**(2)** Special meetings of the committee may be convened by the president or any 4 of its members.

**(3)** Notice is to be given to members of the committee of any special meeting, specifying the general nature of the business to be transacted, and no other business is to be transacted at such a meeting.

**(4)** Any 3 members of the committee constitute a quorum for the transaction of the business of a meeting of the committee.

**(5)** Business is not to be transacted unless a quorum is present.

**(6)** If half an hour after the time appointed for the meeting a quorum is not present, the meeting is to be adjourned to the same place and at the same hour of the same day in the following week unless the meeting was a special meeting in which case it is to be dissolved.

**(7)** At a meeting of the committee, the following is to preside:

- (a)** the president, or in his or her absence the senior vice-president, or in the absence of both the president and the senior vice-president, the other vice-president;
- (b)** if the president and the 2 vice-presidents are absent, any one of the remaining members of the committee as may be chosen by the members present.

**(8)** Any question arising at a meeting of the committee or of any subcommittee appointed by the committee is to be determined –

- (a)** on a show of hands; or
- (b)** if demanded by a member, by a poll taken in any manner the person presiding at the meeting determines.

**(9)** Each member present at a meeting of the committee or of any subcommittee appointed by the committee (including the person presiding at the meeting) is entitled to one vote.

(10) If there is an equality of votes on any question, the person presiding has a second or casting vote.

(11) Written notice of each committee meeting is to be served on each member of the committee by –

(a) delivering it at a reasonable time before the meeting; or

(b) sending it by post in a prepaid envelope addressed to his or her usual or last-known address in time to reach him or her in due course of post before the date of the meeting.

## **27 Disclosure of interest in contracts**

27. (1) A member of the committee who is interested in any contract or arrangement made or proposed to be made with the Association is to disclose the interest –

(a) at the first meeting of the committee at which the contract or arrangement is first taken into consideration, if the interest then exists; or

(b) in any other case, at the first meeting of the committee after the acquisition of the interest.

(2) If a member of the committee becomes interested in a contract or arrangement after it is made or entered into, he or she is to disclose the interest at the first meeting of the committee after he or she becomes so interested.

(3) A member of the committee is not to vote as a member of the committee in respect of any contract or arrangement in which he or she is interested and any such vote is not to be counted.

## **28 Subcommittees**

28. (1) The committee may –

(a) appoint a subcommittee from the committee; and

(b) prescribe the powers and functions of that subcommittee.

(2) The committee may co-opt any person as a member of a subcommittee without voting rights, whether or not the person is a member of the Association.

(3) A quorum at a meeting of the subcommittee is 3 appointed members.

(4) The public officer of the Association is to convene meetings of a subcommittee.

(5) Written notice of each subcommittee meeting is to be served on each member of the subcommittee by –

(a) delivering it at a reasonable time before the meeting; or

(b) by sending it by post in a prepaid envelope addressed to his or her usual or last-known address in time to reach him or her in due course of post before the date of the meeting.

## **29 Executive committee**

29. (1) The president, the vice-presidents, the treasurer, public officer and the secretary constitute the executive committee.

(2) The executive committee may issue instructions to the servants of the Association in matters of urgency connected with the management of the affairs of the Association during the period between meetings of the committee.

(3) The executive committee is to report on any instructions issued under subrule (2) to the next meeting of the committee.

(4) The executive committee shall meet at least as required independently of the full committee to attend the day to day basis of the association and shall have their work approved by the full committee at its next meeting.

### **30 Annual subscription**

**30. (1)** The annual subscription of a member is due and payable on or before the first day of the financial year of the Association.

(2) The annual subscription payable by members shall be determined by the full committee not less than three calendar months before the end of the current financial year.

(3) The annual subscription may be altered by the members by special resolution passed at a special general meeting called for that purpose before the end of the current financial year.

### **31 Financial year**

**31.** The financial year of the Association is the period beginning on 1 July in one year and ending on the 30 June the next following year.

### **32 Notices**

**32.** A notice may be served by or on behalf of the Association on any member –

(a) personally; or

(b) by sending it through the post in a prepaid envelope addressed to the member at his or her usual or last-known address.

(c) By facsimile to the members usual or last known facsimile number or:

(d) By e-mail to the member's usual or last known e-mail address

### **33 Expulsion of members**

**33. (1)** The committee may expel a member from the Association if, in the opinion of the committee, the member is guilty of conduct detrimental to the interests of the Association.

(2) The expulsion of a member under subrule (1) does not take effect until whichever of the following is the later date:

(a) the expiration of 14 days after the service on the member of a notice under subrule (3);

(b) if the member exercises his right of appeal under this rule, the conclusion of the special general meeting convened to hear the appeal.

(3) If the committee expels a member from the Association, the public officer of the Association, without undue delay, is to cause to be served on the member a notice in writing –

(a) stating that the committee has expelled the member; and

(b) specifying the grounds for the expulsion; and

(c) informing the member of a right to appeal against the expulsion under rule 34.

### **34 Appeal against expulsion**

**34. (1)** A member may appeal against an expulsion under rule 33 by delivering or sending by post to the public officer of the Association, within 14 days after the service of a notice under rule 33(3), a requisition in writing demanding the convening of a special general meeting for the purpose of hearing the appeal.

**(2)** On receipt of a requisition –

**(a)** the public officer is to immediately notify the committee of its receipt; and

**(b)** the committee is to cause a special general meeting of members to be held within 21 days after the date on which the requisition is received.

**(3)** At a special general meeting convened for the purpose of this rule –

**(a)** no business other than the question of the expulsion is to be transacted; and

**(b)** the committee may place before the meeting details of the grounds of the expulsion and the committee's reasons for the expulsion; and

**(c)** the expelled member is to be given an opportunity to be heard; and

**(d)** the members present are to vote by secret ballot on the question whether the expulsion should be lifted or confirmed.

**(4)** If at the special general meeting a majority of the members present vote in favour of the lifting of the expulsion –

**(a)** the expulsion is to be taken to have been lifted; and

**(b)** the expelled member is entitled to continue as a member of the Association.

**(5)** If at the special general meeting a majority of the members present vote in favour of the confirmation of the expulsion –

**(a)** the expulsion takes effect; and

**(b)** the expelled member ceases to be a member of the Association.

### **35 Disputes**

**35. (1)** A dispute between a member of the Association in the capacity as a member and the Association is to be determined by arbitration in accordance with the provisions of the Commercial Arbitration Act 1986.

**(2)** This rule does not affect the operation of rule 34.

### **36 Seal of Association**

**36. (1)** The seal of the Association is to be in the form of a rubber stamp, inscribed with the name of the Association encircling the word "Seal".

**(2)** The seal of the Association is not to be affixed to any instrument except by the authority of the committee.

**(3)** The affixing of the seal is to be attested by the signatures of –

**(a)** 2 members of the committee; or

**(b)** one member of the committee and the public officer of the Association or any other person the committee may appoint for that purpose.

(4) Attestation under subrule (3) is sufficient for all purposes that the seal was affixed by authority of the committee.

(5) The seal is to remain in the custody of the public officer.

### **37 Tasmanian National Parks Association Public Fund**

**37. (1)** The objective of the fund is to support the association's environmental purposes.

(2) Members of the public are to be invited to make gifts of money or property to the fund for the environmental purposes of the association.

(3) Money from interest on donations, income derived from donated property, and money from the realisation of such property is to be deposited into the fund.

(4) A separate bank account is to be opened to deposit money donated to the fund, including interest accruing there on, and gifts to it are to be kept separate from other funds of the association.

(5) Receipts are to be issued in the name of the fund and proper accounting records and procedures are to be kept and used for the fund.

(6) The fund will be operated on a not-for-profit basis.

(7) A committee management of no fewer than three persons will administer the fund. The committee will be appointed by the association. A majority of the members of the committee are required to be "responsible persons" as defined by the Guidelines to the Register of Environmental Organisations.

(8) The association must inform the Department responsible for the environment as soon as possible if:

- (a) it changes its name or the name of the public fund; or
- (b) there is a change to membership of the management of the committee of the public fund; or
- (c) there has been any departure from the model rules for public funds set out in the Guidelines to the Register of Environmental Organisations.

(9) The association agrees to comply with any rules that the Treasurer and the Minister with responsibility for the environment may make to ensure gifts made to the fund are only used for its principal purpose.

(10) The income and property of the association shall be used and applied solely in promotion of its objects and no portion shall be distributed, paid or transferred directly or indirectly by way of dividend, bonus or by way of profit to members, directors, or trustees of the association.

(11) Any allocation of funds or property to other persons or organisations will be made in accordance with the established purposes of the association and not be influenced by the preference of the donor.

(12) In the event of the fund being wound up or dissolved, any surplus assets remaining after payment of the fund's liabilities shall be transferred to another fund with similar objectives, that is on the Register of Environmental Organisations and to which tax deductible gifts can be made.

(13) Statistical information requested by the Department on donations to the Public Fund will be provided within four months of the end of the financial year.