

# **BY-LAWS OF THE MAROOCHY QUAYS HOME OWNERS COMMITTEE (INC.)**

A not-for-profit organisation incorporated in Queensland on 24 February 2021 under the *Associations Incorporation Act 1981(Qld)*, and in accordance with the *Manufactured Homes (Residential Parks) Act 2003 (Qld)*.

Incorporated Association Number IA60080



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## List of Amendments

Amdt No	Affected By-law	Description	Reason	Effective Date
0		First issue		11/07/24
1	11.2	Include the requirement to keep and maintain a Key Register	New administrative requirement	19/09/24

# 1 DEFINITIONS AND INTERPRETATION

1.1 In these by-laws, all terms defined in the Constitution rules have the corresponding meaning, in particular:

**Association** means the incorporated Association specified in rule 2

**Committee** means the management committee of the Association specified in rule 15

and the following terms have the respective meaning as defined:

**Booking System** means the online system, accessed via the Web Site, used for making bookings for the communal facilities (activities and venues) in the Park.

**Constitution** means the currently approved version of the Association's constitution.

**Country Club** means the GemLife Maroochy Quays Country Club.

**Facebook** means the Maroochy Quays Home Owners Facebook page.

**Food Safety Requirements** means the requirements set down in the *Food Act 2006 (Qld)*, *ANZ Food Safety Standard 3.2.2*, and Queensland Government guideline entitled *Food Safety in Non-Profit Organisations*.

**Gaming Legislation** means the *Charitable and Non-Profit Gaming Act 1999 (Qld)*, its supporting *Charitable and Non-Profit Gaming Regulation 1999 (Qld)* and the *Charitable and Non-Profit Gaming Rule 2010 (Qld)*.

**Licensing Legislation** means the *Liquor Act 1992 (Qld)*, its supporting *Liquor Regulation 2002 (Qld)*, the *Wine Industry Act 1994 (Qld)*, and its supporting *Wine Industry Regulation 2009 (Qld)*.

**Teamup** means the Maroochy Quays Home Owners On-line Teamup Calendar.

**Web Site** means the Maroochy Quays Home Owners Web Site.

1.2 In these by-laws:

- (a) to the extent of any inconsistency between these by-laws and the Constitution, the provisions of the Constitution prevail; and
- (b) unless specified to the contrary:
  - i. the Appendices and Forms are incorporated in and form part of these by-laws;
  - ii. a reference to the singular includes the plural and vice versa;
  - iii. a reference to a given gender includes all other genders;
  - iv. use of the word "including" and similar expressions are not, nor are they to be interpreted as, words of limitation;
  - v. the language used shall be construed in all cases in accordance with its fair and common meaning; and
  - vi. the table of contents and any headings are for ease of reference only and do not affect the interpretation of these by-laws.

## 2 APPLICATION FOR MEMBERSHIP

2.1 An application for membership of the Association is to be submitted to the Secretary in hard copy format using Form 1, or electronic format using the electronic version of Form 1 found on the 'Contact Us' page of the Web Site.

- 2.2 In the case of the electronic version of Form 1 being used, the undertakings contained in the form shall be as binding on the applicant as a signed, hard copy application.

### **3 MEMBER'S GUESTS**

- 3.1 Members may bring guests to Association functions and activities unless:
- (a) the function or activity is advertised as being for members only, or
  - (b) doing so would contravene a Park Owner requirement.
- 3.2 Members are responsible for ensuring that their guests comply with the Constitution and these by-laws while participating in Associations functions or activities.
- 3.3 Members are also responsible for ensuring that their guests always comply with the provisions of the Association's liquor licence when on the licensed premises, whether or not participating in an Association function or activity.

### **4 COMMUNICATION WITH MEMBERS**

- 4.1 Except where otherwise stipulated in the Constitution, the default method of communications with members is to be email, with special provision made for those members who do not have an email address.
- 4.2 Functions and events are to be advertised on the Web Site and an email sent to members with a link to the Web Site advertisement. Where directed by the Committee, a copy of the advertisement is also to be placed on the Country Club noticeboard.
- 4.3 Regular, recurring activities and events are to be entered into Teamup.
- 4.4 Facebook must not be used as the primary or only means of communication for any matter that is required to be seen by all members. However, Facebook may be used as a secondary means of communication for such matters and for communicating matters that do not involve all members.

### **5 CODE OF CONDUCT**

- 5.1 Members should practice civility and respect in their interactions with each other. Members may pose a difficult question, challenge a particular point of view, or criticise an idea or information. However, members must not be rude, disagreeable, or belligerent towards another member.
- 5.2 Members must not engage in any intimidating, harassing, discriminatory, abusive, derogatory, or demeaning speech or actions towards or about another member. This includes but is not limited to: communication or conduct that a reasonable person in the individual's circumstances would consider unwelcome, intimidating, hostile, threatening, violent, abusive or offensive. Such communication or conduct may be related to gender, gender identity and expression, sexual orientation, disability, national origin, race, age, or religion. It also includes stalking, following, harassing photography or recording, sustained disruption of talks or other events, inappropriate physical contact, and unwelcome sexual attention.

- 5.3 Members should use good judgement and not consume alcohol in a way that leads to:
- (a) inappropriate behaviour towards another member or their guests,
  - (b) endangering the safety of themselves or another member or their guests, or
  - (c) putting themselves or the Association in breach of the law while participating in an Association activity.
- 5.4 Members who, by way of a function that they are performing on behalf of the Association, gain access to information that must be treated as confidential, are responsible to take reasonable steps to secure personal information and ensure that any use or disclosure of such information meets the requirements of the Privacy Legislation and the expectations of the person to whom it belongs.

## **6 DISCIPLINE AND GRIEVANCES**

- 6.1 The Committee, acting in good faith, may cite a member who:
- (a) refuses or wilfully neglects to comply with the Constitution and/or these by-laws, or
  - (b) breaches the Code of Conduct at by-law 5.
- 6.2 Any member, acting in good faith, may report a breach of the Constitution or these by-laws to the Secretary if the matter is serious and the member is aggrieved by the breach. If the matter relates to the Secretary, the matter may be reported to the President.
- 6.3 Any person, acting in good faith, may report a breach of the Code of Conduct in by-law 5, to the Secretary if the matter is serious and the person is aggrieved by the breach. If the matter relates to the Secretary, the matter may be reported to the President.
- 6.4 Grievances are to be managed in accordance with the procedure set down in rules 45-48 of the Constitution.
- 6.5 The Association must adhere to the rules of natural justice (procedural fairness) in determining a grievance or disciplinary matter by:
- (a) giving the member who is the subject of the matter, the opportunity to know and understand the case against them, and to state their case in response; and
  - (b) ensuring that the decision maker or review panel hearing the matter is impartial, unbiased, and has no stake or interest in the matter; and
  - (c) ensuring that the decision maker or review panel hearing the matter acts only on relevant information or evidence.
- 6.6 If, after considering all the material relating to the matter and the recommendations made by any decision maker or review panel, the Committee may elect to take one or more of the following disciplinary actions:
- (a) an admonishment,
  - (b) a reprimand,
  - (c) suspension of membership for up to three (3) months, and
  - (d) termination of membership.

- 6.7 In imposing a penalty, the Committee must have regard to:
- (a) the nature and seriousness of the conduct,
  - (b) the member's previous breaches (if any),
  - (c) the member's prior conduct, and
  - (d) any mitigating circumstances.

## **7 ELECTING THE COMMITTEE**

- 7.1 The Committee is to be elected by secret ballot using the Direct Voting method; being a method of election in which all eligible members vote for all positions.
- 7.2 All members of the Committee are required to retire from office at the annual general meeting and all positions are subject to election.
- 7.3 The term of office for successful candidates is to commence on the day immediately following the annual general meeting.
- 7.4 Elections are to be conducted in accordance with the procedures set down in Appendix A to these by-laws.

## **8 CONDUCT OF MEETINGS**

- 8.1 The chairperson must conduct meetings in a proper and orderly way.
- 8.2 All proceedings at general meetings of the Association are to be governed by the Standing Orders set down in Appendix B to these by-laws.
- 8.3 The Committee, standing committees, and sub-committees may adopt a simplified version of the Standing Orders, but any such simplified version must adhere to the principles set down in Appendix B.
- 8.4 Where Standing Orders are silent on a particular matter, the current edition of *Robert's Rules of Order, Newly Revised* is to apply.

## **9 GENERAL MEETINGS OF THE ASSOCIATION**

### **Notices of Motion**

- 9.1 Where required by these by-laws, or otherwise called for in the agenda, notices of motion must be put in writing and submitted to the Secretary at least four (4) weeks prior to the meeting so that they can be included in the agenda papers.
- 9.2 Only notices of motion pertaining to Association business may be submitted. Such notices should include a title; the date, time and place of the meeting at which the motion is to be considered; a clear statement of the motion; and an explanatory memorandum detailing the background to the motion and the reasons why it should be considered by the meeting.
- 9.3 Motions pertaining to the following matters must be submitted on notice for consideration as special resolutions:
- (a) changing the name of the Association,
  - (b) changing the Constitution, and
  - (c) winding up the Association.

## Questions on Notice

- 9.4 Questions may only be put to an annual general meeting, or other general meetings where called for in the agenda, if they have been put on notice and submitted in writing to the Secretary at least seven (7) days prior to the meeting.
- 9.5 Only questions on notice pertaining to Association business may be submitted. Such questions should include a title, a clearly stated question, and a brief background to the question to provide the person answering the question with sufficient context to ensure that a relevant answer is provided.

## Voting

- 9.6 Voting at a general meeting is to be by show of hands, unless:
- (a) a secret ballot is stipulated in the Notice of Meeting, or
  - (b) at least 20% of the members Present demand a secret ballot.
- 9.7 Proxies are to be permitted unless otherwise stipulated in the Notice of Meeting. A member may appoint the chairperson of the meeting or another member of the Association as their proxy. The chairperson may hold any number of proxies. Any other member must not hold more than two proxies.
- 9.8 An instrument appointing a proxy must be submitted in writing to the Secretary no later than 48 hours prior to the commencement of the meeting using Form 5.
- 9.9 The instrument appointing a proxy is taken to confer authority to demand or join in demanding a secret ballot.

## 10 FINANCIAL MANAGEMENT

### Budget

- 10.1 The Association's budget is to:
- (a) align with the Association's financial year, that is 1 October – 30 September,
  - (b) be constructed around the Association's programs and activities, and
  - (c) be designed to further the objectives of the Association specified in rule 3 of the Constitution.
- 10.2 The Committee is accountable for:
- (a) developing the budget,
  - (b) approving it prior to the commencement of the financial year, and
  - (c) reviewing and adjusting it regularly throughout the financial year.

### Authorised Officers

- 10.3 The following are 'authorised officers' for the purposes of rule 41(3)(a) and 43(3)(b)i of the Constitution:
- (a) Treasurer of the Maroochy Quays Social Committee,
  - (b) Bingo convenor,
  - (c) Trivia convenor, and
  - (d) Coffee machine manager.
- 10.4 Other persons may be appointed as authorised officers by the Committee as required.



## Reimbursement of Expenses

- 10.5 Subject to Committee approval, individual members may be issued with an Association debit card. Pre-approved expenses incurred by such individuals in the conduct of Association business must be paid where possible using their Association debit card.
- 10.6 Reimbursement for other pre-approved expenses incurred in the conduct of Association business may be made on a case-by-case basis.
- 10.7 Applications for the re-imbusement of pre-approved expenses are to be submitted to the Treasurer using Form 6. Applications must be accompanied by a tax invoice or original receipt, which clearly shows the company's name and ABN plus the amount and date, and a transaction receipt showing any merchant fees.

## 11 RECORD KEEPING

- 11.1 The Association must keep and maintain the following financial records as a minimum:
  - (a) cash book (in physical or electronic form),
  - (b) receipt book,
  - (c) bank statements,
  - (d) petty cash book, and
  - (e) asset register and associated depreciation schedule.
- 11.2 The Association must keep and maintain the following administrative records as a minimum:
  - (a) minutes of every Committee meeting and general meeting of the Association,
  - (a) register of members,
  - (b) register of authorised signatories,
  - (c) register of holders of RSA certificates,
  - (d) register of holders of Food Safety Supervisor and Food Handling certificates,
  - (e) correspondence register, and
  - (f) key register.
- 11.3 The Association must keep and maintain the following liquor and gaming records:
  - (a) guest/visitor register (Note: the requirement to keep a register is not currently being enforced as part of a trial that commenced on 1 September 2021 and will run until further notice),
  - (b) responsible service of alcohol (RSA) register,
  - (c) accounting records correctly recording and explaining the financial transactions for each game defined in the legislation as "Category 1 games" or "Category 2 games", and
  - (d) general gaming records for games defined in the legislation as "Category 2 games".
- 11.4 Where any record is kept in electronic format, it must be:
  - (a) convertible into hard copy format; and
  - (b) backed-up to a separate electronic storage medium, which is kept at a separate physical address, no less frequently than once per month.

## **12 ASSOCIATION PROPERTY**

- 12.1 Association property with a material value of \$500 or more must be recorded in the asset register, which is to be maintained in accordance with normal accounting standards.
- 12.2 Items with a material value of less than \$500 are to be expensed at the time of purchase.
- 12.3 Members are to be respectful of, and responsible for the proper use and care of, Association property. Members should report any damage to or breakage of Association property to a member of the Committee as soon as possible.
- 12.4 Association property that is issued to a member to enable them to fill a Committee position or other role, is to be returned to the Secretary as soon as possible, and no later than 14 days, after the member vacates the position or role. The member to whom the property is issued is responsible for its safe custody until it is returned to the Secretary.

## **13 INSURANCES**

- 13.1 The Association must hold the following insurances as a minimum:
  - (a) public liability insurance covering activities and events conducted by the Association,
  - (b) property insurance covering the Association's assets. and
  - (c) voluntary workers insurance covering all members conducting or supporting Association business on a voluntary basis.
- 13.2 External service providers, for example caterers and entertainers, must hold appropriate public liability insurance, the details of which are to be provided to the Treasurer prior to engaging the supplier.

## **14 BAR OPERATIONS**

### **Licensed Premises**

- 14.1 The licensed premises are defined in the Association's liquor licence, a copy of which is posted at the bar.
- 14.2 Requests for a temporary variation of the licensed premises to support a function or event must be submitted to the Secretary in writing no later than twelve (12) weeks prior to the activity.
- 14.3 Alcohol purchased from the bar may not be removed from the licensed premises unless it has been expressly purchased as 'take away.' Such items must be sold prior to 10.00pm and removed from the licensed premises prior to 10.30pm.

### **Trading Hours**

- 14.4 Licensed trading hours are as defined in the Association's liquor licence, a copy of which is posted at the bar.

- 14.5 Special provisions apply to the sale, supply and consumption of alcohol on the following days under the Licensing Legislation:
- (a) Good Friday,
  - (b) ANZAC Day,
  - (c) Christmas Day,
  - (d) New Year's Eve.
- 14.6 Requests for a temporary variation of licensed trading hours to support a function or event must be submitted to the Secretary in writing no later than twelve (12) weeks prior to the activity.
- 14.7 The bar will normally be open for trading:
- (a) 4.00pm-6.00pm every Sunday,
  - (b) 6.00pm-9.00pm every Wednesday, and
  - (c) 4.00pm-6.00pm every Friday.
- 14.8 Other bar trading hours may be authorised by the Committee as required.
- 14.9 Requests to vary bar trading hours for a function or event must be submitted to the bar manager in writing no later than four (4) weeks prior to the activity.
- 14.10 BYO alcohol may be consumed on the licensed premises when the bar is not open, but only during licensed trading hours.

### **Appointment of a Bar Manager**

- 14.11 The Committee may appoint a bar manager to be responsible for the day-to-day operation of the bar.
- 14.12 The bar manager must:
- (a) provide a monthly financial report to the Committee; and
  - (b) prepare a quarterly and comprehensive annual report to the Committee on bar activities, dealings and projections.
- 14.13 The bar manager may delegate his/her authority to authorised bar staff.

### **Bar Staff**

- 14.14 All volunteers must complete a bar induction session and be signed off by the bar manager prior to first being rostered on as bar staff.
- 14.15 At least one person with a current Responsible Service of Alcohol (RSA) certification must be rostered on as bar staff whenever the bar is open for trading. Other volunteers rostered on as bar staff do not require RSA certification.

## **15 GAMING ACTIVITIES**

- 15.1 The Association may run activities that are defined in the Gaming Legislation as "Category 1 games," "Category 2 games," and "Category 4 games" without a licence.
- 15.2 The Social Committee, Interest Groups and individual members must seek Committee approval for any gaming activity.
- 15.3 Applications to run a gaming activity must be submitted to the Secretary in writing no later than four (4) weeks prior to the event. Information as to the type of game and how it will be organised, including advertising, ticket sales, prizes, and provisions for or limitations on participation by minors if relevant, must be provided.

## **16 FOOD SAFETY**

### **Licensing Requirements**

- 16.1 If the Country Club kitchen is used by members to prepare meals for 12 or more functions per financial year, where the meal is defined as a “sit-down meal” under Food Safety Requirements (see by-law 1), then the Association may be required to obtain a food business licence. If required, the Committee is responsible for obtaining such licence on behalf of the Association.
- 16.2 A licence is not required for serving meals that are prepared on-site by an external service provider, for example caterer, or prepared off-site and only reheated or plated on-site, or any other meal that is not defined as a “sit-down meal”.

### **Appointment of a Kitchen Manager**

- 16.3 The Committee may appoint a kitchen manager to be responsible for the day-to-day operation of the kitchen.
- 16.4 The kitchen manager should hold a current Food Safety Supervisor, or equivalent, certification and is responsible for ensuring the:
- (a) safe storage and preparation of food for Association functions in accordance with Food Safety Requirements,
  - (b) proper use of the kitchen by any external service provider,
  - (c) proper use of the kitchen for private functions, and
  - (d) proper cleaning of the kitchen is undertaken at the end of every function.
- 16.5 The kitchen manager may delegate his/her authority to authorised kitchen staff.

### **Kitchen Staff**

- 16.6 All volunteers must complete a kitchen induction session and be signed off by the kitchen manager prior to first being rostered on as kitchen staff.
- 16.7 At least one person with a current Food Handling certification should be rostered on as kitchen staff whenever the kitchen is being used to prepare meals for an Association function. Other volunteers rostered on as kitchen staff do not require Food Handling certification.

## **17 SOCIAL CLUB**

- 17.1 The Social Club is to be run by an organising committee known as the Maroochy Quays Social Committee (“Social Committee”).
- 17.2 The Committee is to call for expressions of interest in serving on the Social Committee in February of each year and appoint the Social Committee in March of each year.
- 17.3 The Social Club is to operate in accordance with rule 54 of the Constitution.
- 17.4 The Social Club is not required to hold an annual general meeting.

## **18 (Reserved)**

## **19 FUNCTIONS AND EVENTS**

- 19.1 Functions and events may be organised by the Social Club, Interest groups and individual members.
- 19.2 Notice of all functions and events is to be sent to [events@mquays.com.au](mailto:events@mquays.com.au) as soon as possible, and ideally no later than four (4) weeks prior to the activity. The Social Club may submit notice of a function/event no later than three (3) weeks prior to the activity, provided that the activity has previously been advertised in a "Save the Date" notice.
- 19.3 The notice is to include the following information:
- (a) Name of the function/event and whether it is private or for residents,
  - (b) Date and time of the function/event,
  - (c) Location of the function/event,
  - (d) Name and contact details of the organiser,
  - (e) Requirements for bookings of facilities, if applicable and not already done, and
  - (f) Bar requirements, if applicable.
- 19.4 If applicable, a copy of a flyer advertising the function/event may be included with the notice.

## **20 FUNDRAISING**

- 20.1 The Social Committee, Interest Groups and individual members must seek Committee approval for any fundraising activity conducted in the name of the Association.
- 20.2 Applications are to be submitted to the Secretary in writing no later than four (4) weeks prior to the event, providing details of and rationale for the fundraising activity. Information as to how the event will be organised, including risk management and safety measures if relevant, must be provided.
- 20.3 Members must be given at least three (3) week's Written Notice of fundraising activities.

## **21 BOOKING AND USE OF COMMUNAL FACILITIES**

- 21.1 All members are responsible for the proper use and care of communal facilities within the Park, in accordance with any rules of use published by the Park Owner. In particular, members are responsible for the proper cleaning of kitchen and barbeque equipment after its use. The Park Owner may require the Association to pay for the repair of damaged facilities if he deems that the damage was not caused by fair wear and tear.
- 21.2 The Booking System may be used to book activities and venues for personal use. Bookings for activities organised by the Social Club and Interest Groups are managed on a central basis. Requests for assistance with the Booking System are to be sent to [events@mquays.com.au](mailto:events@mquays.com.au).
- 21.3 Communal facilities may be used without making a booking. However, any member who has made a booking via the Booking System has priority over any other member who has not made a booking.

- 21.4 Use of communal facilities is on a non-exclusive basis, in accordance with Park Owner rules. Ticketed functions organised by the Social Club and held in the Ballroom are an exception. Members who are not participating in such a function may transit the Ballroom to access other parts of the Country Club, but must not intrude into or loiter in the function area or otherwise interfere with the function.
- 21.5 At the end of their session, members are responsible for ensuring that equipment and furniture is put back the way it was found, and that lights and air conditioning are switched off.
- 21.6 The Committee may establish a roster to ensure that lights and air conditioners are switched off at the end of each day and that the Country Club and adjacent facilities are secure. Members should comply with any reasonable request or direction given to them by the rostered member.

## **22 RISK MANAGEMENT**

- 22.1 There is an element of risk in many aspects of the Association's activities, however great or small. If not mitigated, some risks may impact the Association's ability to operate, or endanger the safety of individuals. Members should report any hazard or potential safety risk as soon as possible to:
- (a) the Park Owner in the case of communal facilities, or
  - (b) a member of the Committee in the case of functions or events being run by the Association.
- 22.2 Organisers of functions and events must consider the risks associated with the planned activity and take appropriate steps to mitigate those risks.
- 22.3 Organisers must also take into consideration that a number of higher risk activities are expressly excluded from the Association's public liability insurance policy, as specified in the relevant policy document, a copy of which is available on the Web Site. These activities include, but are not limited to, canoeing, archery and rock climbing.

## **23 INDEMNITY**

- 23.1 Except where provided for or required by law, the Committee, Association volunteers and members are absolved from all liability however arising from injury or damage, however caused, while participating in an Association activity as a member.

## **24 PUBLICATIONS AND ADVERTISEMENTS**

- 24.1 Where appropriate, formal publications are to be issued in the name of the "Maroochy Quays Home Owners Committee (Inc)."
- 24.2 Advertisements for functions organised by the Social Club are to be issued in the name of the "Maroochy Quays Social Committee."
- 24.3 All other Association publications and advertisements are to be issued in the name of the "Maroochy Quays Home Owners Association."

## **25 SPECIAL CIRCUMSTANCES/PROVISIONS**

- 25.1 Where these by-laws are silent on a particular matter, a decision may be made by the Committee. In exceptional or extenuating circumstances, the Committee may, acting responsibly, alter, vary or waive the requirements set out in these by-laws.

## **26 RATIFICATION AND AMENDMENTS**

- 26.1 These by-laws must be ratified by the Committee annually within three (3) months of assuming office.
- 26.2 Subject to the Constitution, these by-laws may be amended, repealed or added to by a simple majority vote of the Committee.
- 26.3 A by-law may also be set aside by a simple majority vote at a general meeting of the Association.

## **APPENDIX A – ELECTION PROCESS**

### **Appointment of a Returning Officer**

1. The Committee is to appoint a returning officer to conduct, in its entirety, an election. The returning officer may or may not be a member of the Association.
2. The returning officer's role is to include:
  - (a) preparing the notice inviting nominations and ensuring that the notice is published,
  - (b) receiving and certifying nominations,
  - (c) conducting the draw for positions on the ballot paper,
  - (d) drafting and printing ballot papers,
  - (e) issuing ballot papers to eligible voters,
  - (f) receiving and accepting completed ballot papers, and
  - (g) counting ballot papers and declaring the results of the count.
3. The integrity of the election depends on the ability and complete impartiality of the returning officer. For this reason, the returning officer must not be a member of the incumbent Committee nor a Candidate for any position being contested in the election.
4. The returning officer must not show any support for any Candidate or group of Candidates.
5. The returning officer may appoint up to four independent polling officials to assist him/her with the conduct of scrutiny of ballots and counting of votes.

### **Election Timetable**

6. The following timetable should be followed for a full Committee election held in conjunction with the annual general meeting.
  - (a) An election notice should be issued not less than seven weeks prior to the date of the annual general meeting.
  - (b) Nominations should close not less than three weeks after being invited; and not later than 30 September.
  - (c) The close of the roll of members eligible to vote should be no later than the date set for the close of nominations.
  - (d) The voting period should open not more than two weeks after the close of nominations and remain open for not less than three weeks.
  - (e) The voting period should close at 6.00 PM on the day immediately prior to the date of the annual general meeting.
7. Where an election is to be held for another purpose, or at another time, the returning officer should adapt the above timetable to suit the circumstances.

### **Election Notice**

8. Written Notice of an election must be sent to every Ordinary Member and a copy displayed on the Country Club notice board.
9. The notice must:
  - (a) state that an election is to be held and provide the name and contact details for the returning officer;
  - (b) fix the time and date for the close of the roll of eligible members;



- (c) invite nominations, listing the positions to be contested;
- (d) advise where nomination forms can be obtained;
- (e) specify the place where nominations are to be lodged;
- (f) fix the time and date for the close of nominations;
- (g) advise when ballot papers will be issued;
- (h) specify the place where ballot papers are to be lodged;
- (i) advise arrangements for absentee voting;
- (j) fix the time and date for the close of voting; and
- (k) if applicable, specify other documentation required to be lodged with nominations, e.g. Candidate profiles.

### **Nominations for Committee**

10. Nominations for the Committee are to be submitted to the returning officer in hard copy format using Form 2, in accordance with the instructions contained in the election notice.
11. A Candidate may nominate for more than one position. Each position for which a Candidate is nominating must be clearly stated on the nomination form.
12. If the returning officer is of the opinion that there is an anomaly in a nomination, such that it may require rejection of the nomination, the returning officer must, as soon as practicable after receiving the nomination, contact the Candidate and advise that the anomaly should be rectified before the time fixed for the close of nominations.
13. Unless there are extenuating circumstances completely beyond the control of a Candidate, the returning officer must not accept a nomination after the time and date fixed for the close of nominations.

### **Candidate Profiles**

14. Where required, Candidates are to submit a statement in support of their candidature in the form of a candidate profile intended to provide voters with information about the candidate and their qualifications/experience for office.
15. Candidate profiles:
  - (a) should be succinct but adequate to help the voter to exercise a choice between the candidates standing for election,
  - (b) must not exceed 200 words in length,
  - (c) must include a colour, passport-like photograph of the candidate, and
  - (d) must be submitted to the returning officer no later than the close of nominations.
16. If the returning officer considers that any information provided by a candidate is not appropriate; is false or misleading; or exceeds the stipulated word limit, then the returning officer may take action to omit or rectify the information, or reduce the length of the information, as the case requires.

### **Withdrawal of a Nomination**

17. A Candidate who has been nominated in an election will be permitted to withdraw that nomination, but only in writing addressed to the returning officer, provided it is received by the returning officer before the close of nominations.

18. Once a nominator has endorsed the nomination of a Candidate for election to any position on the Committee, that nominator may not subsequently withdraw that endorsement.

### **Certification of a Nomination**

19. Each person's eligibility to participate as a nominator or Candidate is to be determined as at the close of nominations.
  - (a) A nominator must be an Ordinary Member.
  - (b) A Candidate must meet the criteria set down in rule 17(2) of the Constitution.
20. Where the returning officer determines that the eligibility criteria are met and there is no anomaly in a nomination, such that it may require the returning officer to reject the nomination, the returning officer must certify the nomination.

### **Uncontested Positions**

21. If, at the close of nominations, the number of persons who have been duly nominated as Candidates for a particular position or positions does not exceed the number to be elected to that position, then each of those persons is taken to have been elected to the position.

### **Contested Positions**

22. If, at the close of nominations, the number of persons who have been duly nominated as Candidates for a particular position exceeds the number of persons to be elected, then a ballot must be held for the position.
23. A ballot for a contested position is to be conducted under the First Past the Post voting system, being a system of voting in which the Candidate(s) with the highest number of votes shall be elected.
24. As soon as possible after the close of nominations, the returning officer must conduct a draw to determine the order of Candidates on the ballot paper for contested ballots. Where there are separate positions being contested, a separate draw is to be conducted for each position.
25. The returning officer must not conduct the draw without at least one independent witness present. Ideally, Candidates or their representatives should be present. The time and place for the conduct of the draw must have been adequately advertised.
26. Separate ballot papers may be prepared for each position, or several positions may be included on a single ballot paper. Where there are multiple positions on one ballot paper (e.g. President, Secretary, Treasurer, general Committee member), each position is to be shown separately and in order of seniority.
27. Ballot papers:
  - (a) are to show the positions for which Candidates are standing,
  - (b) are to show the names of the Candidates standing for each position in the order prescribed by the draw,
  - (c) may distinguish names from each other where a similarity in the names of two or more Candidates is likely to cause confusion, and
  - (d) are to provide clear and concise directions as to the way a vote is to be recorded.

### **Roll of Eligible Voters**

28. The only persons eligible to appear on the roll of voters in a ballot are those persons who are Ordinary Members as at the close of the roll.

29. As soon as practicable after the close of the roll, the returning officer should receive a roll of eligible voting members certified to that effect by the President. The roll is to show, in alphabetical order and consecutively numbered, the full surname, given names and villa number of each member entitled to vote.
30. Candidates are entitled to a copy of the roll to pursue their candidature.

### **Advice to Members and Candidates**

31. The returning officer must ensure that a list of the Candidates and the office for which they have nominated, along with other information such as the date and time that the voting period will open and close, availability of absentee voting, and the name and contact phone number of the returning officer are displayed on the Country Club notice board and a copy sent to each eligible voter.
32. The returning officer must write to each candidate following the close of nominations, providing them with a copy of the ballot paper draw, the arrangements for voting, the method of voting, information regarding the appointment of scrutineers, the day and time of counting the votes and any other information as the returning officer determines.

### **Scrutineers**

33. Each Candidate may appoint, in writing, one person as a scrutineer to represent the Candidate's interests in the conduct of the ballot using Form 3. A scrutineer must not be a Candidate for any position that is also included in a ballot in the election. The Candidate may appoint one or more substitute scrutineers, if required.
34. A scrutineer may be present at any stage of the ballot. This includes:
  - (a) witnessing the sealing and unsealing of any receptacle being used for the ballot; and
  - (b) bringing to the attention of the returning officer any alleged irregularity in the:
    - i. issue of ballot papers,
    - ii. admission of absentee voting envelopes to scrutiny,
    - iii. formality or informality of ballot papers, or
    - iv. counting of votes.
35. A scrutineer must not:
  - (a) interrupt the scrutiny without just reason,
  - (b) disclose any knowledge acquired by him/her concerning the votes of any particular voter or voters,
  - (c) fail to carry out any reasonable request by the returning officer,
  - (d) touch any ballot material, or
  - (e) act in a manner that would interfere with the proper conduct of the election.
36. Failure of a scrutineer to attend any scheduled event will not delay any step in the election.

### **Voting for the Committee**

37. As soon as practical after the printing of the ballot papers, the returning officer must send to each person listed on the roll of eligible voters:
  - (a) the ballot paper,
  - (b) directions for voting and for return of the ballot paper; and
  - (c) if applicable, Candidate profiles.

38. The ballot paper is to be lodged in the manner prescribed by the returning officer prior to the close of the ballot.
39. If a ballot paper is spoiled, a replacement may be obtained from the returning officer in exchange for the spoiled one.
40. Where an eligible voter is going to be absent from the Park for the duration of the voting period, they may apply in writing to the returning officer for an absentee ballot paper using Form 4, as soon as practical after the election notice is issued.

### **Security of the Ballot**

41. The returning officer must at all times ensure the security of the returned ballot envelopes and the unused ballot papers.

### **Scrutiny of Ballot Envelopes**

42. On close of the ballot, the returning officer is to open the ballot box and remove any envelopes one at a time in the presence of the scrutineers.
43. If satisfied that the ballot envelope has been lodged by a person who is included on the roll for the election, the returning officer must:
  - (a) make a mark on the roll to indicate that the person has voted,
  - (b) open the envelope,
  - (c) separate the ballot paper(s) from the envelope without opening the ballot paper(s), and
  - (d) set the envelope aside.
44. If the returning officer is not satisfied that a person of that name is included on the roll, or if the person's name and signature does not appear on the envelope, it must be rejected, and the envelope not opened.
45. Envelopes received by the returning officer after the date for the close of the ballot must be rejected and remain unopened.
46. Unopened envelopes are not to be counted as 'ballot papers received.'

### **Scrutiny of Ballot Papers**

47. Before starting the count, the returning officer must examine each ballot paper for formality and set any informal votes aside.
48. The returning officer must be perfectly clear on the criteria for informality and should ensure that scrutineers observing the count on behalf of candidates have a clear understanding.
49. A ballot-paper is generally considered to be informal if it:
  - (a) has not been completed in accordance with the directions on it;
  - (b) has not been initialled by the returning officer;
  - (c) contains a mark or writing which, in the returning officer's opinion, would enable the elector to be identified, e.g. name or villa number; or
  - (d) the marking is such that the intention of the voter is not clear.
50. Where, during a ballot, a scrutineer objects to a ballot paper being accepted or rejected, the returning officer must decide whether the ballot paper is to be accepted or rejected and endorse the decision on the ballot paper.

## Counting of Votes

51. The ballot must be counted in order of seniority. Any Candidate elected to a higher position is to be excluded from subsequent ballots.
52. In the event that two or more Candidates have an equal number of votes, and one has to be excluded or one has to be elected, the returning officer is to resolve the tie by 'a draw from a hat.'

## Result of Election

53. The returning officer is to declare the result of the election at the annual general meeting by giving Written Notice of the result to the chairperson.
54. Where an election is held for another purpose or at another time, the returning officer is to declare the result of the election within two days of the close of the ballot by giving Written Notice of the result to the President.
55. The returning officer must declare the following information in relation to the ballot:
  - a) the number of persons on the roll of voters,
  - b) the number of ballot papers issued,
  - c) the number of ballot papers received,
  - d) the number of ballot papers rejected as informal and the reason(s) why,
  - e) the number of votes received by each candidate.
  - f) the name(s) of the Candidate(s) elected to each position, and
  - g) any position(s) remaining unfilled.
56. Once the result has been announced, a copy should be placed on the Country Club notice board.

## Unfilled Positions

57. The returning officer must call for nominations from the floor of the annual general meeting for any position(s) remaining unfilled.
58. Nominations must be submitted using Form 2. Where required, the nomination form is to be accompanied by a Candidate profile in accordance with paragraph 15.
59. The returning officer must certify each nomination in accordance with paragraph 20.
60. If the number of persons who have been duly nominated as Candidates for a particular position or positions does not exceed the number to be elected to that position, then each of those persons is taken to have been elected to the position. Else, a ballot must be conducted in accordance with paragraph 22.
61. Any positions still remaining unfilled, are to be taken as casual vacancies in accordance with the Constitution.

## Retention of Materials

62. The returning officer must retain all election materials (roll of electors, ballot papers, etc) for one month in case there is any challenge by a Candidate concerning the result of the election.
63. At the end of one month, the returning officer must destroy all election materials in the presence of an independent witness.
64. The returning officer must advise the President of the destruction of election materials in writing, co-signed by the independent witness.

## **APPENDIX B – STANDING ORDERS FOR CONDUCT OF MEETINGS**

### **Order of Business**

1. The agenda for the meeting must be followed in the order published.
2. No member may be allowed to obtain discussion on any subject not included on the agenda for a meeting unless they introduce the matter at the meeting by moving the suspension of Standing Orders.

### **Respect to the Chair**

3. A member wishing to speak should raise their hand and be acknowledged by the chairperson. If two or more members raise their hand at the same time, the chairperson is to call upon the member who in his/her opinion raised their hand first.
4. Any member must at once resume their seat if the chairperson rises to speak or if a point of order is raised and must not resume their speech until the chairperson resumes his/her seat or the point of order has been decided.

### **Motions and Amendments – General**

5. Subject to the chairperson's right to permit discussion on any matter that he/she deems of importance to the meeting, no discussion may take place except on a motion or amendment that has been duly moved and seconded.
6. All motions and amendments must be of an affirmative character and, once submitted, may only be withdrawn by leave of the meeting or by amendment.
7. Where required by the notice of a meeting or by the members Present at the meeting concerned, motions and amendments must be submitted in writing, signed by the mover and seconder.
8. A motion or amendment not seconded must not be debated or recorded in the minutes of the meeting.
9. Once a motion has been passed, it becomes a resolution that is binding on the body that has passed it.

### **Restriction Upon Speeches**

10. The mover of an original motion is to be allowed four minutes to introduce the motion, and two minutes for the right of reply should the latter be exercised. However, where an amended motion has become the substantive motion, that is to be deemed to be a separate motion and the right of reply on the original motion lapses.
11. When a motion has been duly moved and seconded, the chairperson must proceed directly to taking the votes unless some member rises to oppose the motion or propose an amendment to it.
12. If, after a member has spoken either for or against a motion or amendment, no member rises to speak on the other side, the chairperson must proceed directly to taking the votes.
13. No more than three members may speak for a motion or amendment and three against, members for and against speaking alternately. Except as provided by paragraph 9, each speaker must be limited to three minutes. However, the meeting may resolve to suspend Standing Orders and allow the speaker's time to be extended by a specified number of minutes. Any such proposal for an extension of time must be put to the meeting without debate.

14. The member who has seconded the motion or amendment is to be deemed, for the general purpose of debate, to be the second speaker for the affirmative if required.
15. Any member who has spoken to a motion or amendment may be heard again to explain themselves in regard to some part of their speech which the chairperson agrees may have been misquoted or misunderstood. However, the member may not introduce any new matter or disrupt another member who is speaking. No debate may arise from the explanation.
16. A member must not speak more than once on any motion or amendment except:
  - (a) as provided by paragraph 9, or
  - (b) as provided by paragraph 14, or
  - (c) in committee of the whole (see paragraph 30), or
  - (d) upon a point of order raised during a debate.
17. No member may speak to any motion or amendment after it has been put to the vote by the chairperson, except to a point of order.

### **Amending a Motion**

18. A motion may be amended at any time during the debate thereon by:
  - (a) striking out certain words, or
  - (b) adding certain words, or
  - (c) striking out certain words and inserting others in their place.
19. Any member who wishes to propose a further amendment to the motion may give notice of the amendment and state its nature prior to the amendment before the Chair being put to the vote.
20. Only one amendment may be debated at the one time. If the amendment is carried, it must become the substantive motion. The original motion then lapses and is not put to the vote.
21. Whether an amendment is carried or lost, other amendments may be submitted and, one at a time, be decided in like manner until the subject is finally disposed of.
22. In the case of all amendments being lost, the chairperson must put the original motion to the vote.

### **Superseding a Motion**

23. A motion may be superseded at any time by:
  - (a) a motion that the motion under consideration be discharged from the agenda being carried, or
  - (b) a motion for the adjournment of the motion under consideration being carried, or
  - (c) a motion "That the next business be proceeded with" being carried, or
  - (d) the adjournment of the meeting.

### **Motion for the Question to be Put**

24. A motion "That the question now be put" may be moved at any stage of a debate and must immediately be put to the vote without discussion.
25. If such motion be lost, then the debate must continue as if such motion had not been moved.
26. If such motion be carried, then the mover of the motion or amendment before the

Chair must be offered a right of reply. The chairperson must then put the motion or amendment in question to the vote without further discussion.

27. No person who has spoken to the motion or amendment before the Chair may be permitted to move "That the question now be put."

### **Motion to Adjourn the Meeting or Debate**

28. A motion for the adjournment of the meeting may be moved at any time during the meeting and must at once be put to the vote by the chairperson without discussion.
29. When a motion for the adjournment of the meeting has been carried, the business then undisposed of must have precedence at the next meeting.
30. A motion for the adjournment of a debate may be moved at any time during the debate and must at once be put to the vote by the chairperson without discussion.

### **Motion to Resolve as a Committee of the Whole**

31. A general meeting may, at any time, resolve itself into a committee of the whole to deal with a particular item of business. However, the business to be dealt with in committee of the whole must be held over until all other business has been transacted.

### **Motion to Suspend Standing Orders**

32. A motion to suspend Standing Orders may be moved at any time during the meeting, provided that the suspension must:
  - (a) be limited in its operation to the specific purpose for which the suspension is sought, and
  - (b) not be the revoking of paragraph 37.
33. Such motion requires a two-thirds majority of the members Present and entitled to vote to agree.

### **Points of Order**

34. In all cases where a point of order is raised, the member raising it must state their point of order clearly and distinctly, and without including any irrelevant details.
35. If another member be speaking, they must take their seat until the point of order is decided.
36. The chairperson must decide the matter promptly and his/her decision is final unless the ruling is disagreed with in accordance with paragraph 37.
37. Points of order may only deal with the proper conduct or procedure of the debate. The member moving the point of order must prove that the speaker is doing one or more of the following:
  - (a) using improper or offensive language,
  - (b) speaking beside the question,
  - (c) infringing a rule or by-law of the Association, or
  - (d) infringing Standing Orders or, in the absence of a relevant Standing Order, acting contrary to the general principles of debate.

### **Disagreement with the Chairperson's Ruling**

38. A motion "That the Chair's ruling be disagreed with" may only be made immediately after the chairperson has made a ruling on a particular matter during a debate.



39. When such motion is moved and seconded, the chairperson must immediately vacate the Chair and the debate of the original question then before the Chair must be suspended.
40. Another chairperson must then be appointed by the meeting and the question "That the Chair's ruling be disagreed with" must be discussed and decided.
41. Once decided, the original chairperson is to resume the Chair and the debate of the original question must proceed as if the same had not been suspended.

### **Recommitting, Altering and Rescinding Resolutions**

42. No resolution passed by a meeting may again be debated or recommitted at the same meeting unless a two-thirds majority of the members Present and entitled to vote so agree.
43. Any member wishing to alter or rescind a resolution, which has been previously passed by a meeting, must give notice of motion that, at the next meeting, they will move that such resolution be altered or rescinded. Such notice of motion requires a two-thirds majority of the members Present and entitled to vote to agree.

### **Notice of Motion**

44. A member may, at any meeting, give notice of motion for a future meeting by reading such notice to the meeting and handing a written copy of it to the chairperson.
45. Such notice of motion must take precedence in the order in which it stands in the minutes of the meeting in relation to any other similar notices, unless otherwise ordered by the meeting.
46. Such notice of motion is to lapse if the member is not Present at the future meeting when the order for notice is read, unless another member is given leave by the chairperson to represent the absent member in accordance with paragraph 46.

### **Member's Absence**

47. If the chairperson decides that an item on the agenda for the meeting may lapse because of the absence of the member proposing the item, then the chairperson may invite another member to propose such item to the meeting.

### **Disorderly Conduct**

48. If any member at any meeting:
  - (a) persistently and wilfully obstructs the business of the meeting, or
  - (b) persistently and wilfully refuses to conform to these Standing Orders, or
  - (c) persistently and wilfully disregards the authority of the Chair, or
  - (d) uses objectionable words and refuses to withdraw such words, or
  - (e) otherwise behaves in a disorderly way,then the chairperson may report to the meeting that such member has committed an offence.
49. When a member has committed an offence, they must be called upon to rise and make any explanation or apology that they may think fit.
50. A motion may then be moved "That the member be suspended from the remainder of the meeting." No amendment, adjournment or debate may be allowed on such motion, which must immediately put to the vote by the chairperson.
51. If the motion is carried, the member who has been suspended must immediately

leave the meeting and take no further part in the proceedings of that meeting or any subsequent adjournment of that meeting.

### **Voting Procedure**

52. When a motion or amendment is not likely to be opposed, the chairperson may say, "If there is no objection, I declare the motion (or amendment) carried." The meeting is to show its agreement by remaining silent. However, if one member immediately says, "I object," then the question must be put to the vote.
53. In accordance with by-law 9.6, voting will normally be by show of hands. The chairperson must first ask for those in favour to raise their hand, then those against. If any member declines to vote, ie abstains, they are to be counted together with the votes against.
54. If the chairperson determines that the show of hands is decisive, then he/she may immediately declare the motion or amendment either "carried" or "lost" as applicable. However, the chairperson may call for an exact count to determine the result of the vote. Any member may also move a motion calling for an exact count.
55. If a secret ballot is held, each member must write their "yes" or "no" vote on a piece of paper and place it in the ballot box. The chairperson must appoint two members to count the votes. The chairperson may call a short adjournment while the votes are counted.
56. The chairperson is the sole and absolute judge as to the validity of any vote cast on any question. Unless an objection to the validity of any vote is raised immediately after the chairperson has declared the result of the vote, its validity cannot be raised at any subsequent stage of the meeting.

### **Voting Majorities**

57. Special resolutions require a three-quarters majority vote in favour to be carried.
58. The following require a two-thirds majority vote in favour to be carried:
  - (a) suspension of Standing Orders,
  - (b) recommitting of a resolution,
  - (c) alteration of a resolution, and
  - (d) rescinding of a resolution.
59. All other votes require a simple majority, ie more than 50% of the members Present and entitled to vote, in favour to be carried. In the event of a tied vote, the chairperson has a casting vote in addition to his/her primary vote, in accordance with rule 36(3) of the Constitution.

## APPENDIX C – FORMS

Form No	Title
1	Application for Membership
2	Candidate Nomination
3	Appointment of a Scrutineer
4	Application for an Absentee Ballot
5	Proxy – Instrument of Appointment
6	Claim for Reimbursement

**APPLICATION FOR MEMBERSHIP**

I/We hereby apply for membership of the Maroochy Quays Home Owners Association and agree to abide by the Association’s constitution and by-laws, a copy of which is available to all members on the Association’s web site and in the Library of the Maroochy Quays Country Club.

I/We understand that my/our details are required to be recorded in the Membership Register and that my/our email address(es) will be used by the Association for the purpose of internal community communication. I/We also understand that, under the Association’s constitution, the Membership Register is open for inspection by any member of the Association, but I/we may request the Secretary of the Association in writing to withhold certain details from the register made available for inspection if I/we believe that disclosure of said information would put me/us at risk of harm or discomfort.

<b>Applicant 1</b>	
Surname:	First Name:
Email Address:	
Contact Phone Number:	
Signature:	Date:
<b>Applicant 2</b>	
Surname:	First Name:
Email Address:	
Contact Phone Number:	
Signature:	Date:
Villa No:	Settlement Date*:

\* Settlement Date is the date on which you were handed the keys to your villa.

**Please return completed form to the HOC mailbox**

**Office Use Only**

Date received by Secretary:	Eligible: <input type="checkbox"/> Yes <input type="checkbox"/> No
Date applicant(s) advised:	Secretary’s Initials:

CANDIDATE NOMINATION

We, (nominator 1 name) \_\_\_\_\_, Villa No \_\_\_\_\_,
and (nominator 2 name) \_\_\_\_\_, Villa No \_\_\_\_\_,
nominate (candidate name) \_\_\_\_\_, Villa No \_\_\_\_\_,
as a candidate for the position(s) of \_\_\_\_\_
\_\_\_\_\_ in the (name of election) \_\_\_\_\_.

Nominator 1 signature: \_\_\_\_\_ Date: \_\_\_\_\_

Nominator 2 signature: \_\_\_\_\_ Date: \_\_\_\_\_

I, (candidate name) \_\_\_\_\_, Villa No \_\_\_\_\_,
consent to being a candidate for the position(s) of \_\_\_\_\_
\_\_\_\_\_ in the (name of election) \_\_\_\_\_.

I request that my name appear on the ballot paper as \_\_\_\_\_

I declare that I am:

- a) eligible for election as determined in accordance with the provisions of the
Associations Incorporation Act 1991 (Qld), Section 61A;
b) a "fit and proper person" as determined in accordance with the provisions of the Liquor
Act 1992 (Qld), Section 107; and
c) a "suitable person" as determined in accordance with the provisions of the Wine
Industry Act 1994 (Qld), Section 9.

Candidate signature: \_\_\_\_\_ Date: \_\_\_\_\_

Candidate Phone No: \_\_\_\_\_ Email: \_\_\_\_\_

Nomination Form Instructions:

- 1. The completed nomination form is to be lodged [insert how and by when].
2. If required by the Election Notice, nomination forms are to be accompanied by a
candidate profile comprising a:
a. colour, passport-like photograph of the candidate, and
b. succinct statement, not exceeding 200 words in length, providing sufficient
information about the candidate and their qualifications/experience for office, to help
the voter to exercise a choice between the candidates standing for election.

Certified by Returning Officer: \_\_\_\_\_ Date: \_\_\_\_\_

**APPOINTMENT OF A SCRUTINEER**

I, (name) \_\_\_\_\_, being a candidate for the position(s) of \_\_\_\_\_ in the (name of election) \_\_\_\_\_,

hereby appoint (name) \_\_\_\_\_ to be my

scrutineer,

substitute scrutineer if my appointed scrutineer is unavailable,

to represent my interests in accordance with the Instructions for Scrutineers below.

(signature) \_\_\_\_\_ (date) \_\_\_\_\_

I, (name) \_\_\_\_\_, agree to act as a scrutineer in accordance with the Instructions for Scrutineers below.

(signature) \_\_\_\_\_ (date) \_\_\_\_\_

**Instructions for Scrutineers**

A scrutineer may be present at any stage of the ballot. This includes:

- 1) witnessing the sealing and unsealing of any receptacle being used for the ballot; and
- 2) bringing to the attention of the returning officer any alleged irregularity in the:
  - a) issue of ballot papers,
  - b) admission of absentee voting envelopes to scrutiny,
  - c) formality or informality of ballot papers, or
  - d) counting of votes.

A scrutineer must not:

- 1) interrupt the scrutiny without just reason,
- 2) disclose any knowledge acquired by him/her concerning the votes of any particular voter or voters,
- 3) fail to carry out any reasonable request by the returning officer,
- 4) touch any ballot material, or
- 5) act in a manner that would interfere with the proper conduct of the election.

Failure of a scrutineer to attend any scheduled event will not delay any step in the election.

**APPLICATION FOR AN ABSENTEE BALLOT**

Member 1:

I, (name) \_\_\_\_\_, Villa \_\_\_\_\_, declare that I will be absent from Maroochy Quays for the entire duration of the voting period for the (name of election) \_\_\_\_\_.

I request that absentee ballot papers be sent to me at the following address:

*Either:*

(Address line 1) \_\_\_\_\_

(Address line 2) \_\_\_\_\_

(Suburb) \_\_\_\_\_ (State) \_\_\_\_\_ (Postcode) \_\_\_\_\_

*Or:*

(Email address) \_\_\_\_\_

(Signature) \_\_\_\_\_ (Date) \_\_\_\_\_

Member 2:

I, (name) \_\_\_\_\_, Villa \_\_\_\_\_, declare that I will be absent from Maroochy Quays for the entire duration of the voting period for the (name of election) \_\_\_\_\_.

I request that absentee ballot papers be sent to me at the following address:

*Either:*

As for Home Owner 1 above

*Or:*

(Address line 1) \_\_\_\_\_

(Address line 2) \_\_\_\_\_

(Suburb) \_\_\_\_\_ (State) \_\_\_\_\_ (Postcode) \_\_\_\_\_

*Or:*

(Email address) \_\_\_\_\_

(Signature) \_\_\_\_\_ (Date) \_\_\_\_\_

**PROXY – INSTRUMENT OF APPOINTMENT**

I, (member name) \_\_\_\_\_, of Villa No \_\_\_\_\_,  
being a registered member of the Maroochy Quays Home Owners Association, hereby

appoint  the Chairperson

(proxy name) \_\_\_\_\_, of Villa No \_\_\_\_\_,

as my proxy to vote for me on my behalf at the general meeting of the Association to be

held on the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_ and at any  
adjournment of this meeting.

Signed this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_.

(Signature) \_\_\_\_\_

**Optional**

This instrument is to be used to vote in favour of or against the following motions/resolutions as directed:

No	Name of motion/resolution	Vote to be cast
1		*in favour of / *against
2		*in favour of / *against
3		*in favour of / *against
4		*in favour of / *against
5		*in favour of / *against
6		*in favour of / *against

*[\* strike out whichever is not wanted]*

**Note:** Once completed, this proxy must be lodged with the Secretary no later than 48 hours prior to the start of the meeting.



### CLAIM FOR REIMBURSEMENT

Date: ..... Name of Group: .....

**Important:** Attach tax invoice / receipt showing company name and ABN, amount and date, and transaction receipt showing any merchant fees.

Purchase of:

.....	\$ .....
.....	\$ .....
.....	\$ .....
.....	\$ .....
	GST included: \$ .....
	Merchant fees: \$ .....
	Amount Due: \$ .....

Requested by: ..... Date: .....

Approved by: ..... Date: .....

HOC Treasurer: ..... Date: .....