



# **Australian Karate Federation Inc.**

## **Rules of Association**

Version Current as of Special General Meeting on 26<sup>th</sup> March, 2004

# AUSTRALIAN KARATE FEDERATION INCORPORATED

## RULES OF ASSOCIATION

<b>-RULES OF ASSOCIATION-</b> .....	<b>4</b>
<b>PART 1</b> .....	<b>4</b>
<b>PRELIMINARY</b> .....	<b>4</b>
<b>RULE 1</b> .....	4
<b>NAME</b> .....	4
<b>RULE 2</b> .....	4
<b>REGISTERED OFFICE</b> .....	4
<b>RULE 3</b> .....	4
<b>DEFINITIONS</b> .....	4
<b>RULE 4</b> .....	6
<b>AIMS AND PURPOSES OF ASSOCIATION</b> .....	6
<b>RULE 5</b> .....	7
<b>POWERS</b> .....	7
<b>PART II</b> .....	<b>8</b>
<b>MEMBERSHIP</b> .....	<b>8</b>
<b>RULE 6</b> .....	8
<b>MEMBERSHIP APPLICATIONS</b> .....	8
<b>RULE 7</b> .....	13
<b>CLASSES OF MEMBERSHIP</b> .....	13
<b>RULE 8</b> .....	17
<b>REGISTER OF MEMBERS</b> .....	17
<b>RULE 9</b> .....	18
<b>SUBSCRIPTIONS</b> .....	18
<b>RULE 10</b> .....	19
<b>CESSATION OF MEMBERSHIP</b> .....	19
<b>RULE 11</b> .....	19
<b>RESIGNATION</b> .....	19
<b>RULE 12</b> .....	19
<b>BEHAVIOUR &amp; DISCIPLINE OF MEMBERS</b> .....	19
<b>RULE 13</b> .....	25
<b>MEMBERSHIP ENTITLEMENTS NOT TRANSFERABLE</b> .....	25
<b>RULE 14</b> .....	25
<b>MEMBERSHIP RIGHTS</b> .....	25
<b>RULE 15</b> .....	26
<b>DISPUTES</b> .....	26
<b>RULE 16</b> .....	26
<b>VOLUNTARY DISSOLUTION</b> .....	26
<b>RULE 17</b> .....	26
<b>ADHERENCE TO RULES</b> .....	26
<b>PART III</b> .....	<b>27</b>
<b>THE COMMITTEE</b> .....	<b>27</b>
<b>RULE 18</b> .....	27
<b>POWERS OF THE COMMITTEE</b> .....	27
<b>RULE 19</b> .....	28
<b>THE COMMITTEE</b> .....	28
<b>RULE 20</b> .....	28
<b>ELECTION OF COMMITTEE</b> .....	28
<b>RULE 21</b> .....	29
<b>DUTIES OF OFFICE BEARERS</b> .....	29
<b>RULE 22</b> .....	31
<b>CASUAL VACANCIES</b> .....	31
<b>RULE 23</b> .....	31

REMOVAL OF OFFICE BEARERS .....	31
RULE 24 .....	32
COMMITTEE MEETINGS AND QUORUM .....	32
RULE 25 .....	33
DELEGATION BY COMMITTEE TO SUB-COMMITTEE .....	33
RULE 26 .....	33
COMPLAINTS RESOLUTION COMMITTEE .....	33
RULE 27 .....	34
VOTING AND DECISIONS .....	34
<b>PART IV .....</b>	<b>35</b>
<b>GENERAL MEETINGS .....</b>	<b>35</b>
RULE 28 .....	35
ANNUAL GENERAL MEETING – HOLDING OF: .....	35
RULE 29 .....	36
ANNUAL GENERAL MEETINGS – CALLING OF AND BUSINESS AT: .....	36
RULE 30 .....	36
SPECIAL GENERAL MEETINGS – CALLING OF: .....	36
RULE 31 .....	37
NOTICE .....	37
RULE 32 .....	38
PROCEEDINGS AT MEETINGS .....	38
RULE 33 .....	40
MINUTES .....	40
RULE 34 .....	40
VOTING RIGHTS .....	40
RULE 35 .....	40
PROXIES .....	40
RULE 36 .....	41
RULES OF DEBATE AT MEETINGS .....	41
RULE 37 .....	42
SPECIAL RESOLUTIONS .....	42
RULE 38 .....	42
OBSERVERS .....	43
<b>PART V .....</b>	<b>43</b>
<b>MISCELLANEOUS .....</b>	<b>43</b>
RULE 39 .....	43
INSURANCE .....	43
RULE 40 .....	43
FINANCIAL YEAR .....	43
RULE 41 .....	43
FINANCE .....	43
RULE 42 .....	44
ACCOUNTS AND AUDITS .....	44
RULE 43 .....	44
POWER AND DUTIES OF AUDITOR .....	44
RULE 44 .....	44
RULES OF ASSOCIATION .....	44
RULE 45 .....	45
WINDING UP .....	45
RULE 46 .....	45
APPLICATION OF SURPLUS ASSETS .....	45
RULE 47 .....	46
CUSTODY AND INSPECTION OF BOOKS .....	46
RULE 48 .....	46
INDEMNITY .....	46
RULE 49 .....	46
COMMON SEAL .....	46

# AUSTRALIAN KARATE FEDERATION INCORPORATED

## -RULES OF ASSOCIATION-

### PART 1

#### PRELIMINARY

##### **RULE 1**

###### **Name**

1. This name of the Incorporated Association is the Australian Karate Federation Incorporated, referred to herein as “the Association”.

##### **RULE 2**

###### **Registered Office**

1. The registered office of the Association is 22 Kilcolman Street, The Gap in the State of Queensland or at such other place as the Committee may, from time to time, determine.

##### **RULE 3**

###### **Definitions**

1. In these Rules, except insofar as the context or subject matter otherwise indicates or requires:
  - (a) “AIG” means Application Inspection Group;
  - (b) “Australian Head of Style” shall mean an individual person recognised as the person who is acknowledged as in charge and responsible for the conduct and running of any Karate organisation, association, club, group or body in Australia. In the case of incorporated bodies, it will mean the President or similar of the respective management committee of that organisation, association, club, group or body. This phrase replaces the former term “Australian Chief Instructor”
  - (c) “Committee” means the Executive Committee of the Association.
  - (d) “corporate member” has no meaning other than to state for clarity purposes that the member referred to is not an individual person, but rather a member that is either a club, group, organization, incorporated or unincorporated body;
  - (e) “CRC” means Dispute Resolution Committee

- (f) “member” and all derivative phrases therefrom, including the phrases Honorary Member, Ordinary Member, Associate Member, Affiliate Member, Individual Member and Probationary Member are as defined in Rule 7 hereof save for the phrase “voting member” which is defined separately in this Rule
- (g) “Meeting” means an Annual General Meeting of members of the Association, convened in accordance with these Rules.
- (h) “RSA” means “Recognised State Association”;
- (i) “Special General Meeting” means a General Meeting of the Association other than the Annual General Meeting.
- (j) “state” shall include a Territory of the Commonwealth of Australia
- (k) “State Head Of Style” shall mean an individual recognised as the person who is acknowledged as in charge and responsible for the conduct and running of any organisation, association, club, group or body within a given State or Territory of Australia. In the case of incorporated bodies, it will mean the President or similar of the respective management committed of that organisation, association, club, group or body. A State Head of Style cannot reside in the same State as that of the Australian Head of Style.
- (l) “The “Act” means the *Associations Incorporation Act*, New South Wales, 1984.
- (m) The “Regulation” or “Regulations” mean the *Associations Incorporation Regulation*, 1999.
- (n) The “Director-General” means the Director General of the Department of Fair Trading of New South Wales.
- (o) “Secretary” means –
  - (i) the person holding office under these Rules as Secretary of the Association;  
or
  - (ii) where no such person holds that office, the public officer of the Association.
- (p) “Code” shall mean the Association’s Code of Ethics, as amended which is appended to these Rules.
- (q) “Voting Member” is such member being either an Ordinary or Associate Member but expressly excludes other classes of members, in particular, an Individual Member.

- (r) References herein to the masculine gender shall include the feminine.
- 2. (a) A reference to a function includes a reference to a power, authority and duty; and  
(b) A reference to the exercise of a function includes, where the function is a duty, a reference to the performance of the duty.
- 3. The provisions of the Interpretations Act, 1987 (N.S.W.), apply to and in respect of these Rules in the same manner as those provisions would so apply if these were an instrument made under the Act.

#### **RULE 4**

##### **Aims and Purposes of Association**

- 1. The purpose of the Association shall be to diffuse true Karate to the community, to foster Karate on a national level, to develop the art of Karate, as well as the spirit and physical culture of the members of the Association and to standardise gradings. It shall cover all practitioners of Karate in the Commonwealth of Australia.
- 2. The aims and objectives of the Association shall be –
  - (a) To support, develop, protect and advance the practice of Karate throughout the Commonwealth of Australia.
  - (b) To establish universal criteria for standards and the recognition of instructors and gradings throughout the Commonwealth of Australia.
  - (c) To organise Karate championships.
  - (d) To select and support contestants in national and international Karate championships.
  - (e) To promote the proper, healthy and lawful practice of Karate and to repress all abuses of Karate in accordance with its Code of Ethics and to ensure universal and consistent standards thereof throughout the Commonwealth of Australia,.
  - (f) To prevent racial, religious, sexual or political discrimination among practitioners of Karate throughout the Commonwealth of Australia.
  - (g) To co-operate with, support and assist other organisations, bodies and parties, which, in the opinion of the Association, promote the best interests of Karate, to the extent that such other organizations, bodies and parties are either members of the Association or are recognised as Recognised State Associations.

- (h) To communicate with, affiliate with or enter into relationships with other organisations, Associations, bodies and societies whether in Australia or outside Australia in such a way as to further the interests of Karate.
- (i) To liaise with Government and semi-Governmental bodies, both State and Federal, and to apply for and pursue applications for Governmental assistance and support.
- (j) To enter into legal and other arrangements and relationships of a business or commercial nature such as may be necessary to promote the interests of Karate and to do such other lawful things as are incidental to or conducive to the attainment of the objects of the Association throughout the Commonwealth of Australia.
- (k) The Association shall organise a national tournament once a year under the Rules laid down by the World Karate Federation (WKF) or any variations thereof.
- (l) The property and income of the Association shall be applied solely and exclusively to the promotion of its objectives and no part may be applied directly or indirectly by way of pecuniary profit to a member.

## **RULE 5**

### **Powers**

1. The Association is the controlling body of Karate in the Commonwealth of Australia. Its authority shall be recognised by all members, and by the individual members of the corporate members of the Association.
2. The Association acknowledges the existence of other associations, groups or bodies who are involved in similar or like aims and purposes to those of the Association, but not on a national level. In particular, the Association acknowledges the existence of associations purporting to represent and promote the interests of karate on a state or territory level, however, the Association shall only recognise such Associations to which it confers the status of Recognised State Association.
3. The Association may request of such associations, groups or bodies that purport to have like or similar aims as those of the Association but which purport to organize, promote or conduct karate competitions or events or the practice of karate on a state or territory level the following:
  - a) That, whilst maintaining their own corporate independence, that they recognise and submit to the authority of the Association as the controlling body of karate in the Commonwealth of Australia and that, where there is conflict between the rules of the Association and theirs, that they acknowledge that the Rules of the Association prevail;
  - b) That they request of their members, be they individual persons or groups, bodies or organisations, however described, that they adhere to the Rules of this Association and, without derogating from the foregoing, in particular that they adhere to the Rules

regarding discipline and behaviour and adhere to the Code of Ethics published from time to time by the Association.

4. In return for the cooperation offered by such organisations referred to in paragraph 3 above, the Association may confer on each such state or territory organisation that agrees thereto the title of "Recognised State Association". A Recognised State Association shall automatically be entitled to become an Affiliate Member of the Association, subject to these Rules.
5. The Association may do all things reasonably within its power to advance and assist Recognised State Associations, including, but not limited to, assistance with lobbying for government funding, assistance in marketing and promotional activities and assistance in training and coaching matters.
6. The Association may revoke from an organisation the status of Recognised State Association at any time.
7. The decision to grant or revoke the status of Recognised State Association is one to be decided upon by the Committee.

## **PART II**

### **MEMBERSHIP**

#### **RULE 6**

##### **Membership Applications**

1. Applications for membership are restricted to application for Ordinary or Associate Membership. All other classes of membership as otherwise set out within these Rules are matters of invitation or default membership. The class of Probationary Membership is part of the procedure in becoming an Ordinary or Associate Member.

##### Application Procedure

2. Any application by a dojo, club, group, incorporated or unincorporated body that seeks to become a member of the Association shall proceed by the following process. In promulgating and setting out the procedures hereunder, these Rules, whilst recognising that individual persons may apply for membership, ordinarily and primarily membership applications shall come from dojos, clubs, groups, incorporated or unincorporated bodies and the procedures hereunder apply to such entities but may be modified, as the circumstances require, for applications by individuals.
3. The Applicant shall seek from the Association and be provided with an Application Form which it shall complete and submit to the Association along with the following documents and things:
  - a) Grading Certificates of Relevant Persons (details of which are referred to elsewhere within these Rules)
  - b) Qualifications of Relevant Persons (details of which are referred to elsewhere within these Rules)
  - c) Such Application or other fees or monies demanded of the Applicant by the Association. Such fees may include fees payable to cover inspection costs.



4. Upon receipt of the Application Form and such other requirements as referred to above, the Association shall empanel an Application Inspection Group to consider and report back to the Association upon the merits of the Application.

#### Application Inspection Group

5. The Application Inspection Group shall otherwise be referred to in these Rules as the "AIG".

6. The AIG shall be composed of such persons as the Committee in its absolute discretion shall determine. Without limiting the foregoing, if possible, the AIG may be composed of persons nominated for that purpose by the Recognised State Association in the state or territory of the Applicant's home base and the Committee of that Recognised State Association shall apply the rules and principles as set out hereunder to the composition, appointment and procedures of the AIG.

7. Persons appointed to an AIG shall be persons of significant and long-standing experience in the practice of karate and/or persons of seniority in the activities of the Association. Without limiting the foregoing, at least one member of an AIG should hold national coaching accreditation or such other technical accreditation or experience that would make him competent and/or adequately equipped to carry out the tasks required of an AIG member. There should, unless extraordinary circumstances prevail, be a minimum of three persons and no more than five persons appointed to an AIG.

8. Nothing shall invalidate the appointment of the AIG or its activities, recommendation or opinions in the event that one or more of the criteria referred to above is unable to be complied with, provided that reasonable endeavours are used to effect compliance therewith.

9. Each AIG shall agree amongst itself to the appointment of a Chairperson *pro tem* for the purposes of the inspection and, in default of agreement, a person amongst them shall be appointed as Chairperson by the President or Secretary of the Association.

10. Each member of an AIG should prepare an independent report of his observations, views and recommendations and shall prepare a discrete final opinion on whether an application for membership shall be recommended or rejected. Such final opinion shall be on a separate sheet of paper and contain a short synopsis of the member's observations and views and carry the discrete opinion, as referred to above, as to recommendation or rejection of the application. All individual reports shall be furnished to the AIG Chairperson who, in turn, shall submit them to the Association. The Chairperson shall write a summary report of the AIG members' views as a whole but nothing herein shall entitle him to withdraw, amend or in any way preclude delivery to the Association of the individual members' reports. In the event of equality of opinions within the membership of the AIG as to recommendation or rejection of the Application, the Chairperson thereof shall have a casting opinion.

#### Recommendation of Application and Voting Thereupon

11. Upon an AIG recommending that an application for membership be approved, the Secretary shall give written notice to existing Ordinary and Associate Members only, detailing the following:

- a) The name and basic details of the Applicant;
- b) The Applicant's style;
- c) The Applicant's Australian and, if relevant, State Head of Style's grades, qualifications and history in the practice of karate;
- d) The final opinions as to membership recommendations of each individual member of the AIG, as referred to above and the Chairperson's summary thereof (however, in the event that the individual members' opinions are unanimous, the Secretary may elect to distribute herein only the Chairperson's summary report); and
- e) Inviting any objections to be lodged in writing with the Secretary within 14 days of receipt of the notice.

12. In the event that a majority of Ordinary and Associate members respond in writing to the invitation hereabove within the time limits provided for therein with an adverse or opposition view to the admission to membership of the Applicant, the Secretary may, subject to the provisions herebelow, refer to the next Annual General Meeting the question to approve or reject the Application.

13. In the Secretary's absolute discretion, he can elect, upon the receipt of any adverse or opposition view to the admission to membership of the Applicant or upon the request for further information by an Ordinary or Associate Member, provide the full report of one or more AIG members to the Ordinary or Associate Members for further consideration, along with the adverse or opposition view and with a similar invitation, with appropriate modifications, to that referred to above.

14. Upon a majority of adverse or opposition views to the admission to membership of the Applicant being thereafter received, the Secretary shall refer the question of the Applicant's admission to membership or rejection to a vote at the next available Annual General Meeting.

15. Any vote on the question of admission to membership of an Applicant at a meeting shall be decided by simple majority with the Chairperson of the meeting having a second or casting vote.

16. In the event that an AIG recommends the rejection of an application, the Secretary shall write to the Applicant advising of same. The Secretary may enclose copies of the AIG's reports and recommendations, but nothing within these Rules requires the provision of same.

17. If the Applicant wishes to appeal against the AIG's recommendations, it may do so but only in writing to the Secretary asking for the reconsideration of the Application.

18. In the event of such a request for reconsideration of the Application, the Application shall be referred by the Secretary to the Committee for such reconsideration.

19. The Committee may enquire into and entertain the Application reconsideration request in such manner as it sees fit, including the reading of existing AIG reports and commissioning of further AIG enquiries, either on the part of the pre-existing AIG or by a freshly constituted AIG.

20. If, after a reconsideration of the application, the Committee is of the view that the Application for membership should be approved, then it shall give notice in writing to the Ordinary and Associate members of its opinion (with supportive reasons as to its opinion) and, with appropriate modifications as is required, invite any objections to be lodged in writing with the Secretary within 14 days of receipt of the notice.

21. With such modifications as are required by the circumstances, the Secretary shall await written replies within 14 days of such notice as referred to in the initial objection phase above. In the event that written replies do not show a majority of members having an adverse or opposition view to the membership application, the application shall be approved as hereunder. In the event that a majority of Ordinary and Associate members respond in writing to the invitation hereabove within the time limits provided for therein with an adverse or opposition view to the admission to membership of the Applicant, then the Secretary shall refer the question of the Applicant's admission to membership or rejection to a vote at the next available Annual General Meeting.

22. In the event that the AIG recommends admission to membership of the Applicant and no majority adverse or opposition view is communicated to the Secretary in accordance with these Rules or the Application is otherwise approved in accordance with these provisions, then, subject to payment of such fees as are required, the Applicant shall be admitted to Probationary Membership of the Association forthwith.

#### Initial Criteria for an Applicant

23. The following basic pre-requisites are required for an application for membership to be considered:

- a) The Applicant must acknowledge and undertake that, if admitted to membership of the Association, it will abide by and act in accordance with these Rules and such other by-laws, rules or regulations, including the Code of Ethics, as promulgated or published by the Association from time to time.
- b) The Australian Head of Style and/or State Head of Style (as the case may be) must hold a 3<sup>rd</sup> Dan Grade in a karate style duly recognised by the Association.
- c) All internal branch instructors of the Applicant must hold a Dan Grade level qualification.
- d) The Applicant must, upon demand by the Secretary, produce all grading certificates from a recognised Karate body for all head instructors;
- e) If the grading certificate(s) supplied are deemed to be insufficient proof, the head instructor and all assistant instructors must be assessed by the AIG as to their level of proficiency in:

- Karate Basics;
- Karate Techniques;
- Kata;
- Kumite

to the appropriate level stated by the applicant before the Application will be proceeded with. The AIG's majority decision will be final in relation to this paragraph.

24. In the absence of the above pre-requisites, no application for membership need be considered by the Association.

#### The AIG Inspection and the Inspection Process

25. In conducting its inspection, the AIG shall give heed to these Rules and also to the following matters:

- (a) The Applicant should have the potential to be able to provide the standard of instruction necessary to enable its individual members to compete at State and National level.
- (b) The Applicant must have its own standards and criteria (e.g. grading and examination criteria, development criteria and a knowledge of all aspects of karate) to enable its individual members to advance to the best of the students' abilities in the Association's competition.
- (c) In order to be eligible to be able to compete in tournaments organised by or conducted by the Association, at least one individual member of the Applicant must gain an Association Judge's Accreditation of any level. This is to ensure that the Applicant is then aware of safety standards of Association competitions when it becomes a member of the Association.
- (d) The Applicant must comply with any other matter as deemed necessary by the Committee or the AIG.
- (e) The applying Organisation is to provide a sample class for assessment and such sample class should consist of and be representative of the whole spectrum of student levels, ranging for beginner to advanced in men and women, boys and girls and not primarily of one particular group of grades or persons unless just cause can be shown.
- (f) The AIG shall enquire into and report upon the following matters:
  - venue safety and amenities.
  - Instructors' qualities, teaching style and methods.
  - Discipline.
  - Respect.
  - Attitude.

- Training, curriculum, standards, methods and techniques covering men, women and children.
- Safety factors.
- Etiquette and dress.
- Ethics and conduct.
- Organisation's criteria for learning, grading and development.
- Any other associated factors, including knowledge of awareness of such Federal, State and local laws that may have an application in relation to or impact upon the practice and enjoyment of karate.

26. Notwithstanding anything else contained within these Rules, no Applicant shall be approved either for inspection by an AIG or admission to membership as the case may be, where:

- (a) The Rules of the Applicant are insufficient to provide for proper management and control, in respect of the provision of instruction and safety of its individual members.
- (b) The provision of instruction in Karate is likely to be for unlawful purpose or prejudicial to public peace, welfare or good order in the Commonwealth of Australia.
- (c) The application for membership does not comply with the provisions of any Rules, regulations or by-laws of the Applicant Association made thereunder.
- (d) It would be contrary to public interest for the Applicant to become a member.
- (e) Either the AIG or the Association are satisfied that the Applicant applying for membership has been cancelled; or
- (f) If it can be seen that the Applicant is part of an organisation or connected to an organisation by State, National or International affiliation to an existing member, unless the application is expressly for admission to Associate Membership.

## **RULE 7**

### **Classes of membership**

1. Membership of the Association may be composed of individual persons or clubs, dojos, groups, incorporated or unincorporated bodies and associations.
2. The Association may have the following classes of members:

- Ordinary;
- Associate;
- Affiliate;
- Individual;
- Honorary;
- Probationary,

the full definition of each class of which is set out herebelow.

3. Save where expressly otherwise excluded, membership of the Association shall be extended to such clubs, dojos, groups, incorporated or unincorporated bodies and individuals who are approved by the Association and membership entitles the member to enjoy the full rights, benefits and entitlements that membership of such an association entails by tradition, custom and law and otherwise as expressly set out by these Rules, as well as casting upon the member the duties, obligations and responsibilities that membership of such an association entails by tradition, custom and law and otherwise as expressly set out by these Rules. Without limiting the generality of the foregoing, membership rights and obligations include:

- a) The right to vote at meetings of the Association;
- b) The right to receive correspondence from the Association and invitations to Association events and functions;
- c) The right to stand for or nominate representatives (in the instance of an incorporated body or group) to stand for elected positions;
- d) The right to participate in events or functions, including tournaments, organised by or conducted by the Association, subject to these Rules.

#### Ordinary Member

4. An Ordinary Member shall ordinarily be a club, dojo, group, incorporated or unincorporated body, but nothing herein shall expressly preclude an individual person from becoming an Ordinary Member. Without limiting the generality of the foregoing, an Ordinary Member shall be any true Karate organisation that is admitted to membership that teaches a recognised and recognisable form or style of true Karate, subject to the exclusions set out herebelow.

5. An Ordinary Member shall pass such Application Process for membership provided for elsewhere within these Rules and shall submit to the Association from time to time at the Association's request such documents including, but not limited to, the Ordinary Member's Constitution.

6. An Ordinary Member shall pay to the Association at the Association's request or demand such fees or monies as are permitted or required within these Rules, including, but not limited to:

- a) Joining fee;
- b) Annual subscription fee.

7. For the sake of clarity, the following sports, martial arts or practices are not considered to be true karate for the purposes of these Rules: boxing, wrestling, street fighting, unarmed combat, Judo, Jui-Jutsu, Ninjutsu, Tai Jatsu, Aikido, Hapkido, Taekwondo, Silat, Bando, Thai Boxing, Kick Boxing, Savate, Kung Fu, Wushu, Tai Chi Chuan, stick fighting, Arnis, Kendo Laido, Kyudo or any combination or hybrid thereof purporting to be Karate by the adaptation or incorporation of the name or word "Karate" or terminology alone.

8. There is no express limitation within these Rules as to the rights or obligations of membership of an Ordinary Member.

#### Associate Member

9. An Associate Member is such club, dojo, group, incorporated or unincorporated body that is affiliated to an existing Ordinary Member. For the sake of clarity, this definition is meant to cover such groups, which are set up or established in regions or states other than the original region or state in which an Ordinary Member was set up or established. The following fictitious example is provided for ease of understanding:

XYZ Karate School is established in Melbourne, Victoria and is an Ordinary Member of the Association. The XYZ Karate School establishes a branch in Sydney, New South Wales under the name "XYZ Karate School Sydney". The XYZ Karate School Sydney may, within these Rules, become an Associate Member of the Association, but not an Ordinary Member, as its parent body is already an Ordinary Member of the Association.

10. There is no express limitation within these Rules as to the rights or obligations of membership of an Associate Member.

#### Affiliate Member

11. An Affiliate Member is such person, club, dojo, group, incorporated or unincorporated body that is invited by the Association or otherwise entitled by these Rules to become an Affiliate Member of the Association.

12. Without limiting the generality of the preceding and the following, the primary basis and purpose of affiliate membership is to offer to the member the opportunity to participate in the life and activities of the Association but without offering or allowing any of the following rights:

- a) The right to vote at meetings;
- b) The right to stand for or nominate representatives to elected office within the Association.

13. Affiliate Membership shall entitle the Affiliate Member to attend and speak at meetings of the Association but not vote on motions.

14. Affiliate Membership may be offered to such persons, clubs, dojos, groups, incorporated or unincorporated bodies and associations, howsoever described, that are considered by the Association to hold and espouse similar aims or purposes to those of the Association, including, but

not limited to the promotion and advancement of karate in Australia and shall be extended to Recognised State Associations, within the meaning of these Rules, save, however, that individual persons who are members of the Affiliate Members may not participate in events or activities, including tournaments, organised by the Association, except as provided for elsewhere within these Rules or pursuant to direct invitation for those purposes.

#### Individual Members

15. An Individual Member means such individual person who is a member of such club, dojo, group, incorporated or unincorporated body which is otherwise a member, howsoever described, of the Association.

16. An Individual Member has none of the following rights of membership:

- a) The right to vote at meetings;
- b) The right to stand for or nominate representatives to elected office within the Association;
- c) The right to receive correspondence from the Association and invitations to Association events and functions;
- d) The Right to participate in events or functions, including tournaments, organised by or conducted by the Association (including meetings), except as provided for elsewhere within these Rules or pursuant to direct invitation or leave for those purposes.

17. For the sake of clarity and to explain further the position of an Individual Member within the meaning of these Rules, an individual person who is or joins as a member of such club, dojo, group, incorporated or unincorporated body which is otherwise a member, howsoever described, of the Association, by such joining agrees to abide by and submit to the Rules of the Association, including, but not limited to, those Rules relating to behaviour, discipline and the Code of Ethics of the Association as promulgated and published from time to time and which are appended to these Rules.

#### Honorary Members

18. Honorary Membership shall be offered to any person who, in the opinion of the Committee, as approved by the Association, has rendered distinguished and valuable service to the Association or is otherwise deserving of Honorary Membership in the opinion of the Committee.

19. The process of Application for Honorary Membership is as follows:

- a) A person may be nominated for such purpose by the Committee to the Association for approval in a vote at a General Meeting;
- b) The Association shall therein approve or reject the nomination and decide upon the duration, if at all limited, of the membership.

20. Upon acceptance of Honorary Membership, the Honorary Membership shall have the following limitation only upon his rights and obligations of membership:

- a) The right to vote at meetings, unless voting rights are specifically accorded to the Honorary Member by the Association.



21. Honorary Membership may be revoked in accordance with these Rules or otherwise by vote of the Association for that purpose at a General Meeting.

22. For the sake of clarity, the conferring, terms and duration of honorary membership of the Association are matters entirely within the discretion of the Association.

#### Probationary Members

23. A Probationary Member is such member who has not completed two years of membership of the Association (calculated from the date of the meeting that formally approves and ratifies the admission to membership) and otherwise not been admitted to the status of Ordinary or Associate Member (as the case may be).

24. A Probationary Member otherwise has full rights, duties and obligations as conferred by these Rules, except for:

- a) The right to vote at meetings;
- b) The right to stand for or nominate representatives to elected office within the Association.

25. A Probationary Member ceases to be a Probationary Member and is elevated to status of Ordinary or Associate Member (as the case may be) upon the completion of the two year probationary period referred to above and elsewhere in these Rules and upon the voting in support thereof by the existing Ordinary or Associate Members at the next Annual General Meeting. A Probationary Member seeking such elevation must also have the following pre-requisites complied with before any vote thereupon may be entertained:

- a) The Australian Head of Style or State Head of Style (as the case may be) must have attained or hold a 3<sup>rd</sup> Dan karate grade or above as duly recognised by the Association;
- b) The Australian Head of Style or State Head of Style (as the case may be) and all internal Branch instructors attain or hold a minimum of NCAS Level 1 Coaching Accreditation.

26. Any vote to refuse elevation to such status by the existing Ordinary or Associate Members shall be passed by a two thirds majority of those eligible or present and capable of voting.

27. If a Probationary Member's elevation to status of Ordinary or Associate Member (as the case may be) is refused as provided for hereabove, the Probationary Member shall remain a Probationary Member indefinitely, upon such terms and conditions as the Association shall see fit, provided that the Association, in a vote conducted at an Annual General Meeting, may, notwithstanding any other Rules herein, after the expiration of 3 years of probationary membership, vote to remove and expel the Probationary Member, provided further that any such vote in support thereof shall be passed by a two thirds majority of those eligible or present and capable of voting.

## **RULE 8**

### **Register of members**

1. Each ordinary and associate member will be required to submit to the Association by the 1<sup>st</sup> April in each year, a letter stating:

- a. the name and address and details of Committee members and Australian and (if relevant) State Head of Style
  - b. the name, address, email address (if possible) and telephone numbers of the individual members of the ordinary or associate memberand the Secretary will be required to establish and maintain a register of each member in accordance with the information so supplied, including the date upon which a person became a member, along with a register of like information other members, excluding Individual Members, as known by him.
2. Each Secretary of each Recognised State Association is required to submit to the registered office of the Association, no later than the 1<sup>st</sup> of May each year, a letter stating name and address, details of Executive Committee members and Chief Instructors/style presently affiliated in that State with that Recognised State Association.
3. The register of members shall be kept at the principal place of administration of the Association and shall be open for inspection, free of charge, by any member of the Association at any reasonable hour, subject to the provisions of the *Privacy Act* (Cth.).
4. The use and management of information obtained by the Secretary and/or the Association either in this Rule or otherwise shall be solely for the bona fide purposes and needs of the Association and in accordance with the *Privacy Act* (Cth.).

## **RULE 9**

### **Subscriptions**

1. An ordinary or associate member of the Association shall, upon admission to membership, pay to the Association an admission fee as determined by the Committee.
2. In addition to any amount payable by the member under Sub-rule (1) a member of the Association, howsoever described, save for Individual Members, shall pay to the Association an Annual membership fee, as determined by the Committee.
3. Save for hereinafter provided for, the fees for ordinary and associate members specified in Sub-rules (1) and (2) may be increased by the Committee provided that such increase shall not exceed ten per centum (10%) in any financial year. A fee increase of a larger or different measure may be sought at and voted upon at an Annual General Meeting.
4. The subscription fees of each class of membership shall be payable Annually on the 1<sup>st</sup> July or at such other time as the Committee may determine from time to time.
5. Any member whose fees of whatsoever nature and kind are outstanding for more than six (6) months after the due date for payment shall cease to be a member of the Association,

provided always that the Committee may reinstate such person's membership on such terms as it thinks fit.

6. Any member or former member in regard to whom action is taken under sub-rule (5) above shall be liable for any outstanding subscription and moneys levied from members prior to the subscription date which shall be recovered as a debt due to the Association.

## **RULE 10**

### **Cessation of membership**

1. A person ceases to be a member of the Association if the person –
  - (a) dies;
  - (b) resigns that membership; or
  - (c) is expelled from the Association; or
  - (d) his/her or its membership otherwise ceases by operation of these Rules.

## **RULE 11**

### **Resignation**

1. A member of the Association is not entitled to resign that membership except in accordance with this rule.
2. A member of the Association who has paid all amounts payable by the member to the Association in respect of the member's membership may resign from membership of the Association by first giving notice (being not less than one month or not less than such other period as the Committee may determine) in writing to the secretary of the member's intention to resign and, upon the expiration of the period of notice, the member ceases to be a member.
3. Where a member of the Association ceases to be a member pursuant to Sub-rule (2), and in every other case where a member ceases to hold membership, the secretary shall make an appropriate entry in the register of members, recording the date on which the member ceased to be a member.

## **RULE 12**

### **Behaviour & Discipline of members**

1. The duties of a Member shall be:

- (a) To comport himself or herself in a manner that will not embarrass the Association or bring it into disrepute. This duty shall be complied with at all times when the Member is:-
- (i) Participating or officiating in karate tournaments or bouts;
  - (ii) At karate tournament venues on the day of tournaments;
  - (iii) Travelling to and from karate tournaments ;
  - (iv) At Meetings of the Association or of corporate members;
  - (v) At training sessions of the Association or of corporate members;
  - (vi) At such other times where the behavior of the member is likely to be seen by Third Parties as being that of a Member of the Association or of a member of a corporate member.
- (b) To comply with these Rules;
- (c) To comply with the Code of Ethics as annexed to these Rules;
- (d) To otherwise comply to the best of his or her ability with such directions to karate practitioners as published and/or promulgated from time to time by the Association;
- (e) To comply with the terms of any insurance policy negotiated by the Committee;
- (f) To provide all such equipment needed for the execution of his or her duties or participation in tournaments or bouts;
- (g) To refrain from engaging in behaviour or making public statements which are detrimental to the interest of the Association, fellow Members or of karate generally.
2. Any complaint by any Member as to the conduct of a fellow Member is to be directed to the President or the Secretary. Such complaint should, if initially delivered orally, be confirmed in writing. For the purposes of this Rules, the President or Secretary are collectively known as “the person receiving the Complaint”.
3. There shall be established the position of “Investigations Officer”. The appointment of a person to this position is entirely within the discretion of the Committee and the appointment of that person may be on a permanent basis for the whole of any given year or on an ad hoc basis for the purpose of each and every complaint. The person so appointed to this position shall preferably not be a Member of the Association but nothing shall invalidate the

appointment of a Member to this position, should no persons of such description be reasonably available or prepared to undertake the duties of the position.

4. The Investigations Officer shall be entitled to such honoraria and reimbursement for out of pocket expenses as either the Committee deems fit or is otherwise agreed between him/herself and the Committee.
5. Where the President or the Secretary:-
  - (a) Receives a complaint that a breach of these rules has been allegedly committed (whether the complaint is from a member or otherwise); or
  - (b) Receives a complaint that a breach of the duties of a Member has been allegedly committed (whether the complaint is from a member or otherwise); or
  - (c) Receives adverse comment generally about a Member (whether the complaint is from a member or otherwise);

And if he or she considers the complaint or comment to be warranting of investigation and/or sanction or where the complainant seeks that an investigation be conducted, then the person receiving the Complaint shall refer the matter to the Investigations Officer, providing to the Investigations Officer all written material in relation to the Complaint.

6. The duties of the Investigation Officer shall be:-
  - (a) To peruse such written documentation as provided to him or her;
  - (b) To interview such persons as he or she sees fit in order to ascertain the substance of the Complaint and allegation(s) made;
  - (c) To make such written notations of the said interviews as he or she sees fit (but there is no obligation upon him or her to do so);
  - (d) To make a recommendation to the person receiving the Complaint that a hearing into the Complaint be conducted or, alternatively, to make a recommendation that no hearing to the Complaint be conducted;
  - (e) To present evidence at any subsequent hearing into the Complaint;
  - (f) To do all such things as required by him or her as promptly as possible.
7. In the event that the Investigations Officer recommends that no hearing be conducted into the Complaint, the Complainant may seek that the President or the Secretary, notwithstanding the recommendation of the Investigations Officer, refer the Complaint to the Complaints Resolution Committee for hearing (referred to in these Rules as the "CRC"). Such request must be in writing with an explanation as to why the hearing should still proceed,

notwithstanding the recommendation of the Investigations Officer, whereupon the President or Secretary may convene a meeting of the CRC for this purpose.

8. If the Investigations Officer recommends to the Person receiving the Complaint that a hearing should be convened, the Secretary shall convene a hearing of the CRC, who shall hear the matter. Such a convening and hearing shall occur as soon as reasonably practicable and in a location and in a manner as convenient as possible. The Secretary shall at the same time give written notice of the hearing to the persons referred to in sub-rules 10 (a)-(c) herebelow, stating the date, place and time for hearing. The person receiving the Complaint may not sit as a Member of the CRC, but the Secretary may attend the hearings of the CRC to make records of the hearings.
9. The Secretary shall also give notice to the Member complained of that:
  - (a) He or she may attend the hearing;
  - (b) If he or she is unable to attend the hearing, he or she should state why he or she is unable to so attend and otherwise advise him/her that he/she is at liberty to request that the hearing be adjourned or that it proceed in some other specified manner (for example, without limiting the following, that the meeting be held by telephone or audio-visual link-up);
  - (c) If he or she does not attend the hearing, the hearing may proceed in his or her absence, unless an adjournment is granted by the CRC consequent upon a request being made in sub-paragraph (b) here above.
10. At the hearing, the following persons have a right to be heard: -
  - (a) The Investigations Officer;
  - (b) The person complained of;
  - (c) The Complainant thereof, and, subject to the discretion of the CRC:
    - (i) Such witnesses who are called by persons in sub-paragraphs (a), (b) and (c) hereabove.
11. The hearing shall be conducted in such a manner as the CRC sees fit, subject always to the requirement to afford to the persons participating fairness of procedure, with the attainment of truth and the need to have the Complaint decided upon as promptly and expeditiously as possible, being equal and primary purposes of the hearing.
12. If the CRC has found the Complaint proved, the CRC may make one, more or a combination of the following dispositions:-

- (a) Expel the Member from the Association;
  - (b) Suspend the Member from the Association for such time and upon such conditions as it sees fit;
  - (c) Place such other conditions as it sees fit upon the Membership of the Member in the Association and/or his/her participation in events conducted by the Association.
13. Save always that, before exercising the powers referred to in the sub-rule immediately hereabove, the CRC, after having found the Complaint proved, shall afford to the Member so complained of an opportunity to be heard on the question of disposition.
14. When delivering its findings in relation to a Complaint herein, the CRC shall provide (in writing if so requested) reasons as to its findings and also reasons as to whatever disposition it has decided upon in accordance with sub-rule 12. The CRC shall keep a record of proceedings before it.
15. The decision of the CRC is deemed to be a decision of the Committee. This notwithstanding, all acts and steps taken by the CRC when enquiring into a matter are independent of the Committee and the CRC must be entitled to act independently of the Committee
16. After the hearing of a Complaint, where the Complaint has been proved, the Secretary shall give written notice to the Member of the decision of the CRC.
17. After the hearing of a Complaint in accordance with the provisions hereabove, the Member who is the subject of the Complaint (but not the Investigations Officer or any other person) (this person henceforth in this Rule called the "Appellant") may appeal to an Appellate Division of the CRC, notice of the appeal to be submitted to the Secretary in writing within 7 days of the Member having received notice of the decision. The Appeal may be on the question of the finding made or on the question of the disposition decided upon by the CRC.
18. Upon receiving the Notice referred to immediately hereabove, the Secretary shall convene a meeting of the Appellate Division of the CRC and shall give notice of such meeting to such persons who participated in the hearing appealed against, stating the date, place and time of the meeting. The Secretary shall also give notice to the Appellant that:-
- (a) He or she may attend that meeting;
  - (b) If he or she is unable to attend the hearing, he or she should state why he or she is unable to so attend and otherwise advise him/her that he/she is at liberty to request that the hearing be adjourned or that it proceed in some other specified manner (for example, without limiting the following, that the meeting be held by telephone or audio-visual link-up);

- (c) The appeal may be dismissed if he or she does not so attend, unless an adjournment is granted by the Meeting consequent upon a request being made in sub-paragraph (b) hereabove.
19. The hearing of an appeal shall proceed as a hearing *de novo*, meaning that the matter adjudicated upon may be entirely re-heard, as the Appellant so seeks.
  20. Upon the lodging of an appeal pursuant to these provisions, the Appellant shall pay the sum of \$2,000.00 bond to the Association or such other sum as the Committee deems fit from time to time, such sum to be held in trust by the Association pending the outcome of the appeal, subject to the paragraphs immediately below.
  21. Without limiting the use to which the bond sum referred to hereabove is used, the sum of money may be applied by the Association, acting via the Committee, as the Committee sees fit in its absolute discretion to defray the costs associated with the appeal, including, but not limited to, travel and telecommunications costs and honoraria (if any) required to be paid to CRC members.
  22. If the appeal is dismissed, the bond sum shall be forfeited by the Appellant and may be appropriated entirely to the revenue of the Association, save to the extent that the Appellate Division of the CRC might otherwise order and save to the extent that monies are required to be reimbursed to the Association for the costs of the appeal or which have otherwise already been expended, as referred to in these Rules.
  23. If the appeal is successful either in full or in part, such sum as is directed by the Appellate Division of the CRC shall be returned to the Appellant save to the extent that monies are required to be reimbursed to the Association for the costs of the appeal or which have otherwise already been expended, as referred to in these Rules.
  24. The Secretary shall keep a memorandum of all sums spent in accordance with the above paragraphs and provide that memorandum to the Appellant upon request and otherwise at the conclusion of the appeal process.
  25. The question or questions raised by the appeal shall be decided by a simple majority;
  26. If the appeal is dismissed, the Appellate Division of the CRC shall then decide upon such dispositions as provided for in sub-paragraph 12 hereabove and the procedures applicable to that aspect of the hearing shall apply and the disposition to be handed down shall be decided upon by a simple majority. The Appellate Division of the CRC shall be at liberty to impose such disposition as it sees fit and may impose a disposition considered to be more severe than that decided upon by the CRC.



27. During the vote on disposition (both in the CRC and the Appellate Division of the CRC), the Member, once he or she has had the opportunity to be heard on disposition, shall absent himself or herself from the room.
28. In the implementation of these Rules, both the Secretary and the CRC shall take note that the jurisdiction of the Association is across a large geographical area and that the costs of conducting meetings of any sort in a face-to-face context or via audio-visual and/or internet links can be expensive and costs factors should be considered prominently by both the Secretary and/or the CRC in taking any steps required by these Rules.
29. Nothing within these Rules prevents any person taking any action that he/she sees fit with the Court of Arbitration for Sport, save that it is intended by these Rules that such disputes, complaints or grievances that may exist from time to time between or about members be dealt with fairly, economically and expeditiously by the provisions of these Rules.

### **RULE 13**

#### **Membership Entitlements Not Transferable**

1. A right, privilege or obligation which a person has by reason of being a member of the Association –
  - (a) is not capable of being transferred or transmitted to another member; and
  - (b) terminates upon cessation of the person's membership.

### **RULE 14**

#### **Membership Rights**

1. It shall be a term of membership in the Association that a member organisation or an individual member of the organisation, shall retain complete freedom in the exercise of his political and religious views, subject to the operation of Commonwealth and State laws. No member organisation or individual member of such organisation shall be discriminated against or in any way prejudiced in his rights in the Association by his political or religious adherence or practices.
2. Any representative from the member organisation qualified as may be elsewhere provided in these Rules and by-laws shall be entitled to stand for election to any office or position within the Association.
3. The member organisation's rights regarding training, tournaments and management shall be fully respected and the Association shall not encroach upon such rights unless it can be proved to be injurious and/or prejudicial to the good of Karate or development of the Association.

## **RULE 15**

### **Disputes**

1. Disputes between members may be referred to the Committee for consent, arbitration or mediation, or referred to the Association in general meeting for deliberative or opinion vote, as the circumstances require.

## **RULE 16**

### **Voluntary Dissolution**

1. Any member organisation that proposes to dissolve itself voluntarily, according to its Rules, objects or any other written law, shall inform the Association in writing and a Certificate of Dissolution, signed by the President, Secretary and Treasurer or the Officer of the organisation holding an analogous position, shall be sent to the Association, within one week of a member organisation's dissolution.

## **RULE 17**

### **Adherence to Rules**

1. All members to the Association: ordinary, associate, affiliate, probationary, honorary, and individual members of such organisations, are required to adhere strictly to the Rules, regulations and by-laws of the Association.
2. Where there is any conflict between the Association's Rules and those of the Member, the Association's Rules shall prevail.
3. All members of the Association (ordinary and associate) that are corporate members (hereinafter referred to as "corporate members") wherein individual persons are members (or invited to be members) of the corporate members shall prominently display on such premises where the corporate members conduct their meetings, gatherings or training a notice to the following effects or publish in the next available publication sent to its members after passage of this paragraph:
  - a) That the corporate member is a member of the Association;
  - b) That any person who joins the corporate member becomes a member (non-voting) of the Association;
  - c) That the Rules of the Association are available for perusal by the member upon request and are available at all times for perusal via the Association's website which shall be at a location advised from time to time but which is for the time being located at [www.akf.com.au](http://www.akf.com.au)
  - d) That any person who joins the corporate member shall adhere to the Rules of the Association and the Code of Ethics by which the Association stands and all such other rules, by-laws, ethics and regulations by which the sport of karate is by tradition administered in Australia which Code of Ethics is Appendix 1 to these Rules; and
  - e) That any person who joins the corporate member is subject to the sanctions provided by the Rules of the Association for breach of any of its Rules as provided for herein and of any Code of Ethics, other rules, by-laws, ethics and regulations by which the sport of karate is by tradition administered in Australia

4. Any person who is a member of the corporate member at the time of the passing of this Amendment to the Rules of the Association agrees to be bound by the provisions immediately above and the corporate member shall take such steps as it sees fit to communicate the effect of these Rules to its existing members.
5. Without limiting or derogating from the foregoing, the corporate members' notice to be displayed is suggested to be in the following words:

Welcome to X (name of corporate member). We hope you enjoy your karate. We point out to you that this [dojo/club/organisation] is a member of the Australian Karate Federation ("the AKF"), the national organising body of karate in Australia. By joining this [dojo/club/organisation], you agree to abide by the Rules of the AKF, the Code of Ethics by which it operates and all other rules, by laws and regulations that apply to the lawful and honourable practice of karate by tradition and the sanctions that apply to breaches thereof. Copies of the AKF's Rules of Association and Code of Ethics are available upon request for perusal and are otherwise available for you to view and download at [www.akf.com.au](http://www.akf.com.au).

### **PART III**

#### **THE COMMITTEE**

##### **RULE 18**

###### **Powers of the Committee**

1. The National Central Executive shall be called the Committee of the Association and, subject to the Act, the regulation and these Rules and to any resolution passed by the Association in General Meeting –
  - (a) Shall control and manage the affairs of the Association;
  - (b) Shall exercise all such functions as may be exercised by the Association other than those functions that are required by these Rules to be exercised by General Meeting of members for the Association;
  - (c) Shall have the power to perform all such acts and do all such things as appear to the Committee to be necessary or desirable for the proper management of the affairs of the Association;
  - (d) Shall have the power to appoint and dismiss such officers, sub-committees and employees as are required to carry out the objects of the Association, including a public officer required by the Act, and make discuss or delegate any of its powers to such officers who shall not carry voting powers;

- (e) Shall have the power to pay a member, or other person, for a service rendered by or property acquired from persons, in a special or private capacity, this notwithstanding Sub-rule 2(1) of Rule 4.
  - (f) Shall have the power to levy shall monies from members and to make such by-laws as are necessary for the proper running of the Association as shall from time to time be determined.
  - (g) Shall have the power to suspend and/or cancel any member in accordance with these Rules and by-laws of the Association.
  - (h) Shall be responsible for all expenditure of the Association.
6. All acts and decisions of the Committee shall have full force and validity, notwithstanding anything otherwise provided within these Rules until such act or decisions are reversed, altered or otherwise dealt with by the Association as voted upon in a General Meeting.

## **RULE 19**

### **The Committee**

1. The business of the Association shall be conducted by the Committee of the Association which shall consist of the following office bearers:
  - (a) President;
  - (b) Deputy President;
  - (c) Vice President;
  - (d) Secretary;
  - (e) Treasurer.

## **RULE 20**

### **Election of Committee**

1. The Committee shall stand down and be eligible for re-election at each tri-Annual General Meeting.
2. In the event of a casual vacancy occurring in the membership of the Committee, the Committee may appoint a member of the Association to fill the vacancy and the member so appointed shall hold office, subject to these Rules until the conclusion of the Annual General Meeting next following the date of appointment and shall be eligible for re-appointment.

3. Each member of the Committee shall, subject to these Rules, hold office until the conclusion of the third Annual General Meeting following the date of the member's election, but is eligible for re-election.
4. Nominations of candidates for election as office bearers of the Committee –
  - (a) Shall be made in writing, signed by two members of the Association and accompanied by the written consent of the candidate which may be endorsed on the Form of Nomination; and
  - (b) Shall be delivered to the secretary of the Association not less than 7 days before the date fixed for the holding of the Annual General Meeting at which the election is to take place.
5. If insufficient nominations are received to fill all vacancies on the Committee, the candidates' nominations shall be deemed to be elected and further nominations shall be received at the Annual General Meeting.
6. If insufficient further nominations are received, any vacant positions remaining on the Committee shall be deemed to be casual vacancies.
7. If the number of nominations received exceeds the number of vacancies to be filled, the persons nominated shall be deemed to be elected.
8. If the number of nominations received exceeds the number of vacancies to be filled, a ballot shall be held.
9. The ballot for the election of office bearers and ordinary members of the Committee shall be conducted at the Annual General Meeting in such usual and proper manner as the Committee may direct, notwithstanding anything in these Rules.

## **RULE 21**

### **Duties of Office Bearers**

1. The National President shall:
  - (a) Act as Chairperson of all Meetings of the Association and exercise general control of the management of the affairs of the Association;
  - (b) Represent the Association nationally and internationally in an official capacity;

- (c) Be responsible for the management and control of the duties of any employees of the Association.
- 2. The National Deputy President shall assist the President in the maintenance of strict order during Meetings and shall discharge the duty of the National President during temporary absence.
- 3. The National Vice President shall carry out the duties of the National Deputy President during the absence of the latter.
- 4. The National Secretary shall perform the following duties –
  - (a) Attend to all correspondence, convene Meetings and notify those eligible to be present at such Meetings;
  - (b) Place before the Committee all incoming and outgoing correspondence and, in the event of matters requiring attention arising between the Committee Meetings, shall inform the National President;
  - (c) Keep suitable and orderly files of the Association's correspondence, members' register, applications for membership and other relevant documentation;
  - (d) Prepare Minutes of each and circulate such Minutes as instructed by the Association and record in a Minute Book all proceedings;
  - (e) Maintain a current copy of the Rules of the Association and have the same available at all Meetings and make the same available to all members and Applicants for membership;
  - (f) Maintain an Annual record of results of all national and international competitions involving the Association.
- 5. The National Treasurer shall perform the following duties:
  - (a) Ensure that all monies due to the Association are collected and received and forthwith deposit same to the credit of the Association at its authorised bank or approved lending institution;
  - (b) Ensure that all payments authorised by the Association are made;
  - (c) Keep a full copy and correct account of the income and expenditure of the Association and present to Meetings of the Committee a Statement of Receipts and Expenditure;

- (d) Present to the Annual General Meeting of the Association a properly audited Statement of Receipts and Expenditures and Balance Sheet of the financial transactions of the Association for the financial year ended.
6. The National Deputy President and Vice President each will be required to assist the President, Secretary or Treasurer as may be required and to also carry out work on special Committees which may be formed from time to time.
7. The immediate past President will be required to assist the President.

## **RULE 22**

### **Casual Vacancies**

1. For the purpose of these Rules, a casual vacancy in the office of a member of the Committee occurs if the member –
- (a) dies;
  - (b) ceases to be a member of the Association;
  - (c) becomes an insolvent under administration within the meaning of the *Corporations Act* (N.S.W.);
  - (d) resign office by notice in writing given to the Secretary;
  - (e) is removed from office under Rule 23;
  - (f) becomes of unsound mind or a person whose person or estate is liable to be dealt with in any way under a law relating to mental health; or
  - (g) is absent without the consent of the Committee from all the Committee meetings held during a present of 6 months.

## **RULE 23**

### **Removal of Office Bearers**

1. The office of a Committee member shall become vacant if a Committee member is –
- (a) Disqualified by the Act;
  - (b) Expelled under these Rules;
  - (c) Permanently incapacitated by ill health;

- (d) Absent without an apology for more than six consecutive Committee Meetings;

## **RULE 24**

### **Committee Meetings and Quorum**

1. The Committee shall meet at least three times in each period of 12 months at such place and time as the Committee may determine.
2. Additional Meetings of the Committee may be convened by the President or by any member of the Committee.
3. Oral or written notice of a Meeting of the Committee shall be given by the secretary to each member of the Committee at least 48 hours (or such other periods as may be unanimously agreed upon by the members of the Committee) before the time appointed for the holding of the Meeting.
4. Notice of a Meeting given under sub-rule 3 shall specify the general nature of the business to be transacted at the Meeting and no business other than that business shall be transacted at the Meeting, if the business which the Committee members present at the Meeting unanimously agree to treat as urgent business.
5. Any three members of the Committee constitute a quorum for the transaction of the business of a Meeting of the Committee.
6. No business shall be transacted by the Committee unless a quorum is present and if, within half an hour of the time appointed for the Meeting, a quorum is not present the Meeting stands adjourned to the same place and at the same hour and the same day in the following week.
7. If, at the adjourned Meeting, a quorum is not present within half an hour of the time appointed for the Meeting, the Meeting shall be dissolved.
8. At a Meeting of the Committee –
  - (a) the President or, in the President's absence, the Deputy President shall preside; or
  - (b) if the President and the Deputy President are absent or unwilling to act, one of the remaining members of the Committee, as may be chosen by the members present at the Meeting, shall preside.
9. Questions arising before the Committee shall be decided by a majority of votes.



10. A member of the Committee having a pecuniary interest in a contract with the Association must disclose that interest to the Committee as required by the Act and shall not vote with respect to the contract.

## **RULE 25**

### **Delegation by Committee to Sub-Committee**

1. The Committee may, by instrument in writing, delegate to one or more sub-committees (consisting of such persons as the Committee thinks fit) the exercise of such of the functions of the Committee as are specified in the instrument, other than –
  - (a) this power of delegation; and
  - (b) a function which is a duty imposed on the Committee by the Act or by any other law.
2. A function, the exercise of which has been delegated to a Sub-Committee under this rule may, while the delegation remains unrevoked, be exercised from time to time by the sub-committee in accordance with the terms of the delegation.
3. A delegation under this section may be made subject to such conditions or limitations as to the exercise of any function the subject thereof or as to time or circumstances, as may be specified in the instrument of delegation.
4. Notwithstanding any delegation under this rule, the Committee may continue to exercise any function delegated.
5. Any act or thing done or suffered by a sub-committee acting in the exercise of a delegation under this rule has the same force and effect as it would have if it had been done or suffered by the Committee.
6. The Committee may, by instrument in writing, revoke wholly or in part any delegation under this rule.
7. A sub-committee may meet and adjourn as it thinks proper.

## **RULE 26**

### **Complaints Resolution Committee**

1. There shall be established a sub-committee called the "Complaints Resolution Committee" (in these Rules referred to as the "CRC").
2. The CRC shall be composed of such persons as the Committee shall see fit from time to time. The CRC may be composed of any three persons for any hearing or purpose from time to time and may be drawn from either a fixed pool of available and willing persons or be

constituted on an ad hoc basis of any persons so selected from time to time for any hearing or purpose.

3. The CRC shall have as its members a trio of persons, one of whom shall preferably be a member of the Committee (but not the Secretary or, in the event of the President of the Association being a person who has received a Complaint in accordance with Rule 12 above, the President) and two such other persons who are available and willing at the time to convene for a hearing or other purpose.
4. Selection of persons to be members of the CRC (whether on a permanent basis or on an ad hoc basis) shall not be limited to persons who are members of the Association or persons who have experience in the practice of karate, but shall preferably be so, provided, however, that no member of the CRC, unless exceptional circumstances prevail, shall have either involvement in or alleged personal knowledge of the matter to be enquired into.
5. Unless exceptional circumstances prevail, the CRC shall have as its Chairperson the senior ranking Committee member or such person as is agreed upon for that purpose by the members of the CRC.
6. Questions to be decided by the CRC shall be decided by a simple majority but, if, for any reason, there is an equality in votes, the Chairperson shall have the deciding vote.
7. Upon deciding to refer a matter to the CRC, the Secretary shall invite such persons to form the CRC for the particular matter. Nothing shall limit the Secretary in his invitation to persons to form the CRC for the particular matter but he shall take into account matters such as geographical location of relevant interested persons.
8. Whilst by these Rules a member of the Committee may act as a member of the CRC from time to time, the acts and steps taken by the CRC are considered to be independent from the Committee or the Association and the CRC is not bound by any directive of the Committee or the Association and may act as it sees fit provided such is within the confines of these Rules and such State and Commonwealth laws as may apply from time to time and in accordance with the principles of natural justice, as they sit with such necessary modifications as required by these Rules.
9. Without limiting the above or the following, one aspect of the principles of natural justice that may be modified by the CRC is the manner of the conduct of hearings before it, such that the issues of cost and the large geographical reach of the CRC's jurisdiction may be taken into account in deciding whether or not to convene a meeting in a face-to-face context or otherwise.
10. For the purposes of these Rules, when an Appellate Division of the CRC is required to be convened, the same rules and procedures governing the composition and convening of the CRC as previously and elsewhere referred to herein shall apply with such modifications as necessary, save that no person who has sat on the CRC previously in relation to the matter which is the subject of the appeal may sit on the appellate division or any person who has a direct knowledge of or involvement in the matter which is the subject of the appeal.

## **RULE 27**

### **Voting and Decisions**

1. Questions arising at the Meeting of the Committee or any sub-committee or of any sub-committee appointed by the Committee shall be determined by a majority of the votes of members of the Committee or sub-committee present at the Meeting.
2. Each member present at a Meeting of the Committee or of any sub-committee appointed by the Committee (including the persons presiding at the Meeting) is entitled to one vote but, in the event of an equality of votes on any question, the person presiding may exercise a second or casting vote.
3. Notwithstanding the Rules, the Committee may act notwithstanding any vacancy on the Committee.
4. Any act or thing done or suffered or purporting to have been done or suffered, by the Committee or by a sub-committee appointed by the Committee, is valid and effectual notwithstanding any defect that may afterwards be discovered in the appointment or qualification of any member of the Committee or sub-committee.
5. All members of the Committee shall be entitled to all rights with respect to voting and participation in an Annual General Meeting or Special General Meeting of the Association as an ordinary member delegate would have.

## **PART IV**

### **GENERAL MEETINGS**

#### **RULE 28**

##### **Annual General Meeting – Holding of:**

1. With the exception of the first Annual General Meeting of the Association, the Association shall, at least once in each calendar year and within the period of 6 months after the expiration of each financial year of the Association, convene an Annual General Meeting of its members.
2. The Association shall hold its first Annual General Meeting –
  - (a) within the period of 18 months after its incorporation under the Act; and
  - (b) within the period of 2 months after the expiration of the first financial year of the Association.
3. Sub-rules 1 and 2 have the effect subject to any extension or permission granted by the Director-General under section 26(3) of the Act.

4. Notwithstanding Sub-rules 1, 2 and 3, the Annual General Meeting shall normally be held on the day, or within one day of the Association's National Championships.

## **RULE 29**

### **Annual General Meetings – Calling of and Business at:**

1. The Annual General Meeting of the Association shall, subject to the Act and to Rule 28, be convened on such date and at such place and time as the Committee thinks fit.
2. In addition to any other business which may be transacted at an Annual General Meeting, the business of that Annual General Meeting shall be –
  - (a) To confirm the Minutes of the last preceding Annual General Meeting and of any Special General Meeting held since that Meeting;
  - (b) To receive from the Committee reports upon the activities of the Association during the last preceding financial year;
  - (c) To elect office bearers of the Committee;
  - (d) To receive and consider the financial and audit Statement which is required to be submitted to members pursuant to Section 26(6) of the Act.
  - (e) To decide all matters of policy and give directions to the Committee;
  - (f) To hear and determine final appeals from members or applicants regarding all relevant matters;
  - (g) To fix, reduce, increase or alter the subscription fees of members;
  - (h) To consider special business of which notice has been given.
3. An Annual General Meeting shall be specified as such in the notice covering it.

## **RULE 30**

### **Special General Meetings – Calling of:**

1. The Committee may, whenever it thinks fit, convene a Special General Meeting of the Association.
2. The Committee shall, on the requisition in writing of not less than 50 per cent of the total number of voting members, convene a Special General Meeting of the Association.
3. A requisition of voting members for a Special General Meeting –

- (a) Shall state the purpose or purposes of the Meeting;
  - (b) Shall be signed by the members making the requisitions;
  - (c) Shall be lodged with the Secretary; and
  - (d) May consist of several documents in a similar form, each signed by one or more of the members making the requisition.
4. If the Committee fails to convene a Special General Meeting to be held within one month after the date in which a requisition of members for the Meeting is lodged with the Secretary, any one or more of the members who made the requisition may convene a Special General Meeting to be held not later than three months after that date.
5. A Special General Meeting convened by a member or members as referred to in Sub-rule 4 shall be convened as early as is practicable in the same manner as General Meetings are convened by the Committee and any member who thereby incurs expense is entitled to be reimbursed by the Association for any expense so incurred.

## **RULE 31**

### **Notice**

1. Except where the nature of the business proposed to be dealt with at a General Meeting requires a special resolution of the Association, the Secretary shall, at least 14 days before the date fixed for the hearing of the General Meeting, cause to be sent by pre-paid post to each member other than an Individual Member at the member's address appearing in the Register of members, a notice specifying the place, date and time of the Meeting and the nature of the business proposed to be transacted at the Meeting.
2. Where the nature of the business proposed to be dealt with a General Meeting requires a special resolution of the Association, the Secretary shall, at least 21 days before the fixed date for the holding of the General Meeting, cause notice to be sent to each member in the manner provided in Sub-rule 1, specifying, in addition to the matter required under Sub-rule 1, the intention to propose the resolution as a special resolution.
3. No business other than that specified in the notice convening a General Meeting shall be transacted at the Meeting except, in the case of an Annual General Meeting, business which may be transacted pursuant to Rule 29(2).
4. A member, other than an Individual member, desiring to bring any business before a General Meeting may give notice in writing of that business to the Secretary, who shall include that business in the next notice calling a General Meeting given after receipt of the notice from the member.

## **RULE 32**

### **Proceedings at Meetings**

#### **1. Quorum**

- (a) No item of business shall be transacted at a General Meeting unless a quorum of members entitled under these Rules to vote is present during the time the Meeting is considering that item;
- (b) To commence a General Meeting, fifty per centum (50%) of those eligible to attend and vote must be present.

#### **2. Convening of Meetings**

- (a) If, within half an hour after the appointed time for the commencement of a General Meeting, the quorum is not present, the Meeting, if convened upon the requisition of members, shall be dissolved and in any other case shall stand adjourned to the same day in the following week at the time and (unless another place is specified at the time of the adjournment by the person presiding at the Meeting or communicated by written notice to members given before the day to which the Meeting is adjourned) at the same place.
- (b) If, at the adjourned Meeting, a quorum is not present within half an hour after the time appointed for the commencement of the Meeting, the members present (being not less than three) shall constitute a quorum.
- (c) The President or, in the President's absence, the Deputy President, shall preside as Chairperson at each General Meeting of the Association.
- (d) If the President and the Deputy President are absent from a General Meeting or unwilling to act, the members shall elect one of their members to preside as Chairperson at the Meeting.
- (e) The Chairperson at a General Meeting at which a quorum is present may, with the consent of the majority of members present at the Meeting, adjourn the Meeting from time to time and place to place but no business shall be transacted at an adjourned Meeting other than the business left unfinished at the Meeting at which the adjournment took place.
- (f) Where a General Meeting is adjourned for 14 days or more, the Secretary shall give written or oral notice of the adjourned Meeting to each member of the Association stating the place, date and time of the Meeting and the nature of the business to be transacted at the Meeting.

- (g) Except as provided in Sub-rules e and f, notice of an adjournment of a General Meeting or of the business to be transacted at an adjourned Meeting is not required to be given.

### **3. Voting Power**

- (a) At the Annual General Meeting or any other Meeting of the Association, each ordinary member is entitled to one vote per membership to the Association.
- (b) A member or proxy is not entitled to vote at any General Meeting of the Association unless all monies due and payable by the member or proxy to the Association has been paid.
- (c) In the event of a tied vote, the Chairperson of the Meeting is entitled to exercise a second or casting vote.
- (d) Before any member may cast a vote at any Meeting of the Association, the person intending to vote on behalf of that member organisation must either be:
  - (i) Recognised as the registered authorised representative of that member or organisation; or
  - (i) Recognised as the properly appointed proxy under Rule 35.

### **4. Votes**

- (a) At any General Meeting, a resolution put to a vote shall be decided on a show of hands and a declaration by the Chairperson of the Meeting that a resolution has been carried or lost, shall, unless a poll is demanded by conclusive evidence of the fact, without proof of the number or proportion of the votes recorded in favour of or against, the resolution.
- (b) If a poll is demanded by the Chairperson of the Meeting or by three or more members present personally or by proxy, it shall be taken in such manner as the Chairperson directs. The result of such poll shall be the resolution of the Meeting, except that in the case of a special resolution, a majority of not less than two thirds of the members who, being entitled to do so, vote personally or by proxy at the Meeting is required.
- (c) A poll demanded on the election of a Chairperson of a Meeting or on any question of an adjournment shall be taken at the Meeting without adjournment.
- (d) Voting for all positions shall be by secret ballot and shall be decided as follows:

- (i) **For positions for which only one person is to be elected**  
members shall vote for each candidate in order of preference. A candidate with the greatest number of first preference votes shall be declared elected.
  
  - (ii) **For Sub-Committees or for positions to which more than one person is to be elected**  
A number of ballots shall be taken equal to the number of persons to be elected. On each ballot, members shall vote for one candidate only. The person receiving the greatest number of votes shall be declared elected. With the elected person's name deleted from the list of candidates, another ballot should be taken. Again, the person receiving the greatest number of votes shall be declared elected and his name deleted from the list of candidates before another ballot is taken.
- (e) Voting on any motion shall be recorded at the request of any one member.

### **RULE 33**

#### **Minutes**

1. Proper Minutes of all proceedings of Meetings of the Association and of Meetings of the Committee, shall be entered within one month after the relevant Meeting in Minute Books kept for the purpose.
2. The Minutes kept pursuant to this rule shall be signed by the Chairperson of the Meeting at which the proceedings took place or by the Chairperson of the next succeeding Meeting.
3. Where Minutes are entered and signed, they shall, until contrary proof by evidence that the Meeting was convened and duly held, that all proceedings held at the Meeting shall be determined to have duly held and that all appointments made at a Meeting shall be deemed to be valid.

### **RULE 34**

#### **Voting Rights**

1. Subject to these Rules, each member present in person or proxy shall be entitled to one vote.
2. A corporate member shall be entitled to appoint one person who shall be a member of the corporate member to represent it at a particular Meeting or Meetings of the Association. That person shall be appointed by the corporate member by a resolution of its board which shall be authenticated under its seal. Such a person shall be deemed to be a member of the Association for all purposes until the authority to represent the corporate member is revoked.

### **RULE 35**

#### **Proxies**



1. Each member shall be entitled to appoint another member or their nominated assistant Head of Style as proxy by notice given to the Secretary no later than 7 days before the time of the Meetings in respect of which the proxy is appointed.
2. The President of the Association retains the right to accept parole appointments of proxy votes at his discretion, and to communicate these appointments to the Committee.
3. The Committee retains the right to reject the appointment of any proxy vote by majority resolution.
4. The notice appointing the proxy shall be in the form prescribed by the Committee.

## **RULE 36**

### **Rules of Debate at Meetings**

1. The Chairperson shall –
  - (a) Make sure that a quorum is present at all times throughout the Meeting.
  - (b) Conduct the Meeting in accordance with the Rules.
  - (c) Ensure that no member speaks for an undue length of time or unnecessarily repeats points that have already been put before the Meeting.
  - (d) Terminate any discussion which is not, at that time, relevant to the business before the Meeting.
2. Any members dissatisfied with Chairperson's ruling may move a motion of dissent in following terms "That the Chairperson's ruling be dissented from". In such a case, only the mover shall be permitted to speak, except the Chairperson, who may state his reasons for the ruling given. The motion shall, thereupon, be put to the Meeting by the Vice-Chairperson without further discussion in the following form "The motion is that the Chairperson's ruling be upheld".
3. All members shall stand to address the Chair.
4. No speaker shall speak for or against a motion more than once or for longer than five minutes.
5. There shall be no limit on the number of speakers for or against a motion, except in the case where there are no opposition speakers to a motion, in this case, the debate shall be closed and motion put to the vote. In the case of opposition, speakers shall speak in succession at a

time in support and opposition. The mover of the motion shall have the right to reply at the close of the debate.

6. Any member may move without debate that the question "Now be put" and, if the Motion is seconded and carried by a majority vote, the Motion or amendment before the Meeting shall be put at once.
7. Any member may move that the Meeting "Now proceed to the next business". This requires a seconder and shall be noted upon without discussion. If carried, the original motion shall not be reviewed at the same Meeting.
8. Any member may move that the motion before the Chair be deferred.
9. A motion to amendment which is not passed at a Meeting may not be brought forward again at the same Meeting, but the matter may be brought forward at a subsequent Meeting.
10. Upon evidence of a mistake in facts that have been presented to the Meeting, upon receipt of further information, a motion may be rescinded at the same Meeting provided that all members who voted on the motion are present and agree to the rescission. A resolution may be rescinded on notice of motion at subsequent Meeting.
11. An amendment which is a direct negative of the motion shall not be allowed.
12. An amendment moved and seconded is voted before the Motion. The mover of the original motion may exercise his right of reply before the amendment is voted upon. No second or subsequent amendment shall be received until the first amendment is voted upon. An amendment which is carried becomes a motion and open for further amendment. The mover and seconder of the motion under discussion are not entitled to move or second amendments to it. If the mover is in agreement with any proposed amendment, he can accept it and may seek to alter his Motion accordingly.
13. No motion or amendment may be moved without the consent of the mover and seconder and the consent of the Meeting.

## **RULE 37**

### **Special Resolutions**

1. A resolution of the Association is a special resolution if it is passed by a majority which comprises not less than three quarters of such members of the Association as, being entitled under these Rules so to do, vote in person or by proxy at a General Meeting of which not less than 21 days written notice specifying the intention to propose the resolution as a special resolution but given in accordance with these Rules.

## **RULE 38**

## **Observers**

1. Subject to the discretion of the Chairperson, any student or any member organisation or any associate of the representative of any member organisation may attend a General Meeting but may not enter into discussion of any business or cast votes, put Motions, second Motions as put or enter into the business of the Association.

## **PART V**

### **MISCELLANEOUS**

#### **RULE 39**

##### **Insurance**

1. The Association shall affect and maintain insurance pursuant to Section 44 of the Act.
2. In addition to the insurance required under Sub-rule 1, the Association may affect and maintain other insurance.
3. Members of the Association shall be otherwise responsible for their own insurance coverage.

#### **RULE 40**

##### **Financial Year**

1. The financial year of the Association shall be the period ending on the 30<sup>th</sup> June and beginning 1<sup>st</sup> July of the same year.

#### **RULE 41**

##### **Finance**

1. The funds of the Association shall be derived from entrance fees and Annual subscription of members, private donations, Federal Government funding and, subject to any resolution passed by the Association in a General Meeting, such other source as the Committee determines.
2. All money received by the Association shall be deposited, as soon as practicable and without deduction, to the credit of the Association's bank account.
3. The Association shall, as soon as practicable after receiving any money, issue an appropriate receipt.

4. Subject to any resolution passed by the Association in a General Meeting, the funds of the Association shall be used in pursuance of the objects of the Association in such manner as the Committee determines.
5. Specimen signatures of the President, Secretary, Administrator and Treasurer shall be lodged with Association's bank and/or other financial institution. All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments shall be signed by any two of the above.
6. The monies of the Association shall be invested as the Committee may decide, subject to final approval of the Association at General Meeting.
7. Subject to this Rule, the Association may borrow money from banks or other financial institutions upon such terms and conditions as the Committee sees fit, and may secure the repayment thereof by charging the property of the Association.

#### **RULE 42**

##### **Accounts and Audits**

1. The Association shall keep such accounts and require such audits as are necessary to explain the financial transactions and position of the Association and comply with requirements of the Act.

#### **RULE 43**

##### **Power and Duties of Auditor**

1. One or more certified auditors of a recognised firm of Chartered Accountants shall be appointed by a majority of the Committee, subject to review by the Association at General Meeting.
2. When appointed, the auditors shall audit the books of the Association.
3. The auditors shall demand receipts, vouchers, cheque book stubs for every item of expenditure and monies deposited or invested with interest thereon.
4. The auditors may take possession of the books of the Association in connection with the financial transactions of the Association for the purpose of complying the audited financial reports to the Committee or the Annual General Meeting.

#### **RULE 44**

##### **Rules of Association**

1. These Rules and such by-laws and standing orders as may be passed and/or promulgated from time to time shall stand as the governing and constitutional provisions of the Association.

2. Subject to approval by a special resolution of members of the Association, these Rules, by-laws and standing orders, may be altered (including an alteration to name), or be rescinded and replaced by substituted rules. Such an alteration shall be registered with the Director-General, as required by the Act.
3. The registered rules shall bind the Association and every member to the same extent as if they had respectively signed and sealed them and agreed to be bound by all the provisions thereof.
4. Alteration of these Rules may only be achieved by special resolution of three quarters of members entitled to vote, whether in person or by proxy, at the General Meeting of which not less than 21 days notice must be given, specifying the alteration proposed.

#### **RULE 45**

##### **Winding up**

1. The Association shall be wound up in the manner provided for by the Act.
2. A resolution for voluntary dissolution will require three months' notice to all voting members of the Association and may be passed only by a three quarter majority at any General Meeting whereupon the Committee shall release all assets; discharge liabilities and cause distribution of surplus assets in accordance with Rule 46.
3. The liability of members as to the costs and expenses of winding up, or debts of the Association is to be no more than \$2.00 per member.

#### **RULE 46**

##### **Application of Surplus Assets**

1. If, upon the dissolution or winding up of the Association, there remains, after the satisfaction of all debts and liabilities, any property whatsoever, the same shall not be paid or distributed among the members of the Association but shall be given or transferred to some other Association having objects similar, wholly or in part to the objects of the Association and which shall prohibit the distribution of its income and property among its members or to some charitable object or objects which Association or object shall be determined by members of the Association at or before the time of dissolution or winding up.
2. The incorporated Association so nominated shall be one which fulfills the requirements specified in Section 53(2)(a)-(c) of the Act.
3. In default, or insofar as effect cannot be given to us determination under Sub-rule 1, then such payment or distribution shall be determined by a Judge of the Supreme Court of New South Wales.

## **RULE 47**

### **Custody and Inspection of Books**

1. Except where otherwise provided by these Rules, the Secretary or other nominated person, as the Committee decides, shall keep in his or her custody or under his or her control, all records, books and other documents relating to the Association.
2. The records, books and other documents of the Association shall be open to inspection, free of charge, by any member of the Association at any reasonable hour.

## **RULE 48**

### **Indemnity**

1. Every member organisation, representative, officer and including paid employees or voluntary workers shall not be liable to any person in respect of any act performed or decision made in good faith in the course of his duty in administering the Rules, by-laws and regulations contained herein.
2. Every member organisation, representative, officer, including paid employees and voluntary workers, shall be indemnified out of the assets of the Association against any liability arising out of the execution of the duties of his office which is incurred by him in defending any proceedings, whether civil or criminal, in which Judgment is given in his favour or which he is acquitted or in connection with any Application under the Act in which relief is granted to him by the Court in respect of any negligence, default or breach of trust.

## **RULE 49**

### **Common Seal**

1. The Association shall have a common seal upon which its corporate name shall appear in legible characters.
2. The common seal of the Association shall be kept in the custody of the Secretary or such other person as the Committee may decide.
3. The common seal shall not be affixed to any instrument except by the express authority of the Committee. The affixing of the common seal shall be attested by the signature either of two members of the Committee or of one member of the Committee and of the public officer or Secretary.

**Appendix 1**  
**Code of Ethics**

***In accordance with the following standards for correct conduct and practice, all members of the Australian Karate Foundation Inc. will accept and abide by the following rules as representatives of the A.K.F.***

1. Co-operate with the Australian Karate Federation in establishing and conducting a quality program of sport karate.
2. Conscientiously work towards the positive promotion of Karate in the community.
3. Behave in a dignified manner whilst representing the Federation in any capacity and that personal contact will always be such as to uphold and not injure the standing and reputation of the A.K.F., within the community.
4. Refrain from the misuse of any official position for personal gain by way of exaggerated or unsubstantiated claims, fraudulent practice or sexual harassment.
5. Adhere to the official dress code whilst representing the Federation.
6. Neither possess, nor use prohibited drugs or any banned substances, nor participate in any activity that is illegal or contrary to the policies or interests of the Federation.
7. Make every effort to respect the rights of all people involved in Karate regardless of gender, race, religion or social status.
8. Endeavour to regularly improve and upgrade knowledge and professionalism as a representative of the Federation.
9. Keep confidential all matters which may be learned in any official capacity.

(Failure to comply with any of the above will be dealt with under Rule 12 of the Rules of Association – Discipline of Members).

<i>A</i>	
Accounts and Audits .....	43
Adherence to Rules .....	25
Aims and Purposes of Association .....	5
Annual General Meeting – Holding of: .....	34
Annual General Meetings – Calling of and Business at: .....	35
Application of Surplus Assets .....	44
<i>B</i>	
Behaviour & Discipline of members .....	18
<i>C</i>	
Casual Vacancies .....	30
Cessation of membership .....	18
Classes of membership .....	12
Committee Meetings and Quorum .....	31
Common Seal .....	45
Custody and Inspection of Books .....	45
<i>D</i>	
Definitions .....	3
Delegation by Committee to Sub- Committee .....	32
Disputes .....	24
Disputes Resolution Committee .....	32
Duties of Office Bearers .....	28
<i>E</i>	
Election of Committee .....	27
<i>F</i>	
Finance .....	42
Financial Year .....	42
<i>I</i>	
Indemnity .....	45
Insurance .....	42
<i>M</i>	
Membership Applications .....	7

Membership Entitlements Not Transferable .....	24
Membership Rights .....	24
Minutes .....	39
<i>N</i>	
Name .....	3
Notice .....	36
<i>O</i>	
Observers .....	42
<i>P</i>	
Power and Duties of Auditor .....	43
Powers .....	6
Powers of the Committee .....	26
Proceedings at Meetings .....	37
Proxies .....	39
<i>R</i>	
Register of members .....	17
Registered Office .....	3
Registration .....	18
Removal of Office Bearers .....	30
Rules of Association .....	43
Rules of Debate at Meetings .....	40
<i>S</i>	
Special General Meetings – Calling of: .....	35
Special Resolutions .....	41
Subscriptions .....	17
<i>T</i>	
The Committee .....	27
<i>V</i>	
Voluntary Dissolution .....	25
Voting and Decisions .....	33
Voting Rights .....	39
<i>W</i>	
Winding up .....	44



