



Constitution of the Chess Association of Queensland Incorporated

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1 Name

The name of this organisation shall be "Chess Association of Queensland Incorporated" (herein after called "the Association").

The Association shall be the recognised governing body for the organised sport of chess in the State of Queensland and shall consist of such affiliated clubs and such individual chess players in the State of Queensland as join the Association as hereinafter provided.

2 Official Address

The official address of the Association shall be the address nominated from time to time by the Secretary with the consent of the Council during the Secretary's term of office or such other address as may be nominated from time to time by the Council.

3 Definitions

In this Constitution, unless specifically stated otherwise:

"Affiliated Member" shall mean a person affiliated with the Association under the provisions of Section 6 herein.

"Affiliated Club" shall mean a club affiliated with the Association under the provisions of Section 6.2 herein.

"Council" shall mean the Management Committee of the Association elected under the provisions of Section 14 herein.

"ACF" shall mean the Australian Chess Federation Incorporated.

"FIDE" shall mean the International Chess Federation.

In the case where the masculine gender is used, the feminine gender also applies.

Where reference is made to an instrument, notice or document to be "in writing" or similar intent, such instrument, notice or document may be given by means of a printed page or image transmitted by a fax machine or by electronic mail (email), provided that the email address used is that recorded by the Association as belonging to the person or organisation intended to be the addressee or claiming to be the sender.

4 Objects

- 4.1 To be the controlling body over the organised sport of chess in the State of Queensland and to represent the State in all chess matters.
- 4.2 To foster, encourage and promote interest in the sport of chess throughout Queensland.
- 4.3 To organise interclub contests among Affiliated Clubs PROVIDED THAT the intent of this object is not to prevent Affiliated Clubs and organisations within the State of Queensland organising interclub contests on their own behalf.
- 4.4 To conduct or tender the Queensland Championships, the Queensland Open Championship and other tournaments or matches as the Council sees fit, with all tournaments or matches subject to the following conditions:
 - 4.4.1 the Championship title decided by any tournament or match shall be awarded to that player who secures the highest score according to whatever scoring system has been announced before the commencement of the tournament or match.
 - 4.4.2 the State Champions must have been bona fide residents of Queensland for at least ninety days prior to the commencement of the tournament or match. Residency is not a requirement for participation in Queensland Championships. Any dispute as to bona fide residency shall be resolved by the Council prior to the commencement of the Championship.
 - 4.4.3 all persons playing in tournaments or matches conducted, tendered or authorised by the Association shall be Affiliated Members of the Association, unless otherwise specified by the Council.
 - 4.4.4 all tournaments and matches played under the auspices of the Association shall be subject to the FIDE Laws of Chess and the tournament by-laws of the ACF where applicable.
- 4.5 To conduct interstate matches by arrangement with the Chess Associations of other Australian States or Territories affiliated with or approved by the ACF and to select the Queensland representatives for such matches.
- 4.6 To conduct Australian Championships and other contests on behalf of, and when authorised by, the ACF.

5 Powers

- 5.1 To take over the funds and other assets and the liabilities of the established organisation known as the Chess Association of Queensland.
- 5.2 To subscribe to, become a member of and co-operate with any other association, club or organisation, whether incorporated or not, whose objects are altogether or in part similar to those of the Association PROVIDED THAT the Association shall not subscribe to or support with its funds any association, club or organisation which does not prohibit the distribution of its income and property among its members to an extent at least as great as that imposed on the Association under or by virtue of Section 25.11.
- 5.3 In furtherance of the objects of the Association, to buy, sell and deal in all kinds of articles, commodities and provisions, both liquid and solid, for the members of the Association or persons frequenting the Association's premises.
- 5.4 To purchase, take on, lease or exchange, hire and otherwise acquire any lands, buildings, easements or property, real and personal, and any rights or privileges which may be requisite for the purposes of, or capable of being conveniently used in connection with, any of the objects of the Association PROVIDED THAT, in case the Association shall take or hold any property which may be subject to any trusts, the Association shall only deal with the same in such manner as is allowed by law, having regard to such trusts.
- 5.5 To enter into any arrangement with any Government or Authority that are incidental or conducive to the attainment of the objects and the exercise of the powers of the Association; to obtain from any such Government or Authority any rights, privileges and concessions which the Association may think it desirable to obtain; and to carry out, exercise and comply with any such arrangements, rights, privileges and concessions.
- 5.6 To appoint, employ, remove or suspend such managers, clerks, secretaries, servants, workmen and other persons as may be necessary or convenient for the purposes of the Association.
- 5.7 To remunerate any authorised person or body corporate for services rendered or to be rendered and whether by way of brokerage or otherwise in placing or assisting to place or guaranteeing the placing of any unsecured notes, debentures or other securities of the

Association or in or about the Association or promotion of the Association or in the furtherance of its objects.

- 5.8 To construct, improve, maintain, develop, work, manage, carry out, alter or control any houses, buildings, grounds, works or conveniences which may seem calculated directly or indirectly to advance the Association's interests and to contribute to, subsidise or otherwise assist and take part in the construction, improvement, maintenance, development, working, management, carrying out, alteration or control thereof.
- 5.9 To invest and deal with the money of the Association not immediately required in such manner as may from time to time be thought fit, subject to Section 21 of the Trusts Act 1973.
- 5.10 To take or otherwise acquire and hold shares, debentures or other securities of any company or body corporate.
- 5.11 In furtherance of the objects of the Association, to lend and advance money or give credit to any person or body corporate; to guarantee and give guarantees or indemnities for the payment of money or the performance of contracts or obligations by any person or body corporate and otherwise to assist any person or body corporate.
- 5.12 To borrow or raise money, either alone or jointly with any other person or legal entity, in such manner as may be thought proper and whether upon fluctuating advance account or overdraft or otherwise to represent or secure any moneys and further advances borrowed or to be borrowed alone or with others as aforesaid by notes secured or unsecured, debentures or debenture stock, perpetual or otherwise, or by mortgage, charge, lien or other security upon the whole or any part of the Association's property or assets present or future and to purchase, redeem or payoff any such securities.
- 5.13 To draw, make, accept, endorse, discount, execute and issue promissory notes, bills of exchange, bills of lading and other negotiable or transferable instruments.
- 5.14 In furtherance of the objects of the Association, to sell, improve, manage, develop, exchange, lease, dispose of, turn to account or otherwise deal with all or any part of the property and rights of the Association.
- 5.15 To take or hold mortgages, liens or charges to secure payment of the purchase price or any unpaid balance of the purchase price of any part of the Association's property of whatsoever kind sold by the Association or any money due to the Association from purchasers and others.

- 5.16 To take any gift of property, whether subject to any special trust or not, for anyone or more of the objects of the Association, but subject always to the proviso in Section 5.4.
- 5.17 To take such steps by personal or written appeals, public meetings or otherwise, as may from time to time be deemed expedient for the purpose of procuring contributions to the funds of the Association in the shape of donations, annual subscriptions or otherwise.
- 5.18 To print and publish any newspapers, periodicals, books or leaflets that the Association may think desirable for the promotion of its objects.
- 5.19 In furtherance of the objects of the Association, to amalgamate with anyone or more incorporated associations having objects altogether or in part similar to those of the Association and which shall prohibit the distribution of its or their income and property among its or their members to an extent at least as great as that imposed upon the Association under or by virtue of Section 25.11.
- 5.20 In furtherance of the objects of the Association, to purchase or otherwise acquire and undertake all or any part of the property, assets, liabilities and engagements of any one or more of the incorporated associations with which the Association is authorised to amalgamate.
- 5.21 In furtherance of the objects of the Association, to transfer all or any part of the property, assets, liabilities and engagements of the Association to any one or more of the incorporated associations with which the Association is authorised to amalgamate.
- 5.22 To make donations for patriotic, charitable or community purposes.
- 5.23 To transact any lawful business in aid of the Commonwealth of Australia in the prosecution of any war in which the Commonwealth of Australia is engaged.
- 5.24 To do all such other things as are incidental or conducive to the attainment of the objects and the exercise of the powers of the Association.

6 Membership

- 6.1 The Association may grant status as Affiliated Clubs and Affiliated Members to the following:
- Chess Clubs
 - Seniors
 - Pensioners
 - Full-time Students

- Juniors
- Cadets
- Families
- Associates
- Leagues
- Honorary Life Members

6.2 CHESS CLUBS

6.2.1 A chess club is defined as a group of five or more persons joined together for the special purpose of playing chess. Any chess club, being either a Senior or Junior club, in the State of Queensland having not fewer than five Affiliated Members, not being cadet members, may become an Affiliated Club on paying the prescribed fees as herein after provided, by completing the prescribed forms and by complying with the following conditions:

- (a) The full annual affiliation fee, as determined by the Council from time to time, must accompany the application for affiliation.
- (b) The club shall signify its intention to affiliate with the Association and agree to abide by the Constitution, Rules and By-Laws of the Association.
- (c) The club shall certify the number of its membership.
- (d) The club shall provide the Association with the full names and addresses of its President, Secretary and Treasurer.
- (e) Upon request, the club shall provide the Association with the full names and addresses of all its members.
- (f) The club shall appoint a delegate or delegates as herein after provided and provide the Association with the full name and address of each such delegate.
- (g) The club shall accept the Association's membership applications and membership fees from club members and forward such applications and fees to the Membership Secretary within fourteen days of receipt from such members.

- 6.2.2 Each year, Affiliated Clubs renewing their affiliation shall complete and forward to the Secretary an application for affiliation, accompanied by the prescribed affiliation fee.
- 6.2.3 Each year, Affiliated Clubs shall collect Association membership applications and membership fees from club members joining the Association or renewing their Association membership and forward such applications and fees to the Membership Secretary within fourteen days of receipt.
- 6.2.4 Affiliated clubs are not required to collect Association membership fees from persons who are already financial members of the Association.
- 6.2.5 Any Affiliated Club shall be eligible to enter teams in any Association contest.
- 6.2.6 Junior clubs, whose membership is restricted to junior and cadet members, may apply for a waiver of the club affiliation fee each year. Such waiver may be granted at the discretion of the Council. Once granted such waiver, junior clubs may not alter their status during the membership year.
- 6.2.7 To remain affiliated, a club must have a minimum of five Affiliated Members, other than cadet members or limited junior members, throughout the membership year.
- 6.2.8 A club shall advise the Association forthwith when its membership falls below five Affiliated Members, other than cadet members or limited junior members.
- 6.2.9 A club whose membership falls below five Affiliated Members other than cadet members or limited junior members forfeits its affiliation with the Association and the members of the club will then be classed as associate members.
- 6.2.10 If, at the expiration of a sixty-five day period following the posting or hand delivery of an Association account to an Affiliated Club, the account has not been paid and no written explanation has been received from the club's executive by the Association, then the club shall be disaffiliated. If a written explanation has been received, then the course of action to be adopted shall be determined by the next Council meeting.
- 6.2.11 Before regaining affiliation, a club which has been disaffiliated for any reason shall be required to pay all amounts due by the club to the Association and the fee and any levy payable by an unaffiliated club applying for affiliation.
- 6.2.12 A club which has been disaffiliated or forfeits affiliation shall be advised by the Association of such disaffiliation or forfeiture.

6.2A CORPORATE MEMBERSHIP

6.2A.1 A corporate member is defined as an incorporated body involved in the promotion or development of chess in Queensland. Any incorporated body in the State of Queensland may become a Corporate Member on paying the prescribed fees as herein after provided, by completing the prescribed forms and by complying with the following conditions:

- (a) The full annual affiliation fee, as determined by the Council from time to time, must accompany the application for affiliation.
- (b) The incorporated body shall signify its intention to affiliate with the Association and agree to abide by the Constitution, Rules and By-Laws of the Association.
- (c) The incorporated body shall provide the names and addresses of its chief executive officer and other officers conducting business with the Association.
- (d) The incorporated body may appoint a delegate as its representative at general meetings of the Association and provide the Association with the full name and address of such delegate. Delegates of Corporate Members shall have no voting rights at meetings of the Association.

6.2A.2 Each year, Corporate Members renewing their affiliation shall complete and forward to the Secretary an application for affiliation, accompanied by the prescribed affiliation fee.

6.2A.3 If, at the expiration of a sixty-five day period following the posting or hand delivery of an Association account to a Corporate Member, the account has not been paid and no written explanation has been received from the Corporate Member by the Association, then the Corporate Member shall be disaffiliated. If a written explanation has been received, then the course of action to be adopted shall be determined by the next Council meeting.

6.2A.4 Before regaining affiliation, a Corporate Member which has been disaffiliated for any reason shall be required to pay all amounts due by the Member to the Association and the fee and any levy payable by an unaffiliated member applying for affiliation.

6.2A.5 A Corporate Member which has been disaffiliated or forfeits affiliation shall be advised by the Association of such disaffiliation or forfeiture.

6.3 SENIOR MEMBERSHIP

- 6.3.1 Seniors are described as persons over the age of eighteen years as at the first day of the membership year.
- 6.3.2 Seniors must complete the prescribed application for membership and signify that they are willing to abide by the Constitution, Rules and By-Laws of the Association.
- 6.3.3 The full membership subscription as determined by the Council from time to time shall be paid at the time of application.
- 6.3.4 No senior shall pay the membership fee more than once in any membership year.
- 6.3.5 Seniors shall affiliate through an Affiliated Club or by nominating to become associate members.
- 6.3.6 Seniors may change their nominated chess club or associate member status by notifying the Membership Secretary in writing.
- 6.3.7 Senior memberships shall be renewed annually.

6.4 PENSIONER MEMBERSHIP

- 6.4.1 Pensioners are described as persons who are in receipt of a full Social Security or War Service Pension.
- 6.4.2 Pensioners must complete the prescribed application for membership and signify that they are willing to abide by the Constitution, Rules and By-Laws of the Association.
- 6.4.3 The concessional membership subscription as determined by the Council from time to time shall be paid at the time of application.
- 6.4.4 No pensioner shall pay the membership fee more than once in any membership year.
- 6.4.5 Pensioners shall affiliate through an Affiliated Club or by nominating to become associate members.
- 6.4.6 Pensioners may change their nominated chess club or associate member status by notifying the Membership Secretary in writing.
- 6.4.7 Pensioner memberships shall be renewed annually.
- 6.4.8 Proof of eligibility for pensioner membership may be required by the Association.

6.5 FULL-TIME STUDENT MEMBERSHIP

- 6.5.1 Full-time students are described as persons who are over the age of eighteen years as at the first day of the membership year and are undertaking a course of study involving at least twenty hours of for maltuition per week.
- 6.5.2 Full-time students must complete the prescribed application for membership and signify that they are willing to abide by the Constitution, Rules and By-Laws of the Association.
- 6.5.3 The concessional membership subscription as determined by the Council from time to time shall be paid at the time of application.
- 6.5.4 No full-time student shall pay the membership fee more than once in any membership year.
- 6.5.5 Full-time students shall affiliate through an Affiliated Club or by nominating to become associate members.
- 6.5.6 Full-time students may change their nominated chess club or associate member status by notifying the Membership Secretary in writing.
- 6.5.7 Full-time student memberships shall be renewed annually.
- 6.5.8 Proof of eligibility for full-time student membership may be required by the Association.

6.6 JUNIOR MEMBERSHIP

- 6.6.1 Juniors are described as persons who are at least twelve years of age and under eighteen years of age as at the first day of the membership year.
- 6.6.2 Juniors must complete the prescribed application for membership and signify that they are willing to abide by the Constitution, Rules and By-Laws of the Association.
- 6.6.3 The concessional membership subscription as determined by the Council from time to time shall be paid at the time of application.
- 6.6.4 No Junior shall pay the membership fee more than once in any membership year.
- 6.6.5 Juniors shall affiliate through an Affiliated Club or by nominating to become associate members.

- 6.6.6 Juniors may change their nominated chess club or associate member status by notifying the Membership Secretary in writing.
- 6.6.7 Junior memberships shall be renewed annually.
- 6.6.8 Proof of eligibility for junior membership may be required by the Association.

6.6A LIMITED JUNIOR MEMBERSHIP

- 6.6A.1 Limited Juniors are described as persons under eighteen years of age as at the first day of the membership year who meet the limited junior membership criteria, as defined by the Council from time to time.
- 6.6A.2 Limited juniors must complete the prescribed application for membership and signify that they are willing to abide by the Constitution, Rules and By-Laws of the Association.
- 6.6A.3 The concessional membership subscription as determined by the Council from time to time shall be paid at the time of application.
- 6.6A.4 No limited junior shall pay the membership fee more than once in any membership year.
- 6.6A.5 Limited juniors shall affiliate through an Affiliated Club or by nominating to become associate members.
- 6.6A.6 Limited juniors may change their nominated chess club or associate member status by notifying the Membership Secretary in writing.
- 6.6A.7 Limited junior memberships shall be renewed annually.
- 6.6A.8 Proof of eligibility for limited junior membership may be required by the Association.

6.7 CADET MEMBERSHIP

- 6.7.1 Cadets are described as persons who are under the age of twelve years as at the first day of the membership year or who are attending primary school in that membership year.
- 6.7.2 Cadets must complete the prescribed application for membership and signify that they are willing to abide by the Constitution, Rules and By-Laws of the Association.

- 6.7.3 The concessional membership subscription as determined by the Council from time to time shall be paid at the time of application.
- 6.7.4 No cadet shall pay the membership fee more than once in any membership year.
- 6.7.5 Cadets shall affiliate through an Affiliated Club or by nominating to become associate members.
- 6.7.6 Cadets may change their nominated chess club or associate member status by notifying the Membership Secretary in writing.
- 6.7.7 Cadet memberships shall be renewed annually.
- 6.7.8 Proof of eligibility for cadet membership may be required by the Association.

6.8 FAMILY MEMBERSHIP

- 6.8.1 A family is described as persons related by blood or marriage (celebrated or de facto) living at the one address.
- 6.8.2 Families must complete the prescribed application for membership and signify that they are willing to abide by the Constitution, Rules and By-Laws of the Association.
- 6.8.3 The full membership subscription as determined by the Council from time to time shall be paid at the time of application.
- 6.8.4 The first family member shall pay a full membership fee and each additional family member is entitled to pay a concessional membership fee.
- 6.8.5 No family member shall pay the membership fee more than once in any membership year.
- 6.8.6 Families shall affiliate through an Affiliated Club or by nominating to become associate members.
- 6.8.7 Families may change their nominated chess club or associate member status by notifying the Membership Secretary in writing.
- 6.8.8 Family memberships shall be renewed annually.

6.9 ASSOCIATE MEMBERSHIP

- 6.9.1 Associates are described as persons who do not affiliate through an Affiliated Club.
- 6.9.2 Associates must complete the prescribed application for membership and signify that they are willing to abide by the Constitution, Rules and By-Laws of the Association.
- 6.9.3 The appropriate membership subscription as determined by the Council from time to time shall be paid at the time of application.
- 6.9.4 No Associate shall pay the membership fee more than once in any membership year.
- 6.9.5 Associates shall nominate their preference for associate membership.
- 6.9.6 Associates may change their membership status by notifying the Membership Secretary in writing.
- 6.9.7 Associate memberships shall be renewed annually.

6.10 LEAGUE MEMBERSHIP

- 6.10.1 Leagues are described as non-profit chess organisations which exist from time to time to represent in an administrative capacity certain chess players in Queensland with a common bond.
- 6.10.2 Leagues may affiliate with the Association by completing the prescribed application and signifying their agreement to comply with the Constitution, Rules and By-Laws of the Association.
- 6.10.3 Leagues shall pay an affiliation fee equivalent to the fee prescribed for chess clubs, unless determined otherwise by Council.
- 6.10.4 A league meeting for the purpose of playing chess shall comply with the provisions of Section 6.2 and shall be regarded as a chess club for the purposes of this Constitution.

- 6.10.5 If, at the expiration of a sixty-five day period following the posting or hand delivery of an Association account to an affiliated league, the account has not been paid and no written explanation has been received by the Association, then the league shall be disaffiliated. If a written explanation has been received, then the course of action to be adopted shall be determined by the next Council meeting.
- 6.10.6 A league which has been disaffiliated shall be advised by the Association of such disaffiliation.
- 6.10.7 Before regaining affiliation, a league which has been disaffiliated for any reason shall pay all outstanding accounts payable by the league to the Association and any levy payable by an unaffiliated league applying to be affiliated.

6.11 HONORARY LIFE MEMBERSHIP

- 6.11.1 Members of at least five year's standing may be granted honorary life membership at an Annual General Meeting as a recognition of lengthy, meritorious or outstanding service to the Association.
- 6.11.2 Honorary life memberships shall be awarded at an Annual General Meeting by a two-thirds majority vote of the meeting.
- 6.11.3 Honorary life membership of a member shall be terminated:
- (a) if annulled by the same process by which it was granted; or
 - (b) if the member resigns his life membership in writing to the Association; or
 - (c) upon the death of the honorary life member.
- 6.12 The number of clubs admissible to affiliation with the Association in terms of Section 6.2 shall be unlimited.
- 6.13 The number of members admissible to affiliation with the Association in terms of Sections 6.3,6.4,6.5,6.6,6.7,6.8 and 6.9 shall be unlimited.
- 6.14 The number of leagues admissible to affiliation with the Association in terms of Section 6.10 shall be limited.
- 6.15 The number of members admissible to honorary life membership of the Association in terms of Section 6.11 shall be limited.

- 6.16 The membership year of the Association shall be from the first day of January to the thirty-first day of December each year.
- 6.17 Variations to the membership year:
- 6.17.1 A half-yearly membership from the first day of July to the thirty-first day of December, may be approved by the Council.
- 6.17.2 Members paying after the first day of November will have their membership extended to the thirty-first day of December of the following year.
- 6.18 Any club changing its venue or its President, Secretary or Treasurer during a membership year shall advise the Secretary in writing.
- 6.19 Any member changing his address during a membership year shall advise the Membership Secretary in writing.
- 6.20 A club or league ceasing to be affiliated with the Association for any reason whatsoever shall not be entitled to the return of the whole or any part of any affiliation fee paid.
- 6.21 Any member ceasing to be affiliated with the Association for any reason whatsoever shall not be entitled to the return of the whole or any part of any membership fee paid.
- 6.22 If, at the expiration of a sixty-five day period following the posting or hand delivery of an Association account to an Affiliated Member, the account has not been paid and no written explanation has been received by the Association, then the member shall be disaffiliated. If a written explanation has been received, then the course of action to be adopted shall be determined at the next Council meeting. In respect of annual renewal of membership, the membership shall be cancelled at the expiration of a sixty-five day period from the date his membership becomes due for renewal unless she renews his membership beforehand, whether or not an Association account has been posted or hand-delivered to the member.
- 6.23 Before regaining affiliation, a member who has been disaffiliated for any reason shall pay all outstanding accounts payable by the member to the Association and the membership fee and any levy payable by an unaffiliated member applying to be affiliated.
- 6.24 Every person who at the date of incorporation of the Chess Association of Queensland Incorporated was a member of the Chess Association of Queensland and who on or before the thirty-first day of December 1988 agrees in writing to become a member of the Association shall

be admitted by the Council to the same class of membership of the Association as that member held in the unincorporated association. Every member of the Association who previously to his agreeing to become a member of the Association has paid his subscription due on the first day of January 1988, as a member of the unincorporated association, shall not be liable to pay any further sum by way of annual subscription to the Association for the period prior to the thirty first day of December 1988.

7 Membership Fees

The membership fees for each class of membership shall be such sum and shall be payable at such time and in such manner as the Council shall from time to time determine.

8 Admission And Rejection Of Members

- 8.1 Application for membership shall be made in writing to the Membership Secretary in the prescribed form and applicants shall furnish such information and reference as may from time to time be prescribed by the Council. Payment of the prescribed membership fee shall accompany each application.
- 8.2 At the next meeting of the Council after the receipt of any application and the fee applicable for any class of membership, such application shall be considered by the Council, who shall there upon determine up on the admission or rejection of the applicant PROVIDED ALWAYS that the Council may postpone its decision once to its next regular meeting for the purpose of making enquires or obtaining further information.
- 8.3 Any applicant who receives a majority of the votes of the members of the Council present at the meeting at which such application is being considered shall be accepted as a member to the class of membership applied for.
- 8.4 The Council may delegate its power of admission to membership, but not its power of rejection of membership, to the Membership Secretary.
- 8.5 Upon the acceptance or rejection of an application for any class of membership, the Membership Secretary shall forthwith give the applicant notice in writing of such acceptance or rejection and, in the case of rejection, the fee accompanying the application shall be refunded and the applicant shall be advised of his right of appeal against the rejection.

9 Discipline Of Members

- 9.1 Any club or member may be liable to discipline by and during the pleasure of the Association in the event of such club or member violating the Constitution, Rules or By-Laws of the Association or ruling of the Council.
- 9.2 Any Affiliated Member conducting himself in an improper or disorderly manner during the progress of any chess game under the jurisdiction of the Association may be liable to disciplinary action as determined by the Council.
- 9.3 A club or member subject to disciplinary action under this Section shall be advised of its or his right of appeal against the action and may within one month of the imposition of such disciplinary action lodge with the Secretary written notice of intention to appeal against the disciplinary action.
- 9.4 Appeal against any disciplinary action determined by the Council shall be conducted under the provisions of Section 11.

10 Termination Of Membership

- 10.1 A club or member may resign from the Association at any time by giving notice in writing to the Secretary. Such resignation shall take effect at the time such notice is received by the Secretary, unless a later date is specified in the notice when it shall take effect on that later date.
- 10.2 Termination of membership may be considered by the Council when a member:
- 10.2.1 is convicted under a Court of Law of an indictable offence.
 - 10.2.2 fails to comply with any of the provisions of the Constitution, Rules or By-Laws of the Association.
 - 10.2.3 has membership fees in arrears for a period of two months or more, or
 - 10.2.4 conducts himself in a manner considered to be injurious or prejudicial to the character or interests of the Association or to be liable to bring the game of chess into disrepute.
- 10.3 Should the Council resolve by a simple majority to terminate the membership of a member under the provision of Section 10.2, it shall instruct the Secretary to advise the member

accordingly. The Secretary shall also advise the member of his right of appeal against the resolution.

11 Appeal Against Rejection Or Termination Of Membership

- 11.1 A person whose application for membership has been rejected or whose membership has been terminated may, within one month of receiving written notification thereof, lodge with the Secretary written notice of his intention to appeal against the decision of the Council. The membership fee paid with the application for membership shall be included with the written notice if a refund has already been paid.
- 11.2 Upon receipt of a notice of intention to appeal against rejection or termination of membership, the Secretary shall, within three months of the date of receipt by him of such notice, convene a general meeting to determine the appeal. At any such meeting, the appellant shall be given full and fair opportunity to present his case and the Council or members there of who rejected the application for membership or terminated membership subsequently shall likewise have the opportunity of presenting its or their case. The appeal shall be determined by a simple majority vote of the delegates present in person or by proxy.
- 11.3 Where a person whose application for membership is rejected does not appeal against the decision of the Council within the time prescribed in Section 11.1, or so appeals but whose appeal is unsuccessful, the Membership Secretary shall forthwith refund the amount of any fee **paid.**

12 Register Of Members

- 12.1 The Council shall cause a register to be kept in which shall be entered the names and residential addresses of all persons admitted to membership of the Association and the dates of their admission.
- 12.2 Particulars shall also be entered into the register of deaths, resignations, terminations and reinstatements of membership and any further particulars as the Council or any General Meeting may require from time to time.
- 12.3 The register shall be open for inspection at all reasonable times by any member who previously applies to the Membership Secretary in writing for such inspection.

13 Delegates

- 13.1 Each Affiliated Club is entitled to appoint one delegate or proxy delegate to represent the club at General Meetings of the Association.
- 13.2 The Council shall appoint one delegate to represent associate members at General Meetings of the Association, provided that the number of associate members, not including cadet members, is not less than five. Such delegate shall take all reasonable steps to ensure that the views of associate members are represented. The Council may replace a delegate representing associate members at any time.
- 13.3 Delegates shall be not less than eighteen years of age.
- 13.4 An Affiliated Club which has more than twenty members affiliated with the Association, not including cadet members or limited junior members, is entitled to appoint an additional delegate or proxy for each additional twenty members or part thereof. A delegate or proxy already appointed by the club may also be appointed as such additional delegate or proxy.
- 13.5 Affiliated clubs may count senior, pensioner, full-time student, junior (excepting limited junior), family (excepting any cadet component) and honorary life members affiliated with the Association towards delegate or proxy entitlement.
- 13.6 In respect of any Affiliated Member of the Association, not being a limited junior or a cadet member, only the club nominated by that member is entitled to count that member as a club member for the purpose of establishing entitlement to delegate representation. Further, no member of the Association may be counted more than once for the purpose of establishing club delegate representation.
- 13.7 The Queensland Schools Chess League is entitled to appoint one delegate or proxy for each school chess region, subject to approval of the definition of such regions by the Council.
- 13.8 An affiliated league is entitled to appoint one delegate or proxy delegate to represent the league at General Meetings of the Association, except as provided in Section 13.7.
- 13.9 Affiliated Clubs and leagues shall notify the Association in writing of the names of their delegates or proxy delegates at least twenty-four hours prior to the start of a general meeting.

- 13.10 Affiliated Clubs or leagues may replace their delegates or proxy delegates by notifying the Secretary in writing at least twenty-four hours prior to the start of the first General Meeting which the replacement delegates or proxy delegates attend. All such changes of delegate must be authorised and attested to by at least two members of the executive of the club or league.
- 13.11 All delegates and proxy delegates must be Affiliated Members of the Association.
- 13.12 Delegates or proxy delegates of an Affiliated Club may be only appointed if the club's affiliation fee and all affiliation fees in respect of its members entitling the delegates to be appointed have been paid at least twenty-four hours prior to commencement of a General Meeting.
- 13.13 A junior club may apply in writing to the Secretary for approval to appoint a person over the age of eighteen years as its delegate or proxy delegate.
- 13.14 A club which is disaffiliated or forfeits its affiliation with the Association forfeits its entitlement to delegate representation.

14 Membership Of Council

- 14.1 The Council of the Association shall consist of a President, Vice President, Secretary, Treasurer and Membership Secretary, all of whom shall be members of the Association (other than members under the age of eighteen years, who shall not be eligible to hold office) and shall be elected at a General Meeting, and such number of other members as the delegates of Affiliated Clubs and leagues at any General Meeting may from time to time elector appoint.
- 14.2 At the Annual General Meeting of the Association, all the elected members of the Council for the time being shall retire from office but shall be eligible upon nomination for re-election.
- 14.3 The election of members of the Council shall take place in the following manner:

- 14.3.1 Any two members of the Association may nominate any other member to serve as a member of Council.
- 14.3.2 The nomination, which shall be signed by the nominee and his proposer and seconder, shall be lodged with the Secretary at least twenty-eight days before the annual general meeting at which the election is to take place.
- 14.3.3 A list of the candidates' names in alphabetical order shall be forwarded to Affiliated Clubs and leagues and posted on the Association's notice board PROVIDED THAT, until such time as a notice board is provided, such nominations shall be retained by the Secretary and produced to any member of the Association upon request.
- 14.3.4 Balloting lists shall be prepared if necessary, containing the names of the candidates in alphabetical order and each member present at the Annual General Meeting who is entitled to vote by being a delegate or proxy shall be entitled to vote for any number of such candidates not exceeding the number of vacancies.
- 14.3.5 Should, at the commencement of such meeting, there be an insufficient number of candidates nominated, nominations may be taken from the floor of the meeting.
- 14.3.6 The meeting shall appoint two scrutineers to count all votes cast and announce the results.

15 Functions Of The Council

- 15.1 Except as otherwise provided in this Constitution and subject to resolutions carried at any general meeting, the Council:
 - 15.1.1 shall have the general control and management of the administration of the affairs, property and funds of the Association.
 - 15.1.2 shall have the authority to interpret the meaning of the Constitution, Rules and By-Laws of the Association and any matter relating to the Association on which the Constitution, Rules and By-Laws are silent; and
 - 15.1.3 may appoint any delegates to represent the Association.
- 15.2 The Council may exercise all the powers of the Association:

- 15.2.1 to borrow or raise or secure the payment of money in such manner as the members of the Council may think fit and secure the same or the payment or performance of any debt, liability, contract, guarantee or other engagement incurred or to be entered into by the Association in any way and in particular by the issue of debentures, perpetual or otherwise, charged upon all or any of the Association's property, both present and future, and to purchase, redeem or pay off any such securities;
- 15.2.2 to borrow money from members at a rate of interest not exceeding interest at the rate for the time being charged by bankers in Brisbane for overdrawn accounts on money lent, whether the term of the loan be short or long, and to mortgage or charge its property or any part thereof and to issue debentures and other securities, whether outright or as security for any debt, liability or obligation of the Association, and to provide and pay off any such securities; and
- 15.2.3 to invest in such manner as the members of the Council may from time to time determine.

16 Resignation Of Council Members

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

17 Removal Of Council Members

- 17.1 A member of the Council may be removed from office by a General Meeting, at which meeting the member shall be given a full and fair opportunity to present his case.
- 17.2 The question of removal shall be determined by a simple majority vote of the General Meeting.

18 Vacancies On Council

- 18.1 The office of any member of the Council who ceases to be a member of the Association or who absents himself without the leave of the Council from two consecutive meetings of the Council shall automatically be deemed vacant.
- 18.2 If the office of President should fall vacant, it shall be filled until the next Annual General Meeting by the Vice President.
- 18.3 Except as provided by Section 18.2, the Council shall have the power at any time to appoint any member of the Association to fill any casual vacancy on the Council until the next Annual General Meeting.
- 18.4 The continuing members of the Council may act, notwithstanding any casual vacancy on the Council, but if and so long as their number is reduced below the number fixed by or pursuant to Section 19.3 as the necessary quorum of the Council, the continuing member or members may act for the purpose of increasing the number of members of the Council to that number, or of summoning a General Meeting of the Association, but for no other purpose.

19 Meetings Of The Council

- 19.1 The Council shall meet at least six times in each calendar year to exercise its functions in such a manner and at such a time as to ensure that at least one meeting is held every two calendar months.
- 19.2 A special meeting of the Council shall be convened by the Secretary at any time on the requisition in writing signed by not less than one-third of the members of the Council, which requisition shall clearly state the reasons why such special meeting is being convened and the nature of the business to be conducted thereat.
- 19.3 At every meeting of the Council, the quorum present in person or by proxy shall be one-half of the number of members of Council elected or appointed in accordance with Section 14.1 at the preceding Annual General Meeting.

- 19.4 Any Affiliated club, league or member may put a motion for consideration by the Council by referring such motion in writing to the Secretary for inclusion in the next Council meeting agenda.
- 19.5 Subject to the right of the Council to exclude all but members of the Council from a meeting of the Council, any Affiliated Member may attend a meeting but will not have the right to speak without the leave of the Council.
- 19.6 Subject as previously provided in this Section, the Council may meet together and regulate its proceedings as it thinks fit PROVIDED THAT questions arising at any meeting of the Council shall be decided by a majority of votes and, in the case of equality of votes, the question shall be deemed to be decided in the negative.
- 19.7 Any member of the Council shall not vote in respect of any contract or proposed contract with the Association in which he is interested, or any matter arising thereout, and if he does so vote, his vote shall not be counted.
- 19.8 Not less than seven days' notice shall be given by the Secretary to members of the Council of any ordinary or special meetings of the Council. Such notice shall clearly state the nature of the business to be discussed thereat.
- 19.9 The President shall preside as chairman at every meeting of the Council or, if there is no President, or if at any meeting he is not present within ten minutes after the time appointed for holding the meeting, the Vice President shall be chairman, or if the Vice President is not present at the meeting, then the members may choose one of their number to be chairman of the meeting.
- 19.10 If, within half an hour from the time appointed for the commencement of a Council meeting, a quorum is not present in person or by proxy, the meeting, if convened upon the requisition of members of the Council, shall lapse. In any other case, it shall stand adjourned to the same day in the next week at the same time and place, or to such other day and at such other time and place as the Council may determine and, if at the adjourned meeting a quorum is not present within half an hour from the time appointed for the meeting, the meeting shall lapse.
- 19.11 All acts done by any meeting of the Council or of a sub-committee or by any person acting as a member of the Council shall, notwithstanding that it is afterwards discovered that there was some defect in the appointment of any such member of the Council or person acting as

aforesaid or that members of the Council or any of them were disqualified, be as valid as if every such person had been duly appointed and was qualified to be a member of the Council.

19.12 A resolution in writing signed by all the members of the Council for the time being entitled to receive notice of a meeting of the Council shall be as valid and effectual as if it had been passed at a meeting of the Council duly convened and held. Any such resolution may consist of several documents in like form, each signed by one or more members of the Council.

19.13 The Secretary shall cause full and accurate minutes of all questions, matters, resolutions and other proceedings of every Council meeting to be entered in a book to be open for inspection at all reasonable times by any financial member who previously applies to the Secretary for that inspection. For the purposes of ensuring the accuracy of the recording of such minutes, the minutes of every Council meeting shall be signed by the chairman of that meeting or the chairman of the next succeeding Council meeting verifying their accuracy.

20 Annual And Special General Meetings

20.1 The Annual General Meeting shall be held in the month of December in each year.

20.2 The business to be transacted at every Annual General Meeting shall be:

20.2.1 The receiving of the Council's reports and the statement of income and expenditure, assets and liabilities and mortgages, charges and securities affecting the property of the Association for the preceding financial year.

20.2.2 If applicable, the receiving of the auditor's report upon the books and accounts for the preceding financial year; or, an auditor's statement as prescribed by the Associations Incorporation Act 1981;

20.2.3 the election of members of the Council.

20.2.4 the appointment of an auditor; and

20.2.5 such other business as may be properly brought before such meeting.

20.3 The Secretary shall convene a special general meeting:

- 20.3.1 when directed to do so by the Council.
- 20.3.2 or the requisition in writing signed by the Presidents of at least six Affiliated Clubs, at least three of such signatories being the Presidents of metropolitan clubs and at least three being the Presidents of regional clubs, or on the requisition in writing signed by at least thirty or one-third, whichever is the higher, of the associate members other than limited junior or cadet members of the Association. Such requisition shall clearly state the reasons why such special general meeting is being convened and the nature of the business to be transacted thereat; or
- 20.3.3 on being given notice in writing of an intention to appeal against a decision of the Council to reject an application for membership or a decision of the Council to terminate the membership of any person or to impose disciplinary action against an Affiliated Club or Member.
- 20.4 At any general meeting, the number of delegates required to be present to constitute a quorum shall be one-third of the appointed delegates of the Affiliated Clubs of the Association.
- 20.5 No business shall be transacted at any general meeting unless a quorum of delegates is present at the time when the meeting proceeds to business.
- 20.6 If within half an hour from the time appointed for the commencement of a general meeting a quorum is not present, the meeting, if convened upon the direction of the Council or upon the requisition of at least six Presidents of Affiliated Clubs or of at least thirty or one-third, whichever is the higher, of the number of associate members other than limited junior or cadet members, shall lapse. In any other case, it shall stand adjourned to the same day in the next week at the same time and place or to such other day and at such other time and place as the Council may determine, and if at that adjourned meeting a quorum is not present within half an hour from the time appointed for the meeting, the delegates present shall be a quorum.
- 20.7 The chairman may, with the consent of any meeting at which a quorum is present (and shall if so directed by the meeting), adjourn the meeting from time to time and from place to place, but no business shall be transacted at any adjourned meeting other than the business left unfinished at the meeting from which the adjournment took place.
- 20.8 When a meeting is adjourned for thirty days or more, notice of the adjourned meeting shall be given as in the case of an original meeting. Save as aforesaid, it shall not be necessary to give any notice of an adjournment or of the business to be transacted at an adjourned meeting.

- 20.9 The Secretary shall convene all general meetings of the Association by giving not less than **twenty-eight days' notice** of any such meeting to the members of Council and to the clubs and leagues affiliated with the Association. Such notice shall also be given to the delegate appointed to represent associate members in terms of section 13.2.
- 20.10 Notices shall be given in writing.
- 20.11 Notice of a general meeting shall clearly state the nature of the business to be transacted thereat.
- 20.12 Unless otherwise provided here in, at every general meeting:
- 20.12.1 The President shall preside as chairman or, if there is no President, or if he is not present within fifteen minutes after the time appointed for the holding of the meeting or is unwilling to act, the Vice President shall be chairman or, if the Vice President is not present or is unwilling to act, then the delegates present shall elect one of their number to be chairman of the meeting;
 - 20.12.2 The chairman shall maintain order and conduct the meeting in a proper and orderly manner;
 - 20.12.3 Every question, matter or resolution shall be decided by a majority of votes of the delegates present in person or by proxy and, in the case of an equality of votes, the chairman shall have a casting vote PROVIDED THAT no delegate may vote at a general meeting if the annual affiliation fee of his club is more than one month in arrears at the date of the meeting;
 - 20.12.4 Voting shall be by show of hands or a division of delegates, unless not less than one-fifth of the delegates present in person or by proxy demand a ballot, in which event there shall be a secret ballot. The chairman shall appoint two members to conduct the secret ballot in such manner as he shall determine and the result of the ballot as declared by the chairman shall be deemed to be the resolution of the meeting at which the ballot was demanded;

- 20.12.5 A delegate may vote in person or by proxy and, on a show of hands, every delegate present in person or by proxy shall have one vote and, in a secret ballot, every delegate present in person or by proxy shall have one vote PROVIDED THAT a delegate entitled to more than one vote in terms of Section 13.4 may exercise the number of votes to which he is entitled;
- 20.12.6 The instrument appointing a delegate or proxy shall be in writing in the common or usual form under the hand of two members of the executive of the Affiliated Club or league, except that a delegate appointed to represent associate members in terms of Section 13.2 may appoint a proxy in writing under his own hand;
- 20.12.7 The instrument appointing a delegate or proxy shall be deemed to confer authority to demand or join in demanding a secret ballot;
- 20.12.8 The instrument appointing a delegate or proxy shall be lodged with the Secretary at least twenty-four hours prior to the commencement of any meeting or adjourned meeting at which the delegate or proxy named in the instrument proposes to vote;
- 20.12.9 The Secretary shall cause full and accurate minutes of all questions, matters, resolutions and other proceedings of every general meeting to be entered in a book to be open for inspection at all reasonable times by any financial member who previously applies to the Secretary for that inspection. For the purposes of ensuring the accuracy of the recording of such minutes, the minutes of every general meeting shall be signed by the chairman of that meeting or the chairman of the next succeeding general meeting PROVIDED THAT the minutes of any Annual General Meeting shall be signed by the chairman of that meeting or the chairman of the next succeeding general meeting or Annual General Meeting.

21 Committees

- 21.1 Deleted.
- 21.2 The affairs and property of the Association shall be managed between Council meetings by the Council, which may, in furtherance of the objects of the Association, exercise all the powers and functions of the Association as are not herein required to be exercised by a general meeting, but no regulations made at a general meeting shall invalidate any prior act of the Council which would have been valid if such regulations had not been made.

- 21.3 Deleted.
- 21.4 The Council may delegate any of its powers to a sub-committee consisting of such members of the Association as the Council sees fit. Any sub-committee so formed shall, in the exercise of the powers so delegated, conform to any regulations that may be imposed on it by the Council.
- 21.5 A sub-committee may elect a chairman of its meetings. If no such chairman is elected, or if at any meeting the chairman is not present within ten minutes after the time appointed for holding the meeting, the members present may choose one of their number to be chairman of the meeting.
- 21.6 A sub-committee may meet and adjourn as it thinks proper. Questions arising at any meeting shall be determined by a majority of votes of the members present and, in the case of an equality of votes, the question shall be deemed to be decided in the negative.
- 21.7 The quorum for any meeting of a sub-committee shall be one-half of the members entitled to attend.
- 21.8 All sub-committees shall report to each meeting of the Council and their decisions shall be subject to review.
- 21.9 The President shall be an ex-officio member of all sub-committees.

22 Rules And By-Laws

The Council may from time to time make, amend or repeal rules or by-laws not inconsistent with this Constitution for the internal management of the Association and any rule or by-law may be set aside by a general meeting.

23 Alteration Of Constitution

- 23.1 Subject to the provisions of the Associations Incorporation Act 1981, this Constitution may be amended, rescinded or added to by a special resolution carried by a three-fourths majority of delegates present at any general meeting PROVIDED THAT no such amendment, rescission or addition shall take effect until registered under the provisions of the Associations Incorporation Act 1981.

- 23.2 At least twenty-eight days' notice shall be given to Affiliated Clubs and leagues, either verbally in meeting assembled or by written notice, of the proposed amendments, recissions or additions.

24 Deleted

25 Funds And Accounts

- 25.1 The funds of the Association shall be banked in the name of the Association in such bank or financial institution as the Council may from time to time direct.
- 25.2 Proper books and accounts shall be kept and maintained either in written or printed form in the English language showing correctly the financial affairs of the Association and the particulars usually shown in books of a like nature.
- 25.3 All moneys shall be banked as soon as practicable after receipt thereof.
- 25.4 All accounts or advances shall be paid by cheque signed by any two of the President, Secretary, Treasurer or any other member authorised from time to time by the Council.
- 25.5 Cheques shall be crossed "not negotiable" except those in payment of wages, allowances or petty cash recoupments which may be open.
- 25.6 The Council shall determine the amount of petty cash which shall be kept on the imprest system.
- 25.7 All expenditure shall be approved or ratified at a Council meeting.
- 25.8 Except as herein provided, no money shall be disbursed nor liabilities be incurred on behalf of the Association without the express authority of the Council.
- 25.9 As soon as practicable after the end of each financial year, the Treasurer shall cause to be prepared a statement containing particulars of:
- 25.9.1 the income and expenditure for the financial year just ended; and
 - 25.9.2 the assets and liabilities and of all mortgages, charges and securities affecting the property of the Association at the close of that year.
- 25.10 If applicable, all such statements shall be examined by the auditor, who shall present his report upon such audit to the Secretary prior to the holding of the Annual General Meeting next following the financial year in respect of which such audit was made.

- 25.11 The income and property of the Association whence soever derived shall be used and applied solely in promotion of its objects and in the exercise of its powers asset out herein and no portion thereof shall be distributed, paid or transferred directly or indirectly by way of dividend, bonus or otherwise by way of profit to or amongst the clubs, leagues or members of the Association PROVIDED THAT nothing herein contained shall prevent the payment in good faith of the interest to any club, league or member in respect of moneys advanced by it or him to the Association or otherwise owing by the Association to it or him or of remuneration to any officers or servants of the Association or to any member of the Association or other person in return for any services actually rendered to the Association PROVIDED FURTHER that nothing herein contained shall be construed so as to prevent the payment or repayment to any club, league or member of out of pocket expenses, money lent, reasonable and proper charges for good shired by the Association or reasonable and proper rent for premises demised or let to the Association.
- 25.12 The Council may from time to time levy contributions from clubs and/or members for the purpose of defraying the necessary expenses of the Association and for carrying out its objects.

26 Documents

The Council shall provide for the safe custody of books, documents, instruments of title and securities of the Association.

27 Financial Year

The financial year of the Association shall close on the thirtieth day of September in each year.

28 Indemnity

In the event of any proceedings being taken against any member of the Council or any member of any sub-committee duly constituted in accordance with Section 21 in respect of any matter or action of such member in the performance of his duties or at the direction of or with the authority of the Association or Council or duly constituted sub-committee thereof, such member shall be entitled to be indemnified from the funds which he may incur, pay or be put into in the course of or as a result of such proceedings.

29 Dissolution

The Association shall be dissolved:

- 29.1 if the membership is less than three members; or
- 29.2 if a resolution is carried by a vote of a three-fourths majority of the delegates present in person or by proxy at a special general meeting convened to consider the question.

30 Distribution Of Surplus Assets

If the Association shall be wound up in accordance with the provisions of the Associations Incorporation Act 1981 and there remains, after satisfaction of all its debts and liabilities, any property whatsoever, the same shall not be paid to or distributed amongst the clubs, leagues or members of the Association, but shall be given or transferred to some other institution or institutions having objects similar to the objects of the Association and which shall prohibit the distribution of its or their income and property among its or their members to an extent at least as great as is imposed on the Association under or by virtue of Section 25.11, such institution or institutions to be determined by a general meeting.

31 Notices

- 31.1 Any notice required to be given to any club, league or member in pursuance of any provision herein shall be deemed to have been duly given if forwarded by prepaid post addressed to such club or league at its address as notified to the Association or addressed to such member at his

address recorded in the register of members and to have been received by it or him five days (not including a Saturday, Sunday or public holiday) after the day on which the notice was posted.

- 31.2 The non-receipt of notice of any general meeting by any person entitled to such notice shall not invalidate any of the proceedings at such meeting.

32 Office

The office of the Association shall be situated at such place in the State of Queensland as the Council may from time to time determine.

33 Standing Orders

All meetings shall be conducted in accordance with the Standing Orders as prescribed by the Council from time to time.