



## Department of Justice

**Consumer Affairs Victoria**  
Regulatory Transaction Centre

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DX210220

Our Ref: 8481504

OAKLEIGH TENNIS CLUB INC.  
6 BOTANIC DRIVE  
GLEN WAVERLEY VIC 3150

10 January 2014

Dear Sir/Madam,

### **Application for Alteration of Rules**

**RE: OAKLEIGH TENNIS CLUB INC. – A0012347X**

Please be advised that this office has approved your application for the special resolution(s) passed on 11/10/2013 to alter the rules of the association.

The amendments made to your rules are effective from 10 January 2014.

Yours sincerely

**STEVEN SCODELLA**  
Operations Manager  
Regulatory Transaction Centre  
Consumer Affairs Victoria



0409



# Application for association change of details (Addresses, secretary, committee members, association name, alteration of rules)

Associations Incorporation Reform Act 2012

Email: [cav.registration.enquiries@justice.vic.gov.au](mailto:cav.registration.enquiries@justice.vic.gov.au)

Website: [consumer.vic.gov.au/associations](http://consumer.vic.gov.au/associations)

Street address: 113 Exhibition Street, Melbourne

Office hours: 8:30 am – 5:00 pm, Monday to Friday (except public holidays)

Postal address: GPO Box 4567, Melbourne VIC 3001

Telephone: 1300 55 81 81

## Things to know before starting your application

- In circumstances where a fee applies, to lodge this application by email you will need a credit card. If you are not paying by credit card you can complete the form onscreen and print it out or print and complete by hand and post in.
- If completing the form by hand, please use a blue or black pen and print clearly using block letters.
- Do not delete any part of this form. Leave any sections blank that do not apply.

## Fees and attachments

**There are no fees required if you are only making changes to addresses, email address, website addresses or notifying of a new association secretary or committee members.**

If applying to change the association name, the fee is \$25.70

**If applying to alter the rules, including changes to purpose or financial year end date, the reduced fee of \$75.20 applies until 26 November 2013.** Forms lodged after 26 November incur a fee of \$160.50.

If applying to both change the name and alter the rules, the fee is \$100.90 until 26 November 2013. Forms lodged after 26 November incur a fee of \$186.20.

If applying to adopt the model rules with no change to purpose, there is no fee until 26 November 2013. Forms lodged after 26 November incur a fee of \$160.50.

## Details of association

### 1. Provide details of the association

Name of association:	<b>Oakleigh Tennis Club Incorporated</b>
Association registration number:	<b>A0012347X</b>

## Type of change

### 2. What type of change are you applying for? (choose all that apply) (mark with an X)

<input type="checkbox"/>	Change of registered address – complete question 3.
<input type="checkbox"/>	Change of existing secretary's address(es) – complete question 4.
<input type="checkbox"/>	Appointment of a new secretary – complete question 5.

X	Change of committee members – complete question 6.
X	Notification of website address – complete question 7.
	Change in administration of trust accounts – complete question 8.
	Change of association name – complete questions 9 and 10.
X	Alteration of rules, including purpose or financial year end date – complete questions 11 to 15.

## Address changes

3. **New registered address of association.** Mail will be sent to this address unless you advise otherwise.

Address (including state and postcode. Can be PO Box):	
Date of registered address change (dd/mm/yyyy):	

4. **New address of existing secretary**

Same as registered address (Yes/No)	If no, specify different address below (including state and postcode. Can be PO Box):
Daytime telephone number:	
Email:	
Date of address change (dd/mm/yyyy):	

## Appointment of a new secretary

5. **Details of new secretary**

Surname:	
Given names:	
Date of birth (dd/mm/yyyy):	
Address (including state and postcode. Can be PO Box):	
Daytime telephone number:	
Email:	
Date appointed as secretary (dd/mm/yyyy):	

## Change of committee members

6. **Provide a full list of current committee members**

Please provide details of all committee members. See the template at the back of this form.

## Notification of domain name/website address(es)

7. **List all changes to domain names/website addresses**

[www.tennis.com.au/oakleightc](http://www.tennis.com.au/oakleightc)

## Change in administration of trust accounts

8. **List all changes to trust accounts administered by the association**

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## Change of association name

**9. Date and location of the meeting at which the special resolution to change the name was passed**

Date (dd/mm/yyyy):	
Location:	

**10. What is the proposed new name of the association?** It is suggested the name reflect the purpose of the association. The name you propose may not be accepted because it is similar or identical to an existing name. To check if your name already exists or is similar to another, you can search [ASIC's organisation and business names register website](#). The name of an incorporated association must have the word "Incorporated" as the last word of its name.

If your first choice of name is unavailable, you may list two other preferred names here. We will use this list to automatically register the first available name. Please consider your preferences carefully as you will not be contacted to confirm the name that is registered. The names listed should be substantially different from each other.

Proposed name	
Second preference	
Third preference	

## Alteration of rules

**11. Date of meeting at which the special resolution to change the rules was passed**

Date (dd/mm/yyyy)	<b>11/10/2013</b>
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**12. What type of change are you applying for? (choose all that apply) (mark with an X)**

<input checked="" type="checkbox"/>	Change to end of financial year date in the rules – complete question <b>13</b> .
<input checked="" type="checkbox"/>	Change to the purposes – complete question <b>14</b> .
<input checked="" type="checkbox"/>	Other changes/alterations to the rules – complete question <b>15</b> .
<input type="checkbox"/>	Adoption of model rules – complete question <b>16</b> .

**13. New financial year end date** (e.g. 31 August) Please note that where this change applies to model rules and own rules containing the financial year end date, a special resolution is required.

Date (dd/mm/yyyy)	<b>30 June</b>
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If changed, please note that the association must close its books each year and a change of financial year end date does not excuse a gap in financial reporting.

**14. What are the new purposes of the association?** List each purpose in a numbered paragraph.

<ol style="list-style-type: none"><li><b>1. To provide a safe, well-maintained environment where tennis can be played.</b></li><li><b>2. To promote the game of tennis to any interested member of the community.</b></li><li><b>3. To arrange competition tennis for members of the association.</b></li><li><b>4. To provide tennis coaching for any interested party who wishes to improve their standard.</b></li><li><b>5. To arrange social activities for the enjoyment of members of the association.</b></li></ol>
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15. Provide a summary of the rule alterations/changes. Include the rule number(s).

**CHANGES TO THE MODEL RULES ARE INDICATED AS FOLLOWS:**

**Added items are indicated in BOLD GREEN text.**

**Removed items are indicated in RED text and highlighted in YELLOW.**

Any other text shown (in black) is to put the changes indicated by the methods above into context within the paragraphs/rules affected.

**4 Definitions**

In these Rules—

***associate member*** means a member referred to in rule 14(1);

***the Association*** means Oakleigh Tennis Club Incorporated;

**12 Membership Categories, Annual subscriptions and fee on joining**

(1) At each annual general meeting, the Association must —

(a) the amount of the annual subscription (if any) for the following financial year; and

(b) the date for payment of the annual subscription.

**(1) At each Annual General Meeting, the Association must determine (or at a subsequent Special General Meeting the Association may alter) —**

**(a) the membership categories available for the for the following financial year;**

**(b) the amount of the annual subscription (if any) for each membership category for the following financial year; and**

**(c) the date for payment of the annual subscription.**

**The Association's By-Laws will be updated within 30 days with the above information.**

(2) The Association may determine that a lower annual subscription is payable by associate members.

### 13 General rights of members

(2) A member is entitled to vote if—

(a) the member is a member other than an associate member; and

(a) their membership category (determined as per Rule 12 and published in the Association's By-Laws) includes voting rights; and

14 Associate members – refer to rule 12 for all membership categories.

### 14 Associate members

(1) Associate members of the Association include—

(a) any members under the age of 15 years; and

(b) any other category of member as determined by special resolution at a general meeting.

(2) An associate member must not vote but may have other rights as determined by the Committee or by resolution at a general meeting.

### 18 Register of members

(1) The Secretary must keep and maintain a register of members that includes—

(a) for each current member—

i). the member's name;

ii). the address for notice last given by the member;

iii). the date of becoming a member (or if unknown, the nearest estimate)

iv). if the member is an associate member, a note to that effect;

**the membership category;**

v). any other information determined by the Committee; and

(b) for each former member, the date of ceasing to be a member (or if unknown, the nearest estimate).

**44 Composition of Committee**

The Committee consists of—

- (a) a President; and
- (b) **a 2 Vice-Presidents**; and
- (c) a Secretary; and
- (d) a Treasurer; and
- (e) ordinary members (if any) elected under rule53.

**46 President and Vice-Presidents**

- (1) Subject to subrule (2), the President or, in the President's absence, **one of** the Vice-Presidents is the Chairperson for any general meetings and for any committee meetings.
- (2) If the President and the Vice-Presidents are **both all** absent, or are unable to preside, the Chairperson of the meeting must be—
  - (a) in the case of a general meeting—a member elected by the other members present; or
  - (b) in the case of a committee meeting—a committee member elected by the other committee members present.

**52 Election of President etc.**

- (1) At the annual general meeting, separate elections must be held for each of the following positions—
  - (a) President;
  - (b) **2 Vice-Presidents**;
  - (c) Secretary;
  - (d) Treasurer.

**69 Management of funds**

- (1) The Association must open an account with a financial institution from which all expenditure of the Association is made and into which all of the Association's revenue is deposited.
- (2) Subject to any restrictions imposed by a general meeting of the Association, the Committee may approve expenditure on behalf of the Association.
- (3) The Committee may authorise the Treasurer to expend funds on behalf of the Association (including by electronic funds transfer) up to a specified limit without requiring approval from the Committee for each item on which the funds are expended.
- (4) All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments must be signed by 2 committee members.
- (5) All funds of the Association must be deposited into the financial account of the Association no later than **5 30** working days after receipt.
- (6) With the approval of the Committee, the Treasurer may maintain a cash float provided that all money paid from or paid into the float is accurately recorded at the time of the transaction.

**77 Alteration of Rules**

These Rules may only be altered by special resolution of a general meeting of the Association.

**Note**

An alteration of these Rules does not take effect unless or until it is approved by the Registrar. If these Rules (other than rule 1, 2 or 3) are altered, the Association is taken to have adopted its own rules, not the model rules.

**The Association's By-Laws (other than those whose method of alteration are specifically referred to within these Rules) may be altered by a majority of the committee voting to pass a resolution to that effect. In such cases, the Association's By-Laws will be updated within 30 days with the above alterations.**



**In short, we have adopted our own rules instead of the Model Rules, with the changes described above because:**

- 1) It will allow us to review and adjust our membership categories on an annual basis, without the need to change the Association Rules. Instead, all membership categories, rights and fees will be listed in the club's by-laws.
- 2) As we have a number of items in the club's by-laws, such as those regarding membership categories, we wanted include a rule that specifically stipulates how changes to the club's by-laws can be made.
- 3) As a tennis club with many junior members under 15 years of age, we did not want them to be classed as "Associate Members" who "must not vote" as per Rule 14 of the Model Rules.

Our by-laws allow for the voting rights of Junior Members to reside with one of their parents, which we hope will encourage them to attend Annual and Special General Meetings, vote on behalf of their children, and perhaps take an even more active part in the running of the club by joining the committee. We have a Parent Member category in our by-laws which specifically caters for this.

- 4) We would rather have two Vice-Presidents than only one.
- 5) For some members, the date they became a member, or ceased to be a member, is not known by the current committee. We therefore wanted to be able to insert the nearest estimate into the register of members where the exact date is unknown.
- 6) Banking of funds cannot always be done within 5 days of their receipt. We wanted to allow the treasurer 30 days to perform this task.