



ABN: 34 757 180 175 Inc. Number: A0026815C

COLLINGWOOD TOY LIBRARY INC

Rules of Collingwood Toy Library Inc

Voted to be adopted at a

Special General Meeting

on

13 November 2017

Status: To come into effect once we have confirmation from Consumer Affairs Victoria that they are compliant

Accepted by Consumer Affairs Victoria on
14 November 2017

1. Name

The name of the incorporated association is the Collingwood Toy Library Inc.

2. Statement of Purposes

The objectives of the Collingwood Toy Library Inc shall be to:

1. To conduct a toy library in the City of Yarra and surrounding areas.
2. To make available for loan a wide range of toys and other such equipment to be used for play and to stimulate the cognitive and motor development of all children, including those with special needs.
3. To make toys and equipment accessible to families who may be isolated or unable to purchase their own.
4. To provide an informal meeting place for parents and young children.
5. To provide information, resources and expertise to parents and carers to facilitate choosing toys that will relate to the children's particular intellectual, physical and social needs.

3. Definitions

In these Rules, unless the contrary intention appears:

- (a) **the Act** means the **Associations Incorporation Reform Act 2012**.
- (b) **Committee** means the committee of management of the Collingwood Toy Library Inc;
- (c) **financial year** means the year ending on 31st March;
- (d) **Annual General Meeting** means a General Meeting of members convened in accordance with Rule 13;
- (e) **member** means a member of the Collingwood Toy Library Inc;
- (f) **ordinary member of the committee** means a member of the committee who is not an officer of the Collingwood Toy Library Inc under Rule 24;
- (g) **Regulations** means regulations under the Act;
- (h) **relevant documents** has the same meaning as in the Act;

4. Alteration of the Rules

These Rules and the statement of purposes of the Collingwood Toy Library Inc must not be altered except by special resolution at a general meeting and in accordance with the Act.

5. Membership

5.1 In accordance with the Membership Policy the following will be eligible to apply:

- (a) any person who is responsible for the care of young children;
- (b) any incorporated association formed for the purpose of caring for young children or for providing educational or social opportunities for young children; or
- (c) any person being the official representative of any unincorporated association, society, club, institution or body which has been formed for the purpose of caring for young children or for providing educational or social opportunities for young children but not for the purpose of trading or securing pecuniary profit for its members.

5.2 Any person eligible under Rule 5.1(a) shall become a member and their name entered into the register of members upon completion of an application form and payment of the annual subscription in accordance with Rule 6.

5.3 Any incorporated association eligible under Rule 5.1(b), or any person being the official representative of any incorporated association, society, club, institution or

body which is eligible under Rule 5.1(c) shall make application for membership in writing to the Secretary, or her/his delegate, who shall refer the application to the Committee. Upon application being referred to the Committee, the Committee shall determine whether to approve or reject the application. Upon the application being approved by the Committee, the Secretary shall notify the applicant in writing and request payment of the annual subscription within 28 days, upon receipt of which the applicant shall become a member.

- 5.4 Notwithstanding the provisions in Rule 10.1(a), when payment of any subsequent renewal of the annual subscription is late, membership renewal shall be deemed to be effective from the due date being the day of expiry for the preceding year's subscription.

6. Fees

- 6.1 There shall be no joining or entry fee.
- 6.2 An annual subscription fee shall be paid by all Members, subject to Rule 6.5.
- 6.3 The annual subscription fee shall be determined by the Committee and may include different fees for various categories of membership.
- 6.4 Other fees shall be applicable for lost, damaged, misplaced and overdue items and for other matters, the nature and amount of which will be determined by the Committee.
- 6.5 Fees, charges and levies may be waived at the discretion of the Committee or its employees.

7. Obligations, liabilities and rights of Members

- 7.1 All Members shall be prepared to assist in the conduct of the Collingwood Toy Library Inc. Such assistance may be in the form of fundraising activities, roster duties and/or other activities as determined by the Committee.
- 7.2 All Members shall abide by the Rules and policies of the Collingwood Toy Library Inc.
- 7.3 If a former Member wishes to rejoin the Collingwood Toy Library Inc, any obligations outstanding from the former membership (for example, any roster duties owing) may apply.
- 7.4 A right or privilege of a person by reason of membership of the Collingwood Toy Library Inc:
(a) is not capable of being transferred or transmitted to another person; and
(b) terminates upon the cessation of membership whether by death, resignation or otherwise.

8. Committee may limit the number of Members

- 8.1 The Committee may limit the number of Members and may institute a waiting list for prospective Members if, in the opinion of the Committee, such action is necessary to achieve the purposes and proper management of the Collingwood Toy Library Inc.

9. Register of members

- 9.1 The Secretary, or her/his delegate, must keep and maintain a register of members containing:
(a) the name and address of each member;
(b) the date of payment of the annual subscription;

- (c) the amount of such subscription; and
- (d) the period covered by such subscription.

10. Ceasing membership

- 10.1 Membership of the Collingwood Toy Library Inc shall terminate:
- (a) thirty days after the annual subscription is due if such subscription has not been paid and the Member is not currently borrowing.
 - (b) at the discretion of the Toy Library Coordinator if the annual subscription has not been paid and the Member is currently borrowing.
 - (c) immediately, if the Secretary or her/his delegate is notified of the resignation of a Member.
 - (d) when the Secretary or her/his delegate gives notice to the Member that the Committee has confirmed its resolution to rescind membership under the provisions of Rule 11 upon despatch of such notice.
- 10.2 After the expiry of the relevant period referred to in Rule 10.1(a):
- (a) the Member ceases to be a Member; and
 - (b) the Secretary or her/his delegate must record in the Register of Members the date on which the Member ceased to be a Member.
- 10.3 In accordance with the Membership Policy the Committee may make exceptions to the membership cessation Rules from time to time.

11. Discipline, suspension and expulsion of Members

- 11.1 Subject to these Rules, if the Committee is of the opinion that a Member:
- (a) has flagrantly or repeatedly refused to comply with these Rules, toy loan procedures or membership obligations
 - (b) has been responsible for unreasonable or excessive damage to property of the Collingwood Toy Library Inc;
- The Committee may by resolution:
- (i) fine that Member an amount not exceeding \$500;
 - (ii) suspend that Member from membership of the Collingwood Toy Library Inc for a specified period; or
 - (iii) rescind that Member's membership of the Collingwood Toy Library Inc.
- 11.2 A resolution of the Committee under Rule 11.1 does not take effect unless:
- (a) at a meeting held in accordance with Rule 11.3 the Committee confirms the resolution; and
 - (b) if the Member exercises a right of appeal to the Collingwood Toy Library Inc under this Rule, the Collingwood Toy Library Inc confirms the resolution in accordance with this Rule.
- 11.3 A meeting of the Committee to confirm or revoke a resolution passed under Rule 11.1 must be held not earlier than 14 days, and not later than 28 days, after notice has been given to the Member in accordance with Rule 11.4.
- 11.4 For the purposes of giving notice in accordance with Rule 11.3 the Secretary must, as soon as practicable, ensure the Member is provided with a written notice:
- (a) setting out the resolution of the Committee and the grounds on which it is based;
 - (b) stating that the Member, or her/his representative, may address the Committee at a meeting to be held as per Rule 11.3;
 - (c) stating the date, place and time of that meeting;
 - (d) informing the Member that she/he may do one or both of the following:
 - (i) attend that meeting;

- (ii) give to the Committee before the date of that meeting a written statement seeking the revocation of the resolution;
 - (e) informing the Member that, if at that meeting, the Committee confirms the resolution, she/he may, not later than 48 hours after that meeting, give the Secretary a notice to the effect that she/he wishes to appeal to the Collingwood Toy Library Inc in a General Meeting against the resolution.
- 11.5 At a meeting of the Committee to confirm or revoke a resolution passed under Rule 11.1, the Committee must:
- (a) give the Member, or her/his representative, an opportunity to be heard; and
 - (b) give due consideration to any written statement submitted by the Member; and
 - (c) determine by resolution whether to confirm or to revoke the resolution.
- 11.6 If at the meeting of the Committee, the Committee confirms the resolution, the Member may, not later than 48 hours after that meeting, give the Secretary a notice to the effect that she/he wishes to appeal to the Collingwood Toy Library Inc in a General Meeting against the resolution.
- 11.7 If the Secretary receives a notice under Rule 11.6 she/he must notify the Committee and the Committee must convene a General Meeting of the Collingwood Toy Library Inc to be held within 21 days after the date on which the Secretary received the notice.
- 11.8 At a General Meeting of the Collingwood Toy Library Inc convened under Rule 11.7:
- (a) no business other than the question of the appeal may be conducted;
 - (b) the Committee may place before the meeting, details of the grounds for the resolution and the reasons for the passing of the resolution;
 - (c) the Member, or her/his representative, must be given an opportunity to be heard; and
 - (d) the Members present must vote by secret ballot on whether the resolution should be confirmed or revoked.
- 11.9 A resolution is confirmed if, at the General Meeting, not less than two-thirds of the Members vote in person in favour of the resolution. In any other case, the resolution is revoked.

12. Disputes and mediation

- 12.1 The grievance procedure set out in this Rule applies to disputes under these Rules between:
- (a) a Member and another Member; or
 - (b) a Member and the Collingwood Toy Library Inc.
- 12.2 The parties to the dispute must meet and discuss the matter in dispute, giving all parties the opportunity to be heard, and, if possible, resolve the dispute within 14 days after the dispute comes to the attention of all of the parties.
- 12.3 If the parties are unable to resolve the dispute at the meeting, or if a party fails to attend that meeting, then the parties must, within 10 days, hold a meeting in the presence of a mediator.
- 12.4 The mediator must be-
- (a) an unbiased person chosen by agreement between the parties; or
 - (b) in the absence of agreement:
 - (i) in the case of a dispute between a Member and another Member, a person appointed by the Committee of the Collingwood Toy Library Inc; or

- (ii) in the case of a dispute between a Member and the Collingwood Toy Library Inc, a person who is a mediator appointed or employed by the Dispute Settlement Centre of Victoria (Department of Justice).

- 12.5 A Member of the Collingwood Toy Library Inc can be a mediator.
- 12.6 The mediator cannot be a Member who is a party to the dispute.
- 12.7 The parties to the dispute must, in good faith, attempt to settle the dispute by mediation.
- 12.8 The mediator, in conducting the mediation, must:
 - (a) give the parties to the mediation process every opportunity to be heard;
 - (b) allow due consideration by all parties of any written statement submitted by any party; and
 - (c) ensure that natural justice is accorded to the parties to the dispute throughout the mediation process.
- 12.9 The mediator may not determine the dispute, but may make a recommendation to the Committee.
- 12.10 If the mediation process does not result in the dispute being resolved, the parties may seek to resolve the dispute in accordance with the Act or otherwise at law.

13. Annual General Meetings

- 13.1 The committee may determine the date, time and place of the Annual General Meeting of the Collingwood Toy Library Inc.
- 13.2 The Annual General Meeting should be held within five months after the end of the financial year.
- 13.3 The notice convening the Annual General Meeting must specify that the meeting is an Annual General Meeting.
- 13.4 The ordinary business of the Annual General Meeting shall be—
 - (a) to confirm the minutes of the previous Annual General Meeting and of any General Meeting held since that meeting; and
 - (b) to receive from the Committee reports upon the activities of the Collingwood Toy Library Inc during the last preceding financial year; and
 - (c) to receive and consider the financial statement submitted by the Collingwood Toy Library Inc in accordance with Part 7 of the Act; and
 - (d) to determine whether the financial statements referred to in Rule 13.4(c) above should be audited
 - (e) and, if an audit is desired, to appoint an auditor for the ensuing year; and
 - (f) to elect the Committee of Management of the Collingwood Toy Library Inc.
- 13.5 The Annual General Meeting may conduct any special business of which notice has been given in accordance with these Rules.

14. Special General Meetings

- 14.1 In addition to the Annual General Meeting, any other General Meetings may be held in the same year.
- 14.2 All General Meetings other than the Annual General Meeting are Special General Meetings.

- 14.3 The Committee may, whenever it thinks fit, convene a Special General Meeting of the Collingwood Toy Library Inc and the notice convening the meeting must specify that it is a Special General Meeting.
- 14.4 If, but for this sub-Rule, more than 15 months would elapse between Annual General Meetings, the Committee must convene a Special General Meeting before the expiration of that period.
- 14.5 The Committee must, on the request in writing of Members representing not less than five per cent of the total number of Members, convene a Special General Meeting of the Collingwood Toy Library Inc.
- 14.6 Any Member wishing to convene a Special General Meeting may request a copy of the current mailing list of Members from the Committee either in writing or by email. Provision of such a mailing list will be subject to the Privacy Policy of Collingwood Toy Library Inc.
- 14.7 The request for a Special General Meeting must:
- (a) state the reasons for the meeting;
 - (b) be signed by the Members requesting the meeting; and
 - (c) be sent to the registered address of Collingwood Toy Library Inc.
- 14.8 If the Committee does not cause a Special General Meeting to be held within one month after the date the request is sent to the registered address of the Collingwood Toy Library Inc, the Members making the request, or any of them, may convene a Special General Meeting to be held not later than three months after that date.
- 14.9 If a Special General Meeting is convened by Members in accordance with this Rule, the Collingwood Toy Library Inc will provide a venue and facilities as per a typical meeting convened by the Committee.

15. Special business

All business that is conducted at a Special General Meeting and all business that is conducted at the Annual General Meeting, except for business conducted under the Rules as ordinary business of the Annual General Meeting, is deemed to be special business.

16. Notice of General Meetings

- 16.1 The Secretary of the Collingwood Toy Library Inc, at least 14 days, or if a special resolution has been proposed at least 21 days, before the date fixed for holding a General Meeting of the Collingwood Toy Library Inc, must cause to be sent to each Member of the Collingwood Toy Library Inc, a notice stating the place, date and time of the meeting and the nature of the business to be conducted at the meeting.
- 16.2 Notice may be sent to Members:
- (a) in person, at the Library during operating hours;
 - (b) by prepaid post to the address appearing in the Register of Members; or
 - (c) by electronic transmission.
- 16.3 Such notice shall also be prominently displayed at the Library during the relevant notice period prior to a General Meeting.
- 16.4 No business other than that set out in the notice convening the meeting may be conducted at the meeting.

- 16.5 A Member intending to bring any business before a meeting may notify the Secretary of that business in writing, or by electronic transmission, the secretary must include that business in the notice calling the next General Meeting.
- 16.6 Accidental omission to give notice of a General Meeting or special meeting to any Member shall not invalidate any resolution passed at such a meeting.
- 17. Quorum at General Meetings**
- 17.1 No item of business may be conducted at a General Meeting unless a quorum of members entitled under these Rules to vote is present at the time when the meeting is considering that item.
- 17.2 Five members personally present (being members entitled under these Rules to vote at a General Meeting) constitute a quorum for the conduct of the business of a General Meeting.
- 17.3 If, within half an hour after the appointed time for the commencement of a General Meeting, a quorum is not present:
- (a) in the case of a meeting convened upon the request of members—the meeting must be dissolved; and
 - (b) in any other case the meeting shall stand adjourned to the same day in the next week at the same time and (unless another place is specified by the Chairperson at the time of the adjournment or by written notice to members given before the day to which the meeting is adjourned) at the same place.
- 17.4 If at the adjourned meeting the quorum is not present within half an hour after the time appointed for the commencement of the meeting, the members personally present (being not less than three) shall be a quorum.
- 18. Presiding at General Meetings**
- 18.1 The President, or in the President's absence, the Vice-President, shall preside as Chairperson at each General Meeting of the Collingwood Toy Library Inc.
- 18.2 If the President and the Vice-President are absent from a General Meeting, or are unable to preside, the members present must select one of their number to preside as Chairperson.
- 19. Adjournment of meetings**
- 19.1 The person presiding may, with the consent of a majority of members present at the meeting, adjourn the meeting from time to time and place to place.
- 19.2 No business may be conducted at an adjourned meeting other than the unfinished business from the meeting that was adjourned.
- 19.3 If a meeting is adjourned for 14 days or more, notice of the adjourned meeting must be given in accordance with Rule 16.
- 19.4 Except as provided in Rule 19.3 it is not necessary to give notice of an adjournment or of the business to be conducted at an adjourned meeting.
- 20. Voting at General Meetings**
- 20.1 Upon any question arising at a General Meeting of the Collingwood Toy Library Inc, a member has one vote only.

- 20.2 All votes must be given personally by a show of hands. Voting by proxy is not allowed.
- 20.3 In the case of an equality of voting on a question, the Chairperson of the meeting is entitled to exercise a second or casting vote.
- 20.4 A member is not entitled to vote at a General Meeting unless all moneys due and payable by the member to the Collingwood Toy Library Inc have been paid, other than the amount of the annual subscription payable in respect of the current financial year.

21. Poll or ballot at General Meetings

- 21.1 If at a meeting a poll on any question is demanded by a member, it must be taken at that meeting in such manner as the Chairperson may direct and the resolution of the poll or ballot shall be deemed to be a resolution of the meeting on that question.
21. A poll or ballot that is demanded on the election of a Chairperson or on a question of an adjournment must be taken immediately and a poll or ballot that is demanded on any other question must be taken at such time before the close of the meeting as the Chairperson may direct.

22. Manner of determining whether a resolution is carried

- 22.1 If a question arising at a General Meeting of the Collingwood Toy Library Inc is determined on a show of hands. the Chairperson must then make a declaration that a resolution has been:
- (a) carried;
 - (b) carried unanimously;
 - (c) carried by a particular majority; or
 - (d) lost;
- 22.2 The outcome must be minuted as evidence of the fact, without proof of the number or proportion of the votes recorded in favour of, or against, that resolution.

23. Committee of Management

- 23.1 The affairs of the Collingwood Toy Library Inc shall be managed by the Committee of Management.
- 23.2 The committee shall consist of:
- (a) a President;
 - (b) a Vice President;
 - (c) a Secretary;
 - (d) a Treasurer; and
 - (e) ordinary members (if any) elected under Rule 26.
- 23.3 Employees of the Collingwood Toy Library Inc, regardless of their membership of Collingwood Toy Library Inc are not permitted to be members of the Committee of Management.
- 23.4 The committee:
- (a) as soon as practicable after being elected or appointed, each committee member must become familiar with these Rules and the Act.
 - (b) shall control and manage the business and affairs of the Collingwood Toy Library Inc;
 - (c) may, subject to these Rules, the Act and the Regulations, exercise all such powers and functions as may be exercised by the Collingwood Toy Library Inc other than those powers and functions that are required by these Rules to be exercised by General Meetings of the members of the Collingwood Toy Library Inc;

- (d) subject to these Rules, the Act and the Regulations, has power to perform all such acts and things as appear to the committee to be essential for the proper management of the business and affairs of the Collingwood Toy Library Inc.
 - (e) must exercise their powers and discharge their duties with reasonable care and diligence.
- 23.5 All decisions at Committee meetings shall be made by simple majority of those Committee members present and voting as determined on a show of hands or, if demanded by at least two members, by a ballot.
- 23.6 Each Committee member present at a Committee meeting is entitled to one vote and, in the event of an equality of votes, the person presiding may exercise a second or casting vote.
- 23.7 The outcome of any votes or ballots must be minuted.
- 24. Office holders**
- 24.1 The officers of the Collingwood Toy Library Inc shall be:
 - (a) a President;
 - (b) a Vice President;
 - (c) a Treasurer; and
 - (d) a Secretary.
- 24.2 Each officer of the Collingwood Toy Library Inc shall hold office until the next Annual General Meeting after the date of her/his election but is eligible for re-election.
- 25. Ordinary members of the committee**
- Subject to these Rules, each ordinary member of the committee shall hold office until the next Annual General Meeting after the date of election but is eligible for re-election.
- 26. Nomination and election of officers and ordinary committee members**
- 26.1 Prior to the election of each position, the Chairperson of the meeting must call for nominations to fill that position.
- 26.2 An individual may nominate herself/himself or, with the individual's consent, be nominated by a member.
- 26.3 If an individual is nominated for a position and fails to be elected to that position they may be nominated for any other position for which an election is yet to be held.
- 26.3 To elect members of the Committee, a vote must be held.
- 26.4 The vote for the election of members of the Committee must be conducted at the Annual General Meeting or in such manner as the Committee may direct.
- 27. Vacation of office and leaves of absence**
- 27.1 A committee member may resign from the Committee by written notice addressed to the Committee.
- 27.2 A person ceases to be a committee member if she/he:
 - (a) ceases to be a member of the Collingwood Toy Library;
 - (b) fails to attend three consecutive committee meetings (other than special or urgent committee meetings) without leave of absence under Rule 27.3; or
 - (c) otherwise ceases to be a committee member by operation of section 78 of the Act.

- 27.3 The Committee may grant a committee member leave of absence from committee meetings for a period not exceeding three months.
- 27.4 The Committee must not grant leave of absence retrospectively unless it is satisfied that it was not feasible for a committee member to seek leave in advance.

28. Filling casual vacancies

- 28.1 The Committee may appoint an eligible member of the Association to fill a position on the Committee that:
- (a) has become vacant under Rule 27; or
 - (b) was not filled by election at the last Annual General Meeting.
- 28.2 The Committee may continue to act despite any vacancy in its membership.

29. Meetings of the committee

- 29.1 The committee must meet at least three times in each year at such place and such times as the committee may determine.
- 29.2 Special meetings of the committee may be convened by the President or by any three members of the committee.

30. Notice of committee meetings

- 30.1 Written notice of each committee meeting must be given to each member of the committee at least two business days before the date of the meeting.
- 30.2 Written notice must be given to members of the committee of any special meeting specifying the general nature of the business to be conducted and no other business may be conducted at such a meeting.

31. Quorum for committee meetings

- 31.1 Any three members of the committee constitute a quorum for the conduct of the business of a meeting of the committee.
- 31.2 No business may be conducted unless a quorum is present.
- 31.3 If within half an hour of the time appointed for the meeting a quorum is not present:
- (a) in the case of a special meeting—the meeting lapses;
 - (b) in any other case—the meeting shall stand adjourned to the same place and the same time and day in the following week.

32. Presiding at committee meetings

- At meetings of the committee:
- (a) the President or, in the President's absence, the Vice-President presides; or
 - (b) if the President and the Vice-President are absent, or are unable to preside, the members present must choose one of their number to preside.

33. Voting at committee meetings

- 33.1 Each officer and ordinary member present at a meeting of the Committee (including the person chairing the meeting), is entitled to one vote

33.2 In the event of an equality of votes on any question, the person chairing may exercise a second or casting vote.

34. Removal of committee member

34.1 The Collingwood Toy Library Inc in General Meeting may, by resolution, remove any member of the committee before the expiration of the member's term of office and appoint another member in her/his place to hold office until the expiration of the term of the first-mentioned member.

34.2 A member who is the subject of a proposed resolution referred to in Rule 33.1 may make representations in writing to the Secretary or President of the Collingwood Toy Library Inc (not exceeding a reasonable length) and may request that the representations be provided to the members of the Collingwood Toy Library Inc.

34.3 The Secretary or the President may give a copy of the representations to each member of the Collingwood Toy Library Inc or, if they are not so given, the member may require that they be read out at the meeting.

35. Minutes of meetings

35.1 The Committee (usually the secretary) must ensure that minutes are taken and kept of each General Meeting and each committee meeting.

35.2 The minutes must record:
(a) the names of the members in attendance at the meeting;
(b) the business considered at the meeting;
(c) any resolution/decision on which a vote is taken and the result of the vote;
(d) any material personal interest disclosed under Rule 37.

36. Sub-Committees

36.1 The Committee may appoint sub-committees to assist in the management of the specific tasks or issues as determined by the Committee.

36.2 Members of sub-committees may be appointed from Members of the Collingwood Toy Library Inc or other interested persons, but shall include at least one member of the Committee.

36.3 The quorum for meetings of a sub-committee is half its members.

36.4 The sub-committee members shall appoint a chairperson from amongst themselves.

36.5 Each sub-committee member present at a sub-committee meeting is entitled to one vote and, in the event of an equality of votes, the person chairing may exercise a second or casting vote.

37. Conflict of interest

37.1 A committee member who has a material personal interest in a matter being considered at a committee meeting must disclose the nature and extent of that interest to the Committee.

37.2 The member:
(a) must not be present while the matter is being considered at the meeting; and
(b) must not vote on the matter.

Note: Under section 81(3) of the Act, if there are insufficient committee members to form a quorum because a member who has a material personal interest is disqualified from voting on a matter, a general meeting may be called to deal with the matter.

- 37.3 This rule does not apply to a material personal interest—
- (a) that exists only because the member belongs to a class of persons for whose benefit the Collingwood Toy Library Inc was established; or
 - (b) that the member has in common with all, or a substantial proportion of, the members of the Association.

38. Collingwood Toy Library Inc is Not for Profit

- 38.1 The assets and income of the Collingwood Toy Library Inc shall be applied solely in furtherance of its objectives as set out in the Statement of Purposes.
- 38.2 No portion shall be distributed directly or indirectly to the Members of the Collingwood Toy Library Inc except as bona fide compensation for services rendered or expenses incurred on behalf of the Collingwood Toy Library Inc.

39. Funds

- 39.1 The Treasurer of the Collingwood Toy Library Inc must:
- (a) collect and receive all moneys due to the Collingwood Toy Library Inc;
 - (b) make all payments authorised by the Collingwood Toy Library Inc; and
 - (c) keep correct accounts and books showing the financial affairs of the Collingwood Toy Library Inc with full details of all receipts and expenditure connected with the activities of the Collingwood Toy Library Inc.
- 39.2 All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments must be signed by two members of the committee.
- 39.3 All electronic payments must be authorised in accordance with the Committee's Electronic Banking Policy.
- 39.4 The funds of the Collingwood Toy Library Inc shall be derived from annual subscriptions, donations, fund-raising activities, grants and such other sources as the committee determines.

40. Financial year

- 40.1 The Collingwood Toy Library Inc's financial year is from 1st April to 31st March.
- 40.2 The accounts shall be closed on the last day of the financial year and a statement shall be made out of receipts and expenditure for the year and a balance sheet shall be prepared.

41. Seal

- 41.1 The common seal of the Collingwood Toy Library Inc must be kept in the custody of the Secretary.
- 41.2 The common seal must not be affixed to any instrument except by the authority of the committee and the affixing of the common seal must be attested by the signatures either of two members of the committee or, of one member of the committee and of the Public Officer of the Collingwood Toy Library Inc.

42. Notice to members

- 42.1 Except for the requirement in Rule 12, any notice that is required to be given to a Member, by or on behalf of the Collingwood Toy Library Inc, under these Rules may be given by:
- (a) delivering the notice to the Member personally; or
 - (b) sending it by prepaid post addressed to the Member at that Member's address shown in the Register of Members; or
 - (c) electronic transmission; or
 - (d) by telephone if the Member may not be contacted in time by any other means.

43. Winding up and revocation of deductible gift recipient endorsement

- 43.1 If the organisation is wound up or its endorsement as a deductible gift recipient is revoked, any surplus of the following assets shall be transferred to another organisation to which income tax deductible gifts can be made:
- (a) gifts of money or property for the principal purpose of the organisation
 - (b) contributions made in relation to an eligible fundraising event held for the principal purpose of the organisation
 - (c) money received by the organisation because of such gifts and contributions.
- 43.2 In the event that the organisation is wound up, any other surplus assets not covered by Rule 43.1 remaining after dissolution of the Collingwood Toy Library Inc shall be given to one or more incorporated or unincorporated Associations, societies, clubs, institutions, or bodies which have been formed for the purpose of caring for young children or for providing educational or social opportunities for young children so long as they operate on a not-for-profit basis.
- 43.3 The selection of any recipient(s) of such surplus assets shall be decided by the Members present at the General Meeting at which the Special Resolution to wind up the Collingwood Toy Library Inc is passed or, if no such decision is made, by the members of the last Committee.

44. Custody and inspection of books and records

- 44.1 Except as otherwise provided in these Rules, the Secretary must keep in her/his custody or under her/his control all books, documents and securities of the Collingwood Toy Library Inc.
- 44.2 Members may on request inspect free of charge:
- (a) the register of members;
 - (b) the minutes of general meetings;
 - (c) subject to 44.3, the financial records, books, securities and any other relevant Collingwood Toy Library Inc document, including minutes of Committee meetings.
- 44.3 The Committee may refuse to permit a member to inspect records of the Collingwood Toy Library Inc that relate to confidential, personal, employment, commercial or legal matters or where to do so may be prejudicial to the interests of the association.
- 44.4 The Committee must on request make copies of these Rules available to members and applicants for membership free of charge.
- 44.5 Subject to 44.3 a member may make a copy of any of the other records of the Association referred to in this Rule and the Collingwood Toy Library Inc may charge a reasonable fee for provision of a copy of such a record.
- 44.6 For purposes of this Rule, relevant documents means the records and other documents, however compiled, recorded or stored, that relate to the incorporation and management of the Collingwood Toy Library Inc and includes the following:

- (a) its membership records;
- (b) its financial statements;
- (c) its financial records;
- (d) records and documents relating to transactions, dealings, business or property of the Collingwood Toy Library Inc.