

**QUEENSLAND JUSTICES ASSOCIATION
BYLAWS OF THE BRANCH OR CONTACT GROUPS OF QJA**

1. APPLICATION OF THE BYLAWS

- 1.1 The Bylaws have been adopted by the Queensland Justices Association ACN. 009 666 559 ("QJA") to provide uniform administration of the branches and contact groups of the QJA.
- 1.2 The bylaws are subject to the Constitution of QJA and if the bylaws omit anything or are otherwise deficient in any area covered by the Constitution, the Constitution applies.

2. ESTABLISHING A BRANCH OR A CONTACT GROUP

- 2.1 The Board of Directors may establish a group of QJA members as a branch or as a contact group by resolution specifying the branch or contact group name and the geographic area that it administers.
- 2.2 The board will decide whether a group of QJA members is defined as a branch or as a contact group. In making this decision, the board will take into account such factors as
- Regularity of meetings
 - The existence, size and regularity of a revenue stream arising from activities conducted
 - The reliance on QJA funds and support for startup and operations
 - The activities conducted

The board may at any time, by resolution at a directors meeting, change the status of a branch to a contact group and vice versa.

- 2.3 Five financial members of the QJA may apply to the Board of Directors to establish a branch. Three financial members may apply to the board to establish a contact group. The applicants should specify the geographic area they wish the branch or contact group to administer. The applicants are required to nominate the first committee of the branch or contact group that will operate until the first election of the committee. Vacancies in the initial committee are filled as casual vacancies under the bylaws.
- 2.3 The Board may vary the boundaries of a branch or contact group by resolution. The Board is to give notice of intention to alter the boundaries of a branch or contact group at least 28 days before any resolution is passed changing the branch or contact group boundaries.

3. MEMBERSHIP OF A BRANCH OR CONTACT GROUP

- 3.1 A person who attends a branch or contact group meeting and who is not a QJA Member must apply to become a QJA Member after they have attended more than two meetings.
- 3.2 A QJA Member is automatically appointed as a member of their nearest branch or contact group unless they otherwise specify another and the specified branch or contact group does not object. A QJA member may be an active member of more than one branch or one contact group but may not hold an executive position in more than one branch or contact group.
- 3.3 Branch or contact group members are required to comply with branch or contact group directives relating to all activities including matters delegated by QJA and are subject to the branch or to the contact group on matters of discipline.
- 3.4 The Executive Committee may give a branch or a contact group member notice in writing that the actions of the member are injurious or prejudicial to character or interests of the

branch / contact group or to the QJA. The Executive Committee must give at least seven days' notice to the branch or contact group member of the Executive Committee meeting at which the matter is to be considered. The Executive Committee may resolve to suspend or terminate the branch / contact group member's membership at the Executive Committee meeting or an adjourned meeting after considering any written submissions from the branch / contact group member.

- 3.7 A branch or contact group member may request a transfer to another branch or contact group.
- 3.8 The QJA is to supply each branch or contact group with a list of its current members upon request. Such information provided is confidential to the branch or contact group executive only and must be used subject to the QJA privacy policy.
- 3.9 The QJA Registrar and all QJA Directors are automatically members of every branch and every contact group of the Association.

4. STRUCTURE OF A BRANCH / CONTACT GROUP

- 4.1 An Executive Committee of three members, who hold the positions of Chairman, Secretary and Treasurer, runs the branch. If an Executive Committee member holds two positions, a third member of the Executive Committee must also be elected. The initial Executive Committee is appointed by the Board on the formation of the branch or elected by the branch members at its first meeting. Executive Committee members hold office until the second annual general meeting after their appointment or election and are eligible for re-election.
- 4.2 The Executive Committee of a branch should meet not less than once each 2 months. The quorum for an Executive Committee meeting is two. Meetings by telephone or other means are approved so long as a minute of the matters discussed is recorded and acknowledged at or before the next branch meeting.
- 4.3 The branch may appoint such further committee members as it requires. Committee members hold office until the next election of Executive Committee members or until they resign, whichever is the earlier.
- 4.4 The Executive Committee of a branch is required to consult with committee members and to act on the collective vote of the executive and committee members on issues relating to the branch policies but may conduct the day-to-day business of the branch as an executive.
- 4.5 The branch may establish other groups to act as subcommittees to advise the branch on particular issues or to manage particular functions of the branch. The Chairman of a subcommittee is required to report to the Executive Committee through the branch Chairman on a regular basis and not less than quarterly on matters relating to their subcommittee.
- 4.6 The branch should appoint a suitably qualified person to be the Training Officer for the branch. The Training Officer is required to ensure that branch members are kept up to date with matters affecting them in their appointment under the Act.
- 4.7 The Executive Committee may fill casual vacancies that may arise on it, the committee or a subcommittee. The person appointed holds office until the next election of the Executive Committee or until they resign their position as appointed.
- 4.8 A contact group may undertake whatever structure it deems necessary, however one person must be appointed as the liaison for the group and one person must assume clear

responsibility for the financial aspects of the contact group.

5. MEMBERSHIP FEES

- 5.1** The Executive Committee may set a fee for membership of a branch or contact group which is to cover basic administration costs only.
- 5.2** A person may not exercise any rights in the branch or contact group member unless they have paid the membership fee if one has been set. Notwithstanding the inability to exercise any rights, the Member who does not pay the membership fee is still subject to the branch or contact group and the Executive Committee as far as disciplinary matters are concerned.
- 5.3** The fee, if set, is payable on 1 July in each year for the following 12 months. The Executive Committee may set a pro-rata payment for new members joining after the beginning of a new financial year.

6. FINANCIAL MATTERS

- 6.1** The financial year for a branch or contact group is 1st July in a year to 30th June in the following year.
- 6.2** The branch or contact group is to open its bank account with QJA's current banker. If the branch or contact group has pre-existing banking arrangements prior to the passing of these by-laws, it is not required to change banks. The bank accounts of a branch or contact group must operate under the authority of the Executive Committee members with any two of the three signatories authorised to sign cheques and withdrawals.
- 6.3** A branch is required to maintain accounts of its financial transactions and to have them audited at least once in each financial year. A branch must have the audit undertaken by a registered auditor, by an independent person or by the State Office. A contact group must present an income and expenditure statement to the board if requested.
- 6.4** A branch is required to present an audited annual account to its annual general meeting. A contact group is required to furnish an income and expenditure statement at its annual general meeting.
- 6.5** The branch or contact group may raise money by the means specified in the "Policy for the Raising of Revenue", which is attached to this document. The policy may be amended at the discretion of the Board from time to time.
- 6.6** All branch or contact group expenditure must occur within the context of the "Policy for Branch or Contact Group Expenditure" which is attached to this document. The policy may be amended at the discretion of the board from time to time.
- 6.7** Branches or contact groups will be held responsible for any losses incurred where
- there is wilful, reckless or negligent disregard of the "Policy for Branch or Contact Group Expenditure" which is attached to this document.
 - there is a failure of any revenue raising activity (as defined in the attached "Policy for the Raising of Revenue") to generate revenue, no matter whether the activity was or was not Board approved
 - in any particular financial year, expenditure exceeds revenue and the amount of the deficit cannot be covered by accumulated funds held in the bank account of the branch or contact group.
- 6.8** All financial records of the branch or contact group must be kept for a period of 7 years

- 6.9** Upon application to the board of directors, a newly formed branch will be provided with a startup grant of \$200 to cover administrative costs. The money will not be provided until the initial committee has been elected and the Board has been advised in writing of the names of the committee members.
- 6.10** Upon application to the Board of Directors, a newly formed contact group will be provided with a startup grant of an amount to be determined by the board to cover administrative costs. The money will not be provided until the initial committee has been elected and the Board has been advised in writing of the names of the liaison person and the other two persons involved in the establishment of the contact group.

7. BRANCH AND CONTACT GROUP MEETINGS

- 7.1** A branch is to conduct a general meeting of its members not less than five times each year. One of these meetings must be the annual general meeting. The quorum for a branch or contact group meeting is five financial members. A Branch or contact group member is not entitled to vote on a resolution unless they have not attended 50% or more of the meetings held in the previous 12 months.
- 7.2** The branch meeting held next after the end of the financial year is to be the Annual General Meeting. This meeting is to be held as soon as possible after the end of the financial year and no later than 2 months after the end of the financial year. There should be 4 weeks notice given to branch or contact group members of the intention to hold the Annual General Meeting.
- 7.3** At the Annual General Meeting the Executive Committee is to present the audited annual accounts, a report on the activities of the branch or contact group for the previous financial year and an outline of the proposals for the next financial year.
- 7.4** Nominations for all branch or contact group positions to be voted upon at an annual general meeting close a clear 24 hours before the meeting commences, unless no nominations have been received for a position, in which case nominations shall be accepted from the floor. The nomination process is to be decided in advance by the branch or contact group, or if this cannot be agreed upon, a member submitting their nomination in writing to the branch or contact group secretary which is seconded by another branch or contact group member, shall be sufficient evidence to show that a person has nominated for a particular position.
- 7.5** Voting at all meetings shall be a show of hands. Should more than 50% of the members eligible to vote at an annual general meeting deem it necessary, voting shall take place by secret ballot.
- 7.6** Contact groups may hold meetings as and when required, however, at least an annual general meeting must be held as per the provisions outlined for branches that are contained elsewhere in these by laws.
- 7.7** The Branch or contact group is to determine its own format and content of its meetings but it is recommended there be a guest speaker and a short session on practical issues affecting members in their duties as a part of each meeting. The Branch or contact group should have at least one social meeting in each year.

8. POWER OF A BRANCH OR CONTACT GROUP

- 8.1** In making decisions, a branch or contact group must act subject to any specific directive or policy that the Board may give relating to its functions.

- 8.2** The function of a branch or contact group is to provide support for Justices of the Peace and Commissioners for Declarations in a specified area. The branch or contact group has power, subject to directives and policies approved by the Board of Directors, to do all things necessary to provide the support the branch or contact group sees fit to provide.
- 8.3** A branch or contact group may make appropriate arrangements to manage signing facilities within its designated area at which members may provide their services to the public. All persons working at the signing facility, including non QJA members, are subject to the administrative direction and control of the branch or contact group while carrying out their duties at a signing facility. Persons who sign at a branch or contact group signing facility are encouraged to become QJA members and active branch / contact group members.
- 8.4** The branch or contact group executive may restrict any person from working at a signing facility if the person, in their opinion,
- does not comply with the requirements of the *Justices of the Peace and Commissioners for Declarations Act 1991* or
 - does not comply with the procedures set out in the current edition of the relevant handbook having regard to the member's appointment or
 - does not wish to operate subject to the administrative direction and control of the branch or contact group while carrying out their duties at a signing centre.
- 8.5** The branch or contact group has no power to direct a member as to how they are to carry out their official functions.

9 REPORTS FROM BRANCH OR CONTACT GROUPS TO QJA

- 9.1** The branch is to provide QJA with
- A copy of minutes of every meeting. The minutes should include a summary of recent financial progress of the branch.
 - Annual statements of income and expenditure
 - An annual report
 - Appropriately audited financial reports as per section 6.3 of the bylaws or original copies of documents relating to all receipts issued and payments authorized for the whole of the financial year.
 - Any change of composition of the Executive Committee and/or other Committee Members of the branch.

This information is to be provided to State Office as soon as it becomes available.

- 9.2** A contact group is to provide the QJA with
- A copy of the minutes of every meeting. The minutes should include a summary of recent financial progress of the contact group.
 - Any change of composition of committee members of the branch.
 - Appropriate financial statements or original copies of documents relating to all receipts issued and payments authorized for the whole of the financial year, if requested by the Board of Directors.

This information is to be provided to State Office as soon as it becomes available.

10 RECESS AND DISSOLUTION OF A BRANCH OR CONTACT GROUP

- 10.1** A branch or contact group may go into recess if insufficient financial members are prepared to continue its activities. The Board will attempt to revive the branch or contact group as soon as is practicable.

- 10.2** The assets of a branch or contact group in recess are held by QJA until the branch or contact group is revived. The QJA may utilise the assets and is not liable to the revived branch or contact group should any of the assets be written off or otherwise used or consumed.
- 10.3** A branch or contact group may be dissolved by the Board by resolution. Notice of the resolution must be given to the financial members of the branch or contact group at least 28 days prior to the meeting at which it is proposed to resolve the dissolution of the branch or contact group.
- 10.5** If five financial members of the branch or contact group are prepared to revive the branch or contact group and give notice to the Board, the notice of the intended resolution will be suspended to allow the Board to consider whether the branch or contact group has been revived. The Board must give reasons for dissolving the branch or contact group to the financial members if it decides to proceed with the dissolution.
- 10.6** If the Board resolves to dissolve a branch or contact group, the assets of the branch or contact group, if any, pass to QJA.

11 ADVICE OF CHANGES TO THE BY LAWS

- 11.1** Changes to the bylaws will be advised to the branch or contact group by way of an email to the email address held on file at the State Office at the time of sending. The changes will also be posted on the QJA web site. The accidental omission to give notice of changes or the non-receipt of a notice of change by a branch or contact group does not invalidate the change.

FINANCIAL GUIDELINES FOR BRANCH OR CONTACT GROUPS

POLICY FOR THE RAISING OF REVENUE

Purpose:

“Revenue raising” is defined as “the gathering of revenues for the purposes of running the branch or contact group for the benefit of its members”.

Revenue of the Association is to be safeguarded from loss and not to be foregone, waived, remitted or written off except where authorised by the board. The branch or contact group treasurer shall be responsible for the prompt recognition and recording of revenue in the branch or contact group financial records in a manner which allows reporting objectives and accountability requirements to be achieved

Method:

There are three categories of branch or contact group revenue raising activities that are permitted for the QJA Branch or contact groups. These are:

- Pre-approved Revenue raising
- Pre-advised Revenue Raising, and
- All other Methods of Revenue Raising

Pre-approved Revenue Raising:

Revenue raising in this category includes:

- Branch or contact group membership fees
- Donations from branch or contact group members
- Advertising by corporate sponsors in the local newsletter
- Internal functions/ meals/ raffles offered to members and their immediate families only
- Any other revenue raising that the QJA Board may approve for this category from time to time

Pre-Advised Revenue Raising:

Revenue raising in this category needs to be advised to the QJA Board before the branch or contact group commences the activity so that any requirements (legislative or other) will be shown to have been met. This includes:

- Raffles offered to the public (where the gross proceeds are not more than \$2,000). NB this activity is governed by the Queensland Office of Gaming Regulations and these rules must be followed
- Meals, food or drinks supplied to the public
- Functions open to the general public
- Training of new Justices
- Professional Development for which a fee is being charged
- Any other activity that the QJA Board may approve in this category from time to time

All Other Methods of Revenue Raising:

Revenue raising in this category will require written QJA Board pre-approval before the branch or contact group engages in the activity. For revenue raising in this category to be approved, the branch or contact group will need to provide as much relevant information as possible and will need to include:

- A nominated contact member who will be responsible for managing the activity
- Raffles included in this category have gross proceeds between \$2,000 and \$20,000 (See the publication: “Your guide to Category 2 Games” published by the Queensland Office of Gaming Regulations)
- A statement setting out the reasons for this particular activity
- A statement about the need for insurance or otherwise

- The provision of licences, written permissions/ authorities, etc with the request
- The naming of the member with any appropriate skill/ qualification or specialist knowledge in the area of the activity
- An budget of the expected costs and benefits – preferably in a profit and loss format
- Any other information the QJA Board may require

Further Conditions:

The revenue raising activities are to be set out in the audited annual financial statements for the branch or contact group in a separate section, with each activity individually itemised under the three headings above to demonstrate that the benefits are going to branch or contact group members.

To prevent any problems with who may or may not buy a “ticket”, prizes that include alcohol or tobacco products are expressly prohibited. A report on the raffle is to include tickets sold, value and description of the prizes is to be supplied to the Board upon completion of the activity.

POLICY FOR PAYMENT OF EXPENDITURE

All members of a branch or contact group executive shall ensure all expenditure of the branch or contact group is incurred for official QJA business, that is, the expenditure must be committed to forwarding the objects of the QJA, as outlined in section 3.1 of the constitution.

The incurring of expenditure by the branch or contact group on services or goods used for private purposes by branch or contact group members is strictly prohibited and may be illegal under various acts in force at the time, including the Queensland Criminal Code.

If any member of the Association has reason to believe that branch or contact group expenditure has been incurred on goods or services that are unrelated to official Association business, then that person shall inform the Registrar immediately of the details. Upon the discovery of Association expenditure which does not relate to any official business of the Association the Board shall take immediate action, appropriate for the particular situation.

Branch or contact group members who authorise the payment of Association expenses shall then be held fully accountable for that decision and have to be able to justify payment decisions to the board of directors, if required.

The attention of branches is drawn to 6.7 of the by laws regarding liability for debts incurred by branches in certain circumstances.

Procedures for branch or contact group members to claim expenses

1. Expenses can be claimed by way of a presentation of a tax invoice to the treasurer, requesting that the invoice be paid on their behalf, or by way of a presentation of a receipt / tax invoice along with a request for reimbursement for expenses previously paid from the member's own funds. Where possible, the former is the preferred way of payment for branch or contact group expenses.
2. Where claims for reimbursement are for amounts or for reasons out of the ordinary, permission to undertake the expenditure must be sought in advance from the branch or contact group executive committee.
3. If the amount of the tax invoice / receipt presented is greater than the amount incurred for QJA purposes, a covering memo must be attached to the claim, explaining how the calculation relating to QJA activities has been determined.

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4. Where a tax invoice is presented for payment, the decision on whether to pay will be made along normal payment authorisation procedures i.e. by way of signature of two of the signatories authorised to sign the QJA branch or contact group bank account. In making such authorisations, the signatories must take into account all policies / guidelines passed by the board relating to expenses. The signatures authorizing payment must appear on the invoice or on an attached payment authorization form attached to the invoice.
5. If the member claiming the expenses is one of the signatories to the QJA branch or contact group bank account, he/she will not allowed to be one of the signatories to approve the transaction.
6. The branch or contact group may, at the discretion of the executive, refer any matter regarding the payment of branch or contact group expenses to the registrar for advice or the board of directors for approval.
7. Expenses will not be paid if documentary evidence i.e. a tax invoice or receipt is not produced.