

ST ANDREWS RURAL FIRE BRIGADE Rules

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ST ANDREWS RURAL FIRE BRIGADE RULES

PART 1—GENERAL

1 Definitions

In these Rules—

member or *member of a brigade* does not include a member on probation, a junior member or an honorary life member who is not otherwise a member;

officer in charge of a brigade means—

- (a) the highest ranking volunteer officer of the brigade; or
- (b) the person appointed by the Authority as the officer in charge of the brigade;

resolution or *resolution of the brigade* means a resolution by a majority of members present and eligible to vote at a meeting held in accordance with these Rules;

the Regulations means the Country Fire Authority Regulations 2004.

2 Object

The object of the brigade is to serve the community by protecting life and property from the threat of fire or other emergency.

3 Categories of members

- (1) An urban brigade may have the following categories of members—
 - (a) senior members;
 - (b) junior members.
- (2) A rural brigade may have the following categories of members—
 - (a) senior members;
 - (b) junior members.

4 Criteria for senior membership

- (1) A person is not eligible—
 - (a) to join, or to transfer to, an urban brigade as a senior member; or
 - (b) to remain a senior member of an urban brigade—

unless—

 - (c) the person is capable of performing his or her duties as a member of that brigade without endangering his or her safety or the safety of others; and
 - (d) the person is 16 years of age or more; and
 - (e) the person is reasonably available to carry out the functions and duties of a member of a brigade; and
 - (f) the person is a fit and proper person to be a member.
- (2) A person is not eligible—
 - (a) to join, or transfer to, a rural brigade as a senior member; or
 - (b) to remain a senior member of a rural brigade—

unless—

- (c) the person is capable of performing his or her duties as a member of that brigade without endangering his or her safety or the safety of others; and
 - (d) the person is 16 years of age or more; and
 - (e) the person is reasonably available to carry out the functions and duties of a member of a brigade; and
 - (f) the person is a fit and proper person to be a member.
- (3) The Authority may waive the requirement in sub-rule (2)(d) if it determines that special circumstances exist to warrant the waiver.

5 Membership

A person who wishes to join the brigade must—

- (a) apply to the brigade for membership; and
- (b) satisfy the requirements of the Regulations.

6 Refusal of membership

Membership of a brigade may be refused where the Authority—

- (a) requires the person to undergo a medical examination determined by the Authority and the person fails the examination or refuses to take the examination; or
- (b) considers that the person is not a fit and proper person to be a member of the brigade; or
- (c) is satisfied that some other reasonable ground exists to refuse enrolment.

7 Probationary membership

During the probation period the member is not entitled—

- (a) to vote at meetings of the brigade; or
- (b) to be counted as part of a quorum; or
- (c) to stand for election as an officer of the brigade or a group.

8 Junior members

- (1) A person who is aged 11 years or more, but less than 16 years, is eligible to be enrolled as a junior member of a brigade.
- (2) Rule 4 applies to a junior member applying for enrolment as a senior member of a brigade.
- (3) A junior member is not entitled to vote at brigade meetings or stand for election as an officer of a brigade or group.
- (4) A junior member may undertake activities including social activities, sporting activities, community service, fundraising and training in first aid and practical skills.
- (5) A junior member must not attend at a fire or other emergency.

9 Honorary life membership

The brigade may, by resolution and with the approval of the Authority, invite a person to be an honorary life member of the brigade.

10 Rules

- (1) The brigade may, by resolution and with the approval of the Authority, make rules not inconsistent with the **Country Fire Authority Act 1958** or the Regulations.
- (2) These Rules may be amended by the brigade if—
 - (a) at least one month before the proposal to amend is put to a brigade meeting, each member is given notice of the proposal; and
 - (b) at the meeting at which the proposed amendment is put to the brigade, at least two-thirds of the members present and eligible to vote support the proposal; and
 - (c) the proposed amendment is not inconsistent with the **Country Fire Authority Act 1958** or the Regulations.

PART 2—MEETINGS

11 Number of meetings

The brigade must meet—

- (a) at least once in every year; or
- (b) the number of times directed by the Authority for brigades of that brigade's classification—

whichever is the greater.

12 Determination by brigade

All matters to be determined by the brigade must be determined at a meeting of the brigade held in accordance with these Rules, unless the matter is delegated to a brigade committee in accordance with these Rules.

13 Chairing of meeting

Meetings of a brigade must be chaired by—

- (a) the highest ranking volunteer officer present; or
- (b) if the brigade elects a member as president of the brigade—by the president; or
- (c) if the meeting nominates a chairperson for the meeting—the person so nominated.

14 Procedure

- (1) The person chairing the meeting must—
 - (a) put to the vote of the meeting all matters for determination by the brigade; and
 - (b) declare as carried a motion which obtains a majority of votes of persons present and eligible to vote.
- (2) If a motion, other than a motion for the election of officers or delegates of the brigade, receives an equality of votes, the person chairing the meeting has a casting as well as a deliberative vote.

15 Eligibility to vote

All members are eligible to vote at brigade meetings.

16 Quorum

- (1) For the purpose of meetings held under these Rules, a quorum of the brigade is—
 - (a) not less than 15 members; or
 - (b) not less than half the number of members of the brigade—whichever is the lesser.
- (2) Despite sub-rule (1)—
 - (a) if the brigade, at its annual meeting—
 - (i) determines that it cannot meet the quorum requirements in sub-clause (1); and
 - (ii) specifies a quorum which it can meet; and
 - (b) the officer in charge of the fire control region in which the brigade is located approves the quorum specified by the brigade or specifies a quorum less than that specified in sub-rule (1), the quorum approved or specified by that officer is the quorum for brigade meetings.

17 Annual general meeting

- (1) The brigade must hold an annual general meeting every year.
- (2) The secretary must notify each member in writing—
 - (a) of the date, place and time of the annual general meeting; and
 - (b) if the election of officers of the brigade is to take place at the meeting, that nominations for officer positions are invited.
- (3) Notification can be effected by—
 - (a) posting or delivering the notice to the member's last known address; or
 - (b) electronic communication to the electronic address of the member; or
 - (c) publishing the notice in a newspaper circulating in the area.
- (4) A member who has been a member for more than two years is not entitled to vote in the election of officers of the brigade, unless the member has attended a minimum of six meetings either of the brigade or of the brigade management team or both since the last annual general meeting at which a biennial election was held.

18 Matters at an annual general meeting

- (1) The secretary or, if the brigade has a treasurer, the treasurer must, at each annual general meeting—
 - (a) table the financial statements of the brigade in respect of the last financial year; and
 - (b) make a full report of the activities and financial operations and position of the brigade; and
 - (c) ensure that full reports of the activities and financial operations and position of clubs and auxiliary bodies associated with the brigade are made.

- (2) If the brigade has a management team, the president must make a full report at the annual general meeting of the team's activities since the last annual general meeting.

19 Election of officers

The president of the brigade or, if there is no president, the secretary must ensure that—

- (a) an election of officers of the brigade is held at every second annual general meeting in accordance with the Regulations; and
- (b) officers are elected in order of seniority of rank.

20 Nomination of officers

Unless the brigade determines otherwise at a previous annual general meeting, a nomination for election as an officer may be made—

- (a) at the meeting at which the election is to be held; or
- (b) before that meeting.

21 Casual vacancies

If a casual vacancy arises in the office of any officer, the brigade must—

- (a) at the next meeting of the brigade after the brigade received notice of the vacancy; or
- (b) at a special meeting called to fill the vacancy—

elect an officer to fill the vacancy in accordance with these Rules and the Regulations.

22 Procedural matters

Except where otherwise specified in these Rules, procedural matters are to be determined by the person chairing the meeting.

23 Special meetings

- (1) A special meeting of the brigade—
 - (a) may be called by the highest ranking elected officer on his or her own initiative; and
 - (b) must be called by the secretary if so requested in writing by not less than 7 members of the brigade.
- (2) A notice calling a special meeting must—
 - (a) be in writing; and
 - (b) specify—
 - (i) the date, time and place of the meeting; and
 - (ii) the business to be conducted at the meeting; and
 - (c) be served on each member not less than 4 days before the meeting.
- (3) Notification of a special meeting must be effected in the same way as notification for the annual general meeting is required to be effected.
- (4) Business which is not specified in the notice calling a special meeting must not be dealt with at the special meeting.

24 Formation of a group of brigades

- (1) A group of brigades may be formed in accordance with this rule.
- (2) At a meeting of a maximum of 2 delegates appointed by each brigade in the area in which the proposed group would operate—
 - (a) the meeting must elect the officers of the group; and
 - (b) each brigade delegate has one vote; and
 - (c) a majority of votes of delegates present and eligible to vote is sufficient to secure election.
- (3) If 2 or more candidates receive an equality of votes, the person presiding at the meeting must draw lots to determine who is to be declared elected.

PART 3—MANAGEMENT

25 Management team

- (1) The brigade may, by resolution at a brigade meeting, appoint a management team to manage and administer the affairs of the brigade.
- (2) The management team consists of—
 - (a) elected officers of the brigade; and
 - (b) any other members that are elected by the brigade as members of the management team.
- (3) The brigade may elect as president of the brigade one of the members of the management team.

26 Meetings of the management team

- (1) The management team must meet as often as is necessary.
- (2) The management team must be chaired by—
 - (a) the president of the brigade; or
 - (b) if there is no president, or the president is absent—by the committee member elected by the team to chair meetings or chair that meeting.
- (3) All team members are eligible to vote at a meeting of the management team.
- (4) A motion is carried at a meeting of the management team if it receives a majority of votes of persons present and eligible to vote.
- (5) If a motion receives an equality of votes, the person chairing the meeting has a deliberative as well as a casting vote.

27 Delegation to management team

Unless the brigade, by resolution, delegates to the management team the power to make decisions regarding a matter or class of matters, a decision of the management team is of no effect until approved by a resolution of the brigade.

28 Sub-committees

- (1) The management team may—
 - (a) form sub-committees to advise on any matter or class of matters; and

- (b) appoint to a sub-committee members of the management team or other members of the brigade.
- (2) The provisions of these Rules which apply to the management team apply with any modifications that are necessary to each sub-committee of the management team.

29 Casual vacancies

If a casual vacancy occurs in the office of a member elected as a member of the management team, the management team may co-opt a member to the team for the remainder of the term for which the member was elected.

PART 4—FINANCE

30 Records

- (1) The secretary or, if the brigade has a treasurer, the treasurer must ensure that the following books or records are established and maintained—
 - (a) cash receipt book; and
 - (b) cash payment book; and
 - (c) bank pay-in book; and
 - (d) minute book with numbered pages; and
 - (e) records of approvals for fund raising activities and grants; and
 - (f) financial records of fund raising activities and grants; and
 - (g) petty cash book.
- (2) The secretary or, if the brigade has a treasurer, the treasurer must ensure that—
 - (a) a document that is required to be kept as part of a book or record referred to under sub-rule (1) is kept for 7 years from the date of the document's creation; and
 - (b) each set of the accounts is kept for 7 years from the date of submission of the brigade's financial statements to the Authority under the Regulations.
- (3) The secretary or, if the brigade has a treasurer, the treasurer must ensure that a register of the assets of, and assets held on behalf of, the brigade is established and maintained.

31 Investment

- (1) Subject to a resolution of the brigade, any 2 of the secretary and officer in charge of a brigade or other officers of the brigade approved by the brigade, may invest money of the brigade in accordance with the **Trustee Act 1958**.
- (2) The determination of whether to approve a matter for the purposes of this rule must be by a resolution of the brigade.

32 Bank accounts—brigades

- (1) A brigade—
 - (a) must have one general purpose bank account; and
 - (b) may have as many special purpose bank accounts as are approved by the officer in charge of the fire control region in which the brigade is located.
- (2) If the brigade has only a general purpose account—

- (a) all money received by or on behalf of the brigade must be paid into the general purpose account; and
 - (b) all payments by or on behalf of the brigade must be paid out of the general purpose account.
- (3) If a brigade has one or more special purpose accounts—
- (a) there must—
 - (i) be paid into each special purpose account all money received by or on behalf of the brigade for the purpose for which the account was established; and
 - (ii) be paid out of each special purpose account payments for the purpose for which the account was established; and
 - (b) there must—
 - (i) be paid into the general purpose account all money received by or on behalf of the brigade, other than money required to be paid into a special purpose account; and
 - (ii) be paid out of the general purpose account all payments, other than those payments required to be paid out of a special purpose account.
- (4) The opening of any bank account or the withdrawal of money from a bank account must be in accordance with a resolution of the brigade.

33 Petty cash

- (1) The treasurer may advance the secretary not more than \$200 as petty cash.
- (2) Each withdrawal must—
 - (a) be recorded in the petty cash book by the treasurer; and
 - (b) be approved by the officer in charge of the brigade or his or her nominee.

34 Purchasing

- (1) [Repealed]
- (2) Subject to the approval of the officer in charge of the fire control region, the brigade may, by resolution, delegate to a member the power to authorise specific purchases.
- (3) Subject to sub-rule (2), each purchase not more than \$500 must be approved by the officer in charge of the brigade or his or her nominee and a member of the brigade management team.
- (4) Subject to sub-rule (2), each purchase more than \$500 and not more than \$2,000 must be approved by resolution of the brigade management team or of the brigade.
- (5) Subject to sub-rule (2), each purchase more than \$2,000 must be approved by resolution of the brigade and only if at least 21 days before the proposal to approve is put to a brigade meeting, each member is given notice of the proposal.
- (6) Notwithstanding sub-rules (3) to (5), the officer in charge of the brigade or his or her nominee, and the Equipment Officer or his or her nominee, may jointly approve any amount necessary for emergency repairs or maintenance.

35 Signatories

A brigade cheque must be signed by any 2 of the officer in charge of the brigade, the secretary, the treasurer or the First Lieutenant.

36 Payment

- (1) The secretary or the treasurer may authorise payment for goods or services after checking that the goods or services—
 - (a) have been received; and
 - (b) comply with the purchase order.
- (2) The secretary or, if the brigade has a treasurer, the treasurer must ensure that all payments, other than payments out of petty cash, are made by cheque or electronic funds transfer.

37 Reporting

The secretary or, if the brigade has a treasurer, the treasurer must, at each meeting, report to the brigade on all transactions since the last meeting.

NOTES

1. Under Regulation 32(2) of the Country Fire Authority Regulations 2004, Schedule 5 to the Regulations became the Brigade's constitution on 31 July 2004
2. The brigade amended Rules 33, 34 and 35 on 6 June 2012.
3. The brigade inserted Rule 17(4) on 24 April 2013.