

National Parks Association of Queensland Inc.

A.B.N. 60 206 792 095

By-Law 1 – *Delegations*

1. DELEGATIONS

1.1. Council may Delegate Functions

NPAQ Council may delegate any of its functions as set out in Rule 18 of the NPAQ Rules and any of the powers of the Association administered by Council as set out in Rule 4 of the NPAQ Rules other than:

- this power of delegation; or
- a function imposed on the Council by the Associations Incorporation Act 1981 (Queensland) or any other law, or by resolution of the members of the Association at an Annual or Special General Meeting.

1.2. Delegated Function Exercised in Accordance With Terms

A function, the exercise of which has been delegated, may whilst the Delegation remains unrevoked, be exercised from time to time in accordance with the terms of the Delegation.

1.3. Procedure of Delegated Entity

The entity exercising delegated powers shall make decisions in accordance with the Objects, and shall promptly provide NPAQ Council with details of all material decisions and shall provide any other reports, minutes and information as the Council may require from time to time.

1.4. Delegation may be Conditional

A Delegation under this By-Law may be made subject to such conditions or limitations as to the exercise of any function or at the time or circumstances as may be specified in the Delegation.

1.5. Revocation of Delegation

NPAQ Council may revoke wholly or in part any delegation made under this By-Law, and may amend or repeal any decision made by such delegated entity under this By-Law.

1.6. Delegation To Named Position and Persons Holding Position

Where this By-Law delegates a power, duty or function to a named position, the delegation of the power, duty or function is to the person who from time to time holds the position or the current equivalent of that named position (should it be renamed), and to any person who from time to time is acting in or performing the duties and functions of that position.

1.7. No Delegation By A Delegate

An entity to whom a power, duty or function has been delegated under this By-Law has no authority to further delegate to another entity any power, duty or function that has been delegated by this By-Law.

1.8. Instrument of Delegation

Delegations approved by NPAQ Council must be recorded in writing (which may be by way of an electronic form), and a record kept of such Delegations. In the absence of a written record of Delegations, any Delegations will lapse and all functions and powers remain with Council.

1.9. Lapse of Delegations

Any and all Delegations by NPAQ Council shall lapse three (3) years from the date of their approval by Council unless they are re-approved.

2. SCOPE OF BY-LAW

Unless a power, duty or function of NPAQ Council has been expressly delegated subject to this By-Law or another By-Law, all of the powers, duties and functions of Council remain with Council.

3. AUTHORITY TO ENACT BY-LAW

This By-Law is enacted under Rule 31 of the National Parks Association of Queensland Inc (ABN 60 206 792 095):

- The Council may from time to time make, amend or repeal by-laws, not inconsistent with these rules, for the internal management of the Association and any by-law may be set aside by an annual or special general meeting of members.

4. AUTHORISATION

By-Law 1 (2017) – Delegations has been authorised by Michelle Prior, President of the National Parks Association of Queensland Inc. on 20/06/2017 following a vote in the affirmative of the Council on 19/06/2017.

5. REVIEW

Review of this By-Law is due in June 2019