

FINAL REPORT

Member Addresses and the Constitution

Final report to the Management Committee



Produced by CroquetClaude
Prepared for the Management Committee

2 OCTOBER 2026

SUMMARY

On 22 September 2026 the committee agreed that CAQ only needs to hold member email addresses, and asked whether the rules allow it. We checked the documents and wrote to the Office of Fair Trading. We tried, but we are required to keep the address. A rule change is possible, but the effort is high and the reward is small. We will look at technical coding solutions to increase security, rather than legal ones.

1. The Question

At its meeting on 22 September 2026 the Management Committee agreed that CAQ only needs to hold member email addresses.

After the meeting a committee member asked two things.

1. Does the CAQ constitution require physical addresses to be held?
2. Does a club that has adopted the Queensland model rules need to hold street addresses, and if so does it need its own register separate from the CAQ database?

This report gives the whole history of the matter and closes it.

Timeline

- 22 September 2026. The committee agrees on email only. A committee member asks two questions.
- 22 September 2026. We check the CAQ constitution, the model rules, the Act and privacy law.
- 22 September 2026. We write to the Office of Fair Trading with one question. We send the committee a draft report, marked as waiting on Fair Trading.
- 24 September 2026. Fair Trading replies.
- 2 October 2026. This final report.

2. What the Documents Say

The CAQ constitution (registered 3 December 2025)

CAQ does not use the model rules. It has its own constitution.

Clause 7(15) says the register of Registered Players must hold "the name and postal address of Registered Players". Clause 7(14) says the register of Member Clubs must hold "the name and address of Member Clubs".

Neither clause mentions email. Email can be added as an extra detail, but it cannot replace the postal address.

The Queensland model rules (clubs that adopted them)

Associations Incorporation Regulation 1999, Schedule 4, rule 13(2)(b) says the register of members must include "the postal or residential address of the member". A PO box is a postal address.

Rule 13(5) lets a committee withhold a member's details from other members where there is a risk of harm. The club must still hold them.

Privacy law

The Commonwealth Privacy Act binds a not-for-profit only above \$3 million turnover, or in a few special cases such as providing a health service. The Queensland Information Privacy Act binds government agencies. Neither stops CAQ or a club from holding a postal address.

What we told the committee on 22 September

- Nobody has to hold a street address. A postal address is enough, and a PO box is fine.
- Email alone is not enough under the CAQ constitution or the model rules, on the plain words.
- Clubs on the model rules do not need a separate register if myCroquet holds the required details and the club secretary can show them to a member who asks. The rules say nothing about where the register lives. This last point is our reading, not a stated rule.

3. What We Asked Fair Trading

On 22 September 2026 we wrote to the Registration Services Unit of the Queensland Office of Fair Trading. The President, Secretary, Treasurer and one other committee member were copied. We asked one question only, to keep it sharp.

The letter, in full:

Dear Registration Services Unit,

I am writing on behalf of the Management Committee of Croquet Association Queensland Inc (ABN 96 056 186 273), the state body for 41 incorporated croquet clubs in Queensland. Most of our clubs use the model rules in Schedule 4 of the Associations Incorporation Regulation 1999. Our President, Secretary and Treasurer are copied.

We are moving member records to a shared online system and want to hold only what the rules require. We have one question.

Rule 13(2)(b) says the register of members must include "the postal or residential address of the member". Does an email address satisfy this? Or must the register hold a postal address (for example a PO box) or a residential address?

We understand you cannot give legal advice. A short written reply on how your office reads this rule would help us give clear guidance to our clubs. If another unit is the right place for this, please point us to it.

Kind regards,

Written by CroquetClaude on behalf of Wade Hart, Croquet Association Queensland Inc

4. What Fair Trading Replied

The Registration Services Unit of the Office of Fair Trading replied on 24 September 2026.

The reply, in full:

I refer to your correspondence dated 22 September 2026, which appears to request constitutional interpretation.

Under the Associations Incorporation Act 1981 (the AI Act), the management committee is responsible for interpreting the association's rules and conducting its operations accordingly. Any interpretation of the rules should be conducted with due diligence.

However, to provide you with some guidance, if the rules clearly provide that members must provide a residential address, it could be argued that a residential address is intended to mean a physical home address, rather than a post office box, which identifies a postal address, or an email address, which is an electronic means of communication. The management committee must comply with the association's rules and act with due diligence. It is suggested that the association review and, where necessary, revise its rules to minimise potential disputes arising from ambiguity or differing interpretations. The rules should clearly set out the provisions necessary for the association to properly pursue its objects and meet the requirements for establishing and maintaining an incorporated association.

If your constitution is also silent with respect to this matter, the AI Act prevails in cases of inconsistency. The Office of Fair Trading (OFT) does not interpret the rules of an incorporated association, as section 71(1) of the AI Act establishes that the rules form a contract between the members and the association and does not have the authority to manage or intervene in the internal affairs of these incorporated associations. You may also wish to obtain independent legal advice concerning this matter.

5. What the Reply Means

*F*air Trading does not interpret an association's rules. That job belongs to the management committee.

Their guidance still helps. They describe a PO box as a postal address. They describe an email address as "an electronic means of communication". They do not treat email as a postal or residential address.

The reply does not say that email, or email and a suburb, is acceptable under the rules as they are now. A suburb alone is not a postal address either, because mail cannot reach it.

The reply does say the rules are a contract between the members and the association, and it suggests an association review and revise its rules where the wording causes doubt. So the members can agree to hold less, but only by changing the rules.

6. Conclusion

We tried, but we are required to keep the address.

CAQ's constitution requires a postal address for each Registered Player. The model rules require a postal or residential address for each club member. Email alone does not meet either rule.

The other route, and why we do not recommend it

The rules could be changed so the register holds something less, for example an email address and suburb. That route has four parts.

1. CAQ's Member Clubs pass a special resolution at a general meeting, with at least 30 days notice.
2. The new rule says in plain words what the register holds. If the rule only goes silent, the model rules fill the gap and "postal or residential address" comes back.
3. Fair Trading registers the change. They have not said they would register a rule like that.
4. Each club on the model rules changes its own rules the same way.

The effort is high and the reward is small. We do not recommend it.

What happens next

We will look at technical coding solutions to increase security, rather than legal ones.

For now nothing changes. CAQ and its clubs keep one postal address for each member, alongside email. A PO box is fine.

This matter is closed on the information we have.

7. References

- [1] Croquet Association Queensland Inc. *Constitution*, registered 3 December 2025. Clauses 7(14), 7(15), 8(3) and 14(1).
- [2] Queensland Government. *Associations Incorporation Act 1981* (Qld). Sections 47, 48, 69A and 71.
- [3] Queensland Government. *Associations Incorporation Regulation 1999* (Qld). Schedule 4, Model Rules, rules 13 and 14.
- [4] Queensland Government. *Information Privacy Act 2009* (Qld). Section 18.
- [5] Office of the Australian Information Commissioner. *Privacy for not-for-profits, including charities, and Sporting clubs*. Accessed 22 September 2026.
- [6] Croquet Association Queensland Inc. *Letter to the Registration Services Unit, Office of Fair Trading*, 22 September 2026.
- [7] Office of Fair Trading, Registration Services Unit. *Reply to Croquet Association Queensland Inc*, 24 September 2026.
- [8] Croquet Association Queensland Inc. *Draft report: member addresses and the constitution*, sent to the Management Committee, 22 September 2026.