

# **THE GERMAN SHEPHERD DOG CLUB OF TASMANIA INC.**

Affiliated with the TCA and The German Shepherd Dog Council of Australia

## **RULES OF THE GERMAN SHEPHERD DOG CLUB OF TASMANIA INC.**

<b>Clause</b>	<b>Content</b>
1	The name of the Association shall be German Shepherd Dog Club of Tasmania Inc. (in these rules called 'the Club').
	<b>DEFINITIONS</b>
2	"Application For Membership" includes application for re-admission to membership". "Body" means where the context reasonably admits, a club, society, association, company or group of persons. "Bylaws" means the bylaws in force for the time being of the Club. "Clause" means a provision of the rules and where the context so admits includes a paragraph or sub-paragraph thereof. "Committee" includes office bearers unless the rules specifically provide otherwise. "Exhibition" includes a canine show, canine exhibitions, canine parade, gun dog trials and tests, canine competition, display, obedience trials and tracking trials, nonslip retrieving trials, contest, match or similar event. "Financial member" means a member of the Club who shall not be in default in the payment of his annual subscription or any fees or other monies payable by him in accordance with the rules. Unfinancial shall have the opposite meaning. "Financial year" means the financial year of the Club as defined by Clause 72. "T.C.A." means the Tasmanian Canine Association Inc. "Member" means a person who has been admitted as an ordinary or dual or life member of the Club and where the context otherwise so admits shall include a person admitted to any other category of membership and the word "member" where the context so admits shall mean and include persons who have been admitted to any category of membership. "Office" means the office of the Club and shall be a place as determined from time to time at which the records of the Club are to be kept. "Office bearers" means the President, Vice President, Treasurer and Secretary or such other nominated positions as referred to in Clause 23. "Period of membership" in relation to a member denotes the twelve months terminating at midnight on 30th day of June in each year for which such member is for the time being elected or admitted to membership of the Club or such portion of the term during which his membership shall continue. "Person", where the context reasonably permits, includes an individual, a firm or partnership, a company or corporation or other legal entity. "Public Officer" means the person referred to as such in section 14 of The Associations Incorporation Act 1964 and whose Statutory Duties are set out in the Act. "Registered" means breeds and breed varieties of dogs for which a separate register is kept by the Tasmanian Canine Association Inc. "Secretary" means the honorary secretary or secretary of the Club and where the context reasonably permits includes the assistant secretary and any other person for

the time being appointed by the Committee to exercise the functions of the secretary.

"Writing" includes printing and roneo and any other like recognised means of communication or of reproducing words in visible form.

Words used in the rules where the context reasonably permits shall have the same meaning as the definition thereof as set forth in the Constitution and Rules and Regulations of the Tasmanian Canine Association Inc.

Words importing the male gender shall where the context reasonably permits include the female and neuter gender and the singular number shall include the plural number.

"Rules" mean the rules for the time being of the Club.

- 3 The Office of the Club shall be at the residence of the Honorary Secretary properly elected at the Annual General Meeting of Members in each year or at such other place as the Committee may from time to time determine.
- 4 The objects of the Club are:
  - (a) to affiliate with the Tasmanian Canine Association Inc;
  - (b) to promote and encourage the breeding of pure bred dogs and in particular the German Shepherd Dog;
  - (c) to promote and raise the standards and exhibition of registered pure bred dogs, particularly the German Shepherd Dog
  - (d) to promote the holding of exhibitions and to conduct exhibitions and/or to promote Obedience training and to conduct Obedience Trials and Tracking Tests;
  - (e) to foster, promote and protect the interest of exhibitors of dogs at exhibitions and particularly the exhibitors of German Shepherd Dogs;
  - (f) to collect, verify and publish information relating to dogs and the breeding and exhibition of dogs;
  - (g) to educate and encourage members, breeders and judges to abide by the requirements and standards approved by the Tasmanian Canine Association Inc. for the conduct of exhibitions and shows;
  - (h) to promote good fellowship and sportsmanship amongst members and those participating in or attending at exhibitions and shows;
  - (i) to inform members of and make known to them the laws and regulations of the State relating to the ownership and care of dogs, and the responsibility of owners for the conduct and actions of their dogs;
  - (j) to hold functions and lectures relating to dogs and to the objects of the Club generally;
  - (k) to provide awards and donate prizes for competition at exhibitions and for the competition by breeders and exhibitors of dogs
  - (l) to foster relations with other Clubs and bodies having similar aims.
  - (m) to promote and assist worthy causes, as agreed at a General Meeting of the members of the Club;
  - (n) to invest the funds of the Club not immediately required in such manner as the Members or the Committee in lieu thereof shall determine;
  - (o) to purchase, hire, lease, etc. and do such things as are conducive or incidental to promoting and achieving the object of the Club;

(p) to carry on such other activities or promote or encourage interest in the breeding, upkeep and training of and the general well-being and improvement of German Shepherd Dogs and to do all such other things as may be necessary or conducive to carrying out the objects of the Club.

#### **AFFILIATION WITH THE TASMANIAN CANINE ASSOCIATION INC.**

5 (a) The Club shall apply to become affiliated with the Tasmanian Canine Association Inc. and if affiliated shall be eligible to apply for permission to conduct authorised exhibitions;

(b) So long as the Club is an affiliate of the Tasmanian Canine Association Inc. every member whether a member of the Tasmanian Canine Association Inc. or not shall be deemed to have agreed with the Tasmanian Canine Association Inc. to be bound by the Constitution and Rules and Regulations of the Tasmanian Canine Association Inc. for the time being in force so far as the same shall relate to him.

#### **MEMBERSHIP**

6 Any person owning a pure bred dog or interested in any of the activities referred to in the objects of the Club shall be eligible for membership.

#### **CLASSIFICATION OF MEMBERS**

7 The categories of membership of the club that may be offered are:

(a) **Member (ordinary)**

(b) **Life Member**

"Life Member" is a member who has been admitted to the Club for life without payment of a subscription. A Life Member shall have all the rights and privileges of an ordinary membership. No more than two (2) Life Memberships shall be granted in any one financial year.

Nominations for the granting of a Life Membership shall be in the form of a written motion and be in the hands of the Secretary before the end of the financial year. Members will vote on nominations at the Annual General Meeting by secret ballot and a simple majority shall decide the issue.

To be eligible for nomination as a Life Member, a person must have been a member for at least 10 years and be deemed to have contributed outstanding and meritorious service to the Club.

(c) **Family Member**

Family Membership may be offered to the immediate members of a family i.e. father, mother and any child under the age of eighteen (18) years. Adult members shall have full voting rights and privileges and Clause 7e shall apply to those members under the age of eighteen (18) years.

**(d) Honorary Member**

"Honorary member" means a person who upon the recommendation of the committee or upon a written nomination signed by not less than five members is elected by a resolution passed in general meeting by a majority of not less than three fourths of the members voting in person thereat as an honorary member for such period and may be so determined and who in the opinion of such meeting has rendered outstanding services to the canine fancy or to the Club for other good and sufficient reasons and who need not comply with the provisions of Clause 6 and shall in addition have the rights and privileges of a financial member but shall not be entitled to vote at a general meeting or hold office unless a majority of members otherwise decides.

**(e) Junior Member**

"Junior member" means a person under the age of eighteen years who has been admitted as a member of the Club and who shall not be entitled to hold office or to vote at a general meeting of the affiliate but shall otherwise be entitled to enjoy all other privileges of membership.

**(f) Dual Membership**

"Dual Member" means one of any two members of the one family resident at the same address or any two of the persons who are partners in the conduct of a kennel having a kennel prefix in their joint names registered with the TCA Inc. who has been admitted with the other of such persons as a dual member of the Club.

**(g) Associate Member**

"Associate member" means a person who supports the club for good and sufficient reasons and who shall have the rights and privileges of an ordinary member but shall not be able to nominate or be nominated for office or a position on committee, nor vote at a general meeting, nor receive the quarterly GSD National Review. Associate members shall not be eligible for reduced entry fees for GSDCT trials or shows.

Neither the joining fee nor the reduced membership fee applying to an ordinary member joining after the 31<sup>st</sup> March shall apply to this category of membership.

**(h) Any other category of membership**

and every person admitted and/or elected to membership shall be, and be deemed for all purposes to have agreed to be bound by the Constitution and Rules and Regulations of the Tasmanian Canine Association Inc. and the Rules of the Club respectively for the time being in force.

**ROLL OF MEMBERS**

- 8 (a) A roll of members shall be kept by the Club and shall contain the name and address and the date of admission to and the category of membership of each member;
- (b) The roll of members shall be kept at the office of the Club and shall be made available by the Secretary for inspection by a member at all reasonable times.

**APPLICATION FOR MEMBERSHIP**

- 9 To all intents and purposes, membership of the Club shall become effective at the date on which such membership is receipted but subject to ratification or otherwise at the next meeting of the Club's Committee (refer Clause 10).
- 10 The Membership Secretary shall submit such application to the next general meeting of the Club or Committee in lieu thereof for approval.

- 11 The financial year commences 1<sup>st</sup> July and ends 30<sup>th</sup> June. A member may within thirty one days after the end of the clubs financial year make application to the Club for re-admission as a member to his category of membership upon payment of his annual subscription and shall be deemed for all purposes to have been re-admitted as such a member. If renewal of membership fees are not received 31<sup>st</sup> July the person's membership will lapse.

#### **TERMINATION OF PERIOD OF MEMBERSHIP**

- 12 A member shall cease ipso facto to be a member of the Club:
- (a) upon termination of his period of membership (whether by effluxion of time or otherwise) unless he shall be re-admitted pursuant to Clause 11 as a member of the Club for a further period of membership;
  - (b) If he resigns by notice in writing addressed to the Secretary;
  - (c) If he shall die;
  - (d) If his annual subscription for the forthcoming financial year has not been paid in accordance with Clause 11;
  - (e) If pursuant to the rules he shall be expelled from the Club;
  - (f) If he is disqualified or suspended by the Tasmanian Canine Association Inc. for any period for which he/she is suspended or disqualified;
  - (g) Should any person cease to be a member of the Club for any reason whatsoever he or she shall not be entitled to the return of his or her membership fee or any part thereof.

#### **ANNUAL SUBSCRIPTION AND JOINING FEE**

- 13 Subject to notice of motion first being given by resolution of the Committee, the members in General Meeting at any time and from time to time, may fix the amount of the annual subscription payable by each category of membership and may in like manner determine that a membership joining fee shall be paid and the amount thereof.

#### **PRIVILEGES OF MEMBERSHIP**

- 14 Subject to the restrictions and limitations prescribed by or pursuant to the Rules the privileges of a member shall be:
- (a) Upon application and payment of the prescribed fee (if any) to the Secretary to receive a copy of the Rules and Bylaws of the Club;
  - (b) The right to attend and vote at all General Meetings of the Club subject to the conditions of Clauses 69(b) and 69(c) of these rules;
  - (c) To submit himself as a candidate for any office of the Club subject to the conditions of Clauses 69(b) and 69(c) of these rules;
  - (d) To receive any publication issued by the Club upon payment of the prescribed fee (if any);
  - (e) To compete for prizes (including trophies) available for members of the Club when exhibiting or competing at any exhibition conducted by the Club;

- 15 Reserved.

## **CONDUCT OF MEMBERS**

- 16 A member upon an election to any category of membership shall strictly observe and act in conformity with and not otherwise and in accordance with the Rules and Bylaws of the Club and Constitution and Rules and Regulations of the Tasmanian Canine Association Inc. and will uphold the honour of and use his best endeavours to further the objects of the Club;
- 17 A member shall furnish to the Committee such information within the knowledge of the member as the Committee may from time to time require and within such time as the Committee may specify in respect of any act or omission on his part or of his agent or servant in and about his conduct at any exhibition or show or in respect of any matter dealt with or regulated by the Rules and/or Bylaws of the Club or Constitution Rules and Regulations of the Tasmanian Canine Association Inc.;
- 18 (a) Where a member is required to appear before the Committee or to supply information pursuant to Clause 17 or any other clause of these Rules and fails to do so he shall furnish to the Committee a Statutory Declaration or other written explanation relating to the matter;  
(b) If a member defaults in complying with any requirement of the Committee pursuant to Clauses 17 and/or 18(a) the Committee may in its absolute discretion proceed to enquire into the matter without further notice to the member;
- 19 If upon such enquiry the Committee is of the opinion that a member has wilfully infringed any of the Rules or Regulations of the Tasmanian Canine Association Inc. and/or the Rules or Bylaws of the Club or has been guilty of any conduct prejudicial to the Club or to a member thereof the Committee may call his attention to such infringement or conduct by a notice in writing addressed to such member and may call upon such member to show cause why he should not be expelled from the Club or have his membership suspended;
- 20 If such member does not within a period of twenty-one days of the date of the aforesaid notice either resign his membership or offer an explanation of the circumstances either in person or in writing as he may elect to the Committee at a meeting thereof convened for that purpose and if such explanation is not acceptable to the Committee it may recommend to the members at the first General Meeting thereof convened subsequent to such enquiry that the member be suspended from membership for such period as the Committee may think fit or that such member be expelled from the Club and that such recommendation shall be included in the notice convening the general meeting. At such meeting the member shall be entitled to be heard and to give his explanation of the circumstances and to call witnesses on his behalf;
- 21 If the recommendation of the Committee made under Clause 20 or an amendment thereof is approved by a resolution passed by a majority of three fourths of the members voting in person at such general meeting such member shall forthwith be suspended from membership for such specified period or expelled as the case may be and he shall have no claim or right of recourse to litigation whatsoever against the

Committee or any member thereof or against any member so voting;

- 22 Subject to the provisions of the Tasmanian Canine Association Inc.'s Rule 122 relating to exhibitions conducted by Agricultural Societies any member affected by a decision of the Committee and/or resolution passed in accordance with Clause 21 may appeal therefrom to the Council of the Tasmanian Canine Association Inc. pursuant to the Tasmanian Canine Association Inc.'s Rule 119 upon such conditions as that Council may from time to time prescribe. In such event the decision of the Council of the Tasmanian Canine Association Inc. shall be final and binding on all parties;

### **OFFICE BEARERS**

- 23 The office bearers for the time being of the Club shall be:

- (a) The President
- (b) The Vice President
- (c) The Treasurer
- (d) The Secretary
- (e) Public Officer
- (f) Membership Secretary
- (g) Such other officers as may be appointed

The Executive of the Club shall comprise the President, Vice-President, Secretary, Treasurer and Public Officer, who may be made signatories to the Club's accounts with any two of three signing, except where two members of such executive reside at the same address;

### **DUTIES OF THE SECRETARY**

- 24A The Secretary shall exercise and perform all the usual secretarial functions and generally attend to the secretarial work of the Club and in particular shall keep and maintain:

- (a) (deleted per amendment reg. 24/9/97)
- (b) Minutes of all proceedings of meetings of the Committee and of the Club;
- (c) All necessary records of the affairs of the Club;
- (d) A complete record of awards made at all exhibitions and shows conducted by the Club, where necessary
- (e) And shall forward to the Tasmanian Canine Association Inc. within one (1) month of the Annual General Meeting an audited statement of receipts and expenditure and balance sheet of the Club.

### **DUTIES OF THE MEMBERSHIP SECRETARY**

- 24B
- (a) to receive all applications for and renewals of membership
  - (b) to receipt all monies received as payment for memberships and to cause all such monies to be deposited in the Club's account
  - (c) to hand such applications for membership to the Committee for approval or otherwise
  - (d) to keep a roll of such members as are approved by the Committee

## **DUTIES OF THE TREASURER**

- 25 The Treasurer shall:
- (a) Receive all monies paid to the Club and cause the same to be paid into the banking account of the Club kept for such purpose within fourteen (14) days of the receipt thereof;
  - (b) Keep all necessary books of account and financial statements as shall be required by the auditors and the Tasmanian Canine Association Inc.;
  - (c) Prepare the annual accounts and accompanying reports;
  - (d) Submit financial statements to all constituted meetings of the Committee and of the Club
  - (e) Produce in general meetings the cash books and bank passbook when requested to do so;
  - (f) Keep vouchers for payments authorised by the Club and the Committee and
  - (g) Keep a true and correct inventory of all property of the Club.

## **COMMITTEE**

- 26 There shall be a committee consisting of the office bearers and not less than two nor more than four members all of whom shall be elected at the Annual General Meeting or as provided in the Rules.
- 27 The Committee shall manage and have the entire control of the affairs of the Club subject to and in accordance with the provisions of the Rules and any resolutions passed at a General Meeting of members.
- 28 Notwithstanding the foregoing the members in General Meeting by resolution passed by a majority of members voting in person thereat may over-rule a decision of the Committee except a decision of the Committee to pay any account payable by the Club or by a resolution passed by a majority of the members voting in person thereat may instruct the Committee in the light of objections expressed by any member to any such decision to review the decision at its next meeting and make its further recommendation to the members at the next General Meeting thereof.

## **MEETING OF THE COMMITTEE**

- 29 Meetings of the Committee shall be held at such place and at such time as the Committee from time to time determines.
- 30 Written notice of each Committee Meeting or Sub-Committee Meeting shall be served on each member of the Committee or Sub-Committee at a reasonable time before the meeting or by sending it by post in a pre-paid letter addressed to him at his last known place of abode in time to reach him in due course of post before the date of the meeting. Such notice shall specify the business to be transacted and no other business shall be transacted at such a meeting.
- 31 The Secretary or his representative shall attend all meetings of the Committee. The minutes of such meetings signed by the Chairman thereof or by the Chairman of a confirmatory meeting shall be accepted as sufficient evidence of the proceedings of such meeting.



- 32 The quorum for a Committee Meeting shall be not less than one half of the members thereof, present in person, or such other number as prescribed by the members.
- 33 The Secretary shall call a meeting of the Committee whenever requested so to do by the President or by three members of the Committee.
- 34 The President or in his absence or if he shall be unwilling to act the Vice President present or if present he shall be unwilling to act then a member of the Committee elected by the members thereof present in person shall be the Chairman of a meeting of the Committee.
- 35 A member of the Committee shall not vote in respect of any contract or proposed contract with the Club in which he is interested or in respect of any matter arising therefrom and if he does so his vote shall not be counted.
- 36 All acts done by any meeting of the Committee or of a Sub-Committee thereof or of a Sub-Committee appointed by the members or by any person acting as a member of the Committee or of a Sub-Committee notwithstanding that it is afterwards discovered that there was some defect in the appointment of the Committee or of a Sub-Committee or of any person acting as aforesaid or that the member of the Committee or any of them or of a Sub-Committee was disqualified shall be as valid as if any such person had been appointed and was qualified to be a member of the Committee or of such Sub-Committee.
- 37 A resolution in writing signed by all members of the Committee for the time being entitled to receive notice of a meeting of the Committee shall be as valid and effectual as if it had been passed at a meeting of the Committee duly held and convened. Any such resolution may consist of several documents in form each signed by one or more members of the Committee.
- 38 A member of the Committee absenting himself from three consecutive Committee Meetings without leave of the Committee shall ipso facto also cease to hold his office.
- 39 A casual vacancy occurring amongst members of the Committee caused by the death or resignation of a member thereof or by a member ceasing for any reason to be a member of the Committee may be filled by the Committee at its next meeting and the member so appointed shall hold that office until his appointment is confirmed by the members at the next General Meeting or the vacancy is otherwise filled by the member at a General Meeting.

#### **ELECTION OF OFFICE BEARERS AND COMMITTEE**

- 40 The Office Bearers and the other members of the Committee shall be elected annually at the Annual General Meeting and shall take office immediately upon election.

- 41 Nomination of members proposed as Office Bearers or as other members of the Committee shall be made in writing to the Secretary at least twenty-one (21) days before the date of the Annual General Meeting and shall be signed by at least one (1) member and the nominee. No person shall be eligible for election unless he or she is a financial member of the Club, a financial member of the Tasmanian Canine Association Inc. and complies with the conditions of Clauses 69(b) and 69(c).
- 42 A list of all such nominations in alphabetical order or by "lot" shall be sent or delivered to each of the members at least fourteen (14) days prior to the holding of the Annual General Meeting.
- 43 If there be not a nomination for the office of President or Vice President or if a member nominated for such office declares at the Annual General Meeting verbally or in writing that he is unwilling to stand for that office or if the number of members required for election as members of the Committee are not nominated the members may propose and second orally at the Annual General Meeting sufficient members to fill any such office.
- 44 If there be more than the required number of members nominated for the election to any office, an election by ballot shall take place, but if there be only the requisite number, the Chairman shall declare those nominated to be duly elected.
- 45 The election of the Office Bearers and members of the Committee shall be by ballot:  
(a) Cast by members present at the Annual General Meeting and eligible to vote thereat;  
(b) Notwithstanding Clause 45(a) any member who is entitled to vote at the Annual General Meeting, but unable to attend shall be entitled to apply to the Secretary for a postal vote. Application for a postal vote must be in writing and lodged with the Secretary fourteen (14) days prior to the Annual General Meeting. Within seven (7) days the Secretary in the presence of the President and one other Committeeman appointed by the Committee, will forward an initialled ballot paper to each applicant and record their names. Members to whom ballot papers are posted will under no circumstances be given a second ballot paper. Completed ballot papers are to be returned to the Returning Officer or the Secretary in envelopes endorsed "Ballot Papers". These envelopes will be handed (unopened) to the scrutineers officiating at the poll.
- 46 For the purposes of the ballot, a Returning Officer may be appointed at the General Meeting of members immediately preceding the Annual General Meeting or as the first business of the Annual General Meeting. If not so appointed, not less than two scrutineers shall be appointed by the members at, and as the first business of, the Annual General Meeting.
- 47 Each member wishing to participate in the ballot shall strike out from the voting paper, all names in excess of the number of positions vacant and ballot papers containing a greater or lesser number of candidates to be elected shall be invalid.

- 48 After the appointment of the Returning Officer and/or the scrutineers, the Returning Officer and/or the scrutineers shall count or cause to be counted by the said persons the postal votes returned in accordance with Clause 45(b) and the votes cast by members in accordance with Clauses 45(a) and 47.
- 49 The Returning Officer and/or the scrutineers shall declare the result of the ballot immediately after the votes have been counted, and in the event of an equality of votes in favour of any candidate which could affect the election of a candidate, the members at the Annual General Meeting shall elect one of such candidates to fill the vacancy for which he was nominated by a resolution passed by a simple majority of members present and voting thereon.
- 50 If any question shall arise as to the validity or invalidity of a voting paper, or whether any particular member has or has not been elected to any particular office, a statement by the Returning Officer that the relevant voting paper is or is not valid or that a particular member has or has not been elected to a particular office shall be conclusive.

### **DELEGATION OF CONTROL TO COMMITTEE**

- 51 At a General Meeting of members it may be resolved that the Committee conduct the affairs of the Club for a period of three months or until the next Annual General Meeting of members, at which, any member may question any action taken, or not taken, by the Committee.

### **SUB-COMMITTEES**

- 52 (a) The Committee or the members at a General Meeting may at any time and from time to time appoint a Sub-Committee from amongst the members of the Committee or the members for such purpose and with the authority to exercise such powers and duties as the Committee in its discretion may recommend save and except the power to refuse or return any entry as precluded by the Tasmanian Canine Association Inc. Rule 29 and the members thereof shall hold office during the pleasure of the members.
- (b) The Committee or the members as aforesaid may by resolution remove from office a member of a Sub-Committee and may in like manner appoint another eligible person in his stead.
- (c) The quorum for a Sub-Committee shall be not less than one half the members appointed by the Committee to comprise the Sub-Committee or such other number as the Committee may from time to time determine. The Sub-Committee may appoint a Chairman thereof provided that if a Chairman is not so appointed or is absent or unwilling to act the members of the Sub-Committee shall appoint one of their members to be Chairman.
- (d) Any such Sub-Committee may be empowered to exercise the powers and duties committed to it for a term extending beyond the term of office of the Committee recommending it, provided that such extended term is ratified by the members in General Meeting, or the Committee in lieu thereof.

- (e) Subject to the consent of the members of the Committee any such Sub-Committee may co-opt additional members to assist in its duties.
- (f) The President and Secretary shall automatically be ex officio members of all Sub-Committees.
- (g) Questions arising at meetings of any Sub-Committee shall be determined on a show of hands, or, if demanded by a member, by a poll taken in such manner as the person presiding at the meeting may determine.
- (h) Each member present at a meeting of any Sub-Committee (including the person presiding at the meeting) is entitled to one vote and in the event of an equality of votes on any question, the person presiding may exercise a second or casting vote.

### **RULINGS AT MEETINGS**

- 53 All questions arising at a General Meeting or at a meeting of the Committee or of a Sub-Committee, other than questions of order or procedure which shall be decided by the Chairman, shall be decided by the majority of votes cast at such meeting and in the case of equality of votes, the Chairman shall have the casting vote.

### **GENERAL MEETING OF MEMBERS**

- 54 The Annual General Meeting of members of the Club shall be held within three months of the end of the financial year.
- 55 The business to be transacted at the Annual General Meeting shall be:
  - (a) Appoint Returning Officer or two scrutineers as required under Clause 46 of the rules;
  - (b) To confirm the minutes of the preceding Annual General Meeting;
  - (c) To receive and adopt the accounts of the Club and the accompanying reports thereon;
  - (d) To receive from the Returning Officer pursuant to Clause 49 or the President pursuant to Clause 44, the result of the ballot for the election of the office bearers and of members of the Committee or pursuant to Clause 43 to elect office bearers or members of the Committee.
  - (e) To appoint an Auditor;
  - (f) To receive the Annual Report and transact any other business required by the rules to be transacted;
  - (g) To transact any other business written notice of which shall have been given to the members at least seven (7) days prior to the date of such meeting;
  - (h) Subject to the approval of a majority of the members present at the meeting, to transact any further business which may be brought forward at that meeting;
- 56 An ordinary General Meeting of the Club shall be held at such time and at such place as the members at their preceding meeting shall determine or if not so determined as shall be convened pursuant to the Rules and/or Bylaws of the Club.
- 57 Unless the members present otherwise determine by vote, the business of an ordinary General Meeting may include the following:
  - (a) To note apologies for non-attendance;
  - (b) To confirm the minutes of the preceding ordinary General Meeting;

- (c) To transact business arising out of such minutes;
- (d) To receive the reports of the Committee, the Secretary and the Treasurer and any other such reports as may be required to be given;
- (e) To receive the reports of the Sub-Committees;
- (f) To elect new members
- (g) To consider and deal with business deferred from the previous meeting;
- (h) To consider and deal with motions of which due notice has been given;
- (i) To consider and deal with correspondence received since the previous General Meeting;
- (j) To receive notices of motions;
- (k) To consider and deal with motions of which notice has not been given;
- (l) To hear through the Chairman answers to questions from members and, where appropriate, to deal with the subject matter thereof;
- (m) To deal with such other business as the Chairman or the majority of members present may allow.

- 58 A Special General Meeting shall be convened by the Secretary at the direction of the President or of the Committee or on the written request of ten members.
- 59 The business to be transacted at a Special General Meeting shall be set out in the notice convening the same, and no other business shall be transacted thereat or at any adjournment thereof.
- 60 The quorum at a General Meeting shall be such number being not less than five members, present in person, or such greater number as the members from time to time shall determine.
- 61 The President or in his absence or if he shall be unwilling to act, the Vice President or if there shall not be a Vice President present, or if present he shall be unwilling to act, then a member elected by the members present in person shall be the Chairman of such a meeting.

**NOTICE OF GENERAL MEETING**

- 62 Every General Meeting shall be convened by written notice given by the Secretary to each member of the Club specifying the date, time and venue of such meeting prescribed in Clause 64 and the nature of the business to be transacted thereat.
- 63 At least seven (7) days prior notice shall be given in respect of each such meeting.
- 64 Notice of a General Meeting shall be deemed to have been given to each member if it is published in the Club's newsletter or journal or such other publication as prescribed by members at the first general meeting for the year provided that such publication is made and dispatched to the members not later than seven (7) days prior to the date of the meeting or if it is served upon him personally or if it is sent electronically to such members to the email address furnished by him to the Secretary or if it is sent through the post addressed to such members at the address furnished by him to the Secretary

or at his last address known to the Secretary. Notices of General Meetings shall specify the place, day and time for the holding of the meeting and the nature of the business to be transacted thereat.

65 The accidental omission to give notice to a member or if a member shall fail to receive a notice sent as aforesaid shall not invalidate a General Meeting.

66 A notice sent by post shall be deemed to have been served on the day following that on which it is posted.

#### **ADJOURNMENT OF MEETING**

67 If at a General Meeting or at a Committee or Sub-Committee meeting a quorum shall not be present after the lapse of thirty minutes from the appointed time thereof, the meeting shall thereupon lapse.

68 A General Meeting of members or a meeting of members of a Committee or of a Sub-Committee shall have the power to adjourn its proceedings from time to time for any period not exceeding at any one time, one month.

#### **VOTING OF MEMBERS**

69 (a) At meetings of members or of the Committee or of a Sub-Committee the mode of voting shall in the first instance be by a show of hands, or if required by two members by an actual division or by ballot and the Chairman shall have an ordinary and in the case of equality also a casting vote and all questions shall be decided by the majority of votes of the members voting in person at any such meeting provided that on a resolution relating to the election of the Office Bearers or of the members of the Committee or relating to the expulsion of members, the foregoing shall not apply and in lieu thereof votes shall be taken in accordance with the relevant Clause of the rules. Members who intend to abstain from voting shall clearly indicate this to the Chair prior to any motion being put to the vote, Such abstentions shall be noted in the Minute Book and shall not be counted as either "For" or "Against" any matter.

Ballot papers shall not be issued to members who have given notice to the Chair that they intend to abstain from voting.

(b) Every member who was a financial member of the Club for not less than three months of the financial year preceding the Annual General Meeting and is currently a financial member shall be entitled to vote at the Annual General Meeting and shall be eligible to nominate or be nominated as an Office Bearer or member of the Committee.

(c) No person becoming a member between the closing date of the financial year preceding the Annual General Meeting and the date of the Annual General Meeting shall be eligible to vote at the Annual General Meeting, nominate or be nominated as an Office Bearer or member of the Committee.

(d) In all matters not covered by these rules the rules of common debate shall apply provided always that the best interests of the general members of the Club be served

and general members have the right to vote in favour or against any Committee decision.

(e) DISSENSION FROM THE PRESIDENT'S AND/OR CHAIRMAN'S PROCEDURE - RULING - ACTIONS - ETC.

In the event that a dissension vote be carried by a 60% majority at any meeting of the Club, the Chairman shall be bound to adopt such ruling - procedures - actions - as decided by said vote, and further, immediately such dissension vote be moved and seconded the Chairman shall immediately vacate the chair to enable correct and proper discussion and voting procedures to follow. Members present are then entitled to select their own choice of interim Chairman to preside during the time that this matter only is discussed and determined whereupon the Chairman shall resume the Chair.

(f) CENSURE OF (1) PRESIDENT'S AND/OR CHAIRMAN'S ACTION - RULING - PROCEDURE - ETC.

CENSURE OF (2) OFFICE BEARER(S) AND/OR COMMITTEE ACTION - RULING - PROCEDURE - ETC.

CENSURE OF (3) A GENERAL MEMBER'S ACTION - CONDUCT, ETC.

In the event that a censure motion be moved, seconded and carried by a 60% majority at any meeting of the Club the person or persons against whom the vote be taken shall be considered censured and all relevant details shall be minuted. (It must be understood that a censure motion does not automatically mean a loss of position from Committee or a loss to a general member of his usual and accepted rights).

(g) VOTE OF NO CONFIDENCE

(1) Against any Office Bearer or Office Bearers;

(2) Any Committee Member;

(3) The entire Committee (To include Office Bearers also).

In the event that a vote of "no confidence" be moved, seconded and carried by a 60% majority of members present in person and voting at the meeting specially convened to discuss the motion such person or persons against whom the motion was carried shall immediately forfeit his/her/their position as an Office Bearer(s) or Committee member and any such person(s) shall not be allowed to accept nomination for the Committee or as Office Bearer or for any Sub-Committee for a period of twelve months from the date of such motion. The members present upon such "vote of no confidence" being carried, are then entitled if they so desire to select a replacement or replacements for the position or positions hereby rendered vacant.

(h) Notice of motion of "no confidence" must be made in writing signed by the persons moving and seconding the motion and handed to the Secretary. The Secretary shall convene a special meeting to be held within thirty (30) days from the date of receipt of the notice of motion, and advise all members in writing within seven (7) days allowing members at least fourteen (14) clear days notice of the meeting. Proof of posting of the notice to the members last registered address with the Club shall be deemed sufficient proof of the member being notified.

**SEAL**

70 (a) The seal of the Club shall be in the form of a rubber stamp inscribed with the name of the Club encircling the word "Seal";

(b) The seal of the Club shall not be affixed to any instrument except by the authority of the Committee, and the affixing thereof shall 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 Club or such other person as the Committee may appoint for that purpose, and that attestation is sufficient for all purposes that the seal was affixed by authority of the Committee;

(c) The seal shall remain in the custody of the Public Officer.

71 The property assets and income of the Club wherever derived shall be applied towards the promotion of the objects of the Club and no portion thereof shall be paid or transferred either directly or indirectly to any member or members of the Club. Providing that nothing herein contained shall prevent the payment in good faith of remuneration or reimbursement to any officers or servants of the Club or any member in return for services actually rendered or for authorised expenses incurred nor prevent the payment of interest on monies borrowed from any member of the Club. Should the Club for any reason whatsoever cease to function the member or person holding any Club monies, records or property shall forthwith pay and deliver up same to the Council of the Tasmanian Canine Association Inc. If at any time within a period of ten years the Tasmanian Canine Association Inc. approve the re-affiliation of the former Club an equivalent amount shall be credited to that Club otherwise the assets shall be used by the Tasmanian Canine Association Inc. for the furtherance of canine affairs in the State of Tasmania in such manner as it deems fit. However, where affiliation has been cancelled by the Tasmanian Canine Association Inc. for disciplinary reasons the members may at a meeting specially convened for the purpose of the winding up of the affairs of the Club direct by resolution passed by a majority of not less than 80% of the financial members that the assets of the Club be donated to an approved charity or applied for use by an approved canine activity.

(a) All documents and securities of the Association shall remain in the custody of the Secretary.

#### **FINANCIAL YEAR**

72 The financial year of the Club shall commence on the first day of July in each year and terminate on the thirtieth day of June of the following year.

#### **SHOW/TRIAL SECRETARY AND/OR MANAGER**

73 The members at a General Meeting or the Committee in lieu thereof may appoint a Show Secretary and/or Show Manager and/or Trial Secretary and/or Trial Manager.

#### **PUBLICITY OFFICER**

74 The members or the Committee in lieu thereof may appoint a Publicity Officer whose duties shall be determined by the Committee and/or members in General Meeting.

#### **BANKING ACCOUNT**

75 The Committee shall cause a banking account to be opened with a recognised bank and be kept in the name of the Club.

76 All cheques payable to the Club shall be deposited to the credit of the Club's banking account.



77 All monies payable on behalf of the Club amounting to \$20.00 or upwards with the exception of prize money, shall be paid by cheque drawn upon the Club's bankers which shall be signed by the Treasurer or in his absence his authorised deputy and any one of the Office Bearers authorised to sign on behalf of the Club. Notice of every such authority or change thereof shall be given to the Club's bankers forthwith whenever the need shall arise. Where an amount less than \$20.00 is paid in cash, the Treasurer, or his authorised deputy, shall ensure a receipt is obtained at the time of the transaction. No cheques shall be drawn on the Club's bank account except for the payment of expenditure that has been authorised by the Committee. All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments shall be signed by the Treasurer or in his absence by such other member or members of the Committee as the Committee may nominate for that purpose and shall be counter-signed by the Public Officer.

### **ACCOUNTS**

78 The Treasurer shall cause to be kept true accounts of all monies received, of all payments made by or on behalf of the Club and of all assets and liabilities, the manner in which income and expenditure of the Club has been dealt with which at all times shall show the true financial position of the Club.

79 The Club's books of account shall be kept at such place of security as the members in General Meeting or the Committee in lieu thereof, shall determine.

### **AUDIT AND AUDITOR**

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- (a) At each Annual General Meeting of the Club the members present shall appoint a person who is a registered company Auditor, or such person as the Commissioner of Corporate Affairs may approve, as the Auditor of the Association;
  - (b) A person so appointed shall hold office until the Annual General Meeting next after that at which he is appointed and is eligible for re-appointment;
  - (c) The first auditor of the Club may be appointed by the Committee before the first Annual General Meeting and if so appointed shall hold office until the first Annual General Meeting unless previously removed by a resolution of the members at a General Meeting in which case the members of that meeting may appoint an auditor to act until the first Annual General Meeting;
  - (d) If an appointment is not made at an Annual General Meeting the Committee shall appoint an auditor of the Club for the then current financial year of the Club;
  - (e) Except as provided in Sub-Rule (c) of this Rule, the auditor may only be removed from office by special resolution;
  - (f) If a casual vacancy occurs in the office of auditor during the course of a financial year of the Club, the Committee may appoint a person as the auditor and the person so appointed shall hold office until the next succeeding Annual General Meeting;

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- (a) Once at least in each financial year of the Club the accounts of the Club shall be examined by the auditor;
- (b) The auditor shall certify as to the correctness of the accounts of the Club and shall report thereon to the members present at the Annual General Meeting;
- (c) In his report and in certifying to the accounts the auditor shall state:

- (1) Whether he has obtained the information required by him,
- (2) Whether in his opinion the accounts are properly drawn up so as to exhibit a true and correct view of the financial position of the Association according to the information at his disposal and the explanations given to him and as shown by the books of the Club,
- (3) Whether the rules relating to the administration of the funds of the Club have been observed;
- (d) The Public Officer of the Association shall cause to be delivered to the auditor a list of all the accounts, books and records of the Association;
- (e) The auditor
  - (1) Has a right of access to the accounts, books, records, vouchers and documents of the Club,
  - (2) May require from the servants of the Club such information and explanations as may be necessary for the performance of his duties as auditor,
  - (3) May employ persons to assist him in investigating the accounts of the Club and in relating to the accounts of the Club examine any member of the Committee or any servant of the Club.

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A person shall not be appointed or act as auditor of the Club if he is an Office Bearer or a member of the Committee or an employee of the Club.

83 **PATRON**

The members at the Annual General Meeting may elect until otherwise determined by them not more than three persons to be Patrons of the Club. A Patron shall be entitled to attend a General Meeting of the Club and by invitation of the President to address the members thereat.

**CLUB JOURNAL**

84 The members in General Meeting by a resolution passed by a simple majority of those voting in person thereat may authorise the publication of a Club Journal under such name and subject to such terms and conditions and containing (subject to editorial policy for the time being of the Tasmanian Canine Association Inc.), such subject matters as the members may determine as aforesaid from time to time.

85 The amount applicable to the Club Journal subscription may be included in the annual membership subscription, but shall be set apart and separately accounted for in the annual accounts.

**BYLAWS**

86 Subject always to the Rules, members in General Meeting by resolution passed by a majority of not less than three fourths of the members present and voting in person may make Bylaws and may from time to time amend such Bylaws by variation, deletion or addition as they shall think fit in respect of:

- (a) Nomination of Members,
- (b) The conducting of ballots,
- (c) The holding and conducting of Shows and Exhibitions by the Club,
- (d) The granting of awards and prizes at such Shows or Exhibitions,

- (e) The manner and procedure of dealing with protests and objections made at Shows or Exhibitions subject always to the Tasmanian Canine Association Inc. rules,
- (f) Meetings of members and of Committees,
- (g) The publication of a Newsletter or Journal,
- (h) Any matter the members consider necessary.

87 The Bylaws shall be read and construed subject to the provisions for the time being of the Rules and of the Constitution and Rules and Regulations of the Tasmanian Canine Association Inc.

**WINDING UP**

88 Subject to Sections 32 and 33 of the Associations Incorporation Act, 1964, if for any reason whatsoever the Club cannot continue to function as an affiliate of the Tasmanian Canine Association Inc. the Club may make application to the Tasmanian Canine Association Inc. or any member of the Tasmanian Canine Association Inc., to make application for permission to wind up in accordance with the Constitution and Rules and Regulations of the Tasmanian Canine Association Inc. for the time being in force.

**ALTERATION TO RULES**

89 Any proposed amendments to the Rules must be submitted and approved by the Council of the Tasmanian Canine Association Inc. prior to the passing of the amendments by members of the Association.

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