

RULES OF THE BATHURST & DISTRICT KENNEL CLUB INCORPORATED

AFFILIATED WITH THE ROYAL NSW CANINE COUNCIL LIMITED

PART 1 – PRELIMINARY

DEFINITIONS

1. In these Rules, except insofar as the context or subject matter otherwise indicates or requires,

“Application for Membership” includes application for re-admission to membership;

“Body” means where the context reasonably admits, a Club, Agricultural or other Society or Association, Company or Group of persons irrespective of whether such body is incorporated or unincorporated;

“Club” refers to the incorporated association known as the Bathurst & District Kennel Club Incorporated;

“Department” means the NSW Department of Consumer Affairs;

“Club Regulations” means the Regulations, specific to the Club, decided upon by the Members pursuant to the Rules and from time to time in force;

“Council” means the Royal New South Wales Canine Council Limited – RNSWCC (a Company Limited by Guarantee – ACN 062 986 118);

“Dual Member” means one of any two Members of the one family resident at the same address or one of 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 Council who has been admitted with the other of such persons as a Dual Member of the Club;

“Exhibition” includes a canine show, canine exhibition, canine parade, canine trial, canine competition, display, obedience trials, non-slip retrieving trial, contest or match;

“Family Member” means any one of several members of the one family resident at the same address;

“Financial Member” means a Member of the Club who is not in default in the payment of his annual subscription or any fees or other moneys payable by them in accordance with the Rules;

“Financial Year” means the financial year of the Club as defined in Rule 91;

“General Meeting” includes an Annual, Ordinary or Special General Meeting;

“Honorary Member” or “Honorary Life Member” means a person who is not a Member, who upon the recommendation of the Committee or upon a written nomination signed by not less than five (5) Members is elected by a resolution passed in General Meeting by a majority of not less than three-fourths (3/4ths) of the Members voting in person thereat as an Honorary Member for Life or for such lesser period as may be determined and who in the opinion of such Meeting has rendered outstanding services to the Club, or the promotion and encouragement of the breeding or exhibition of purebred dogs or for other good and sufficient reason and who need not comply with the provisions of Rule 9;

“Junior Member” means a person over the age of twelve (12) years and under the age of eighteen (18) years who has been admitted as a Member of the Club;

“Life Member” means a Member who has been admitted to the Club as a Member for Life whether upon payment of a subscription or without payment of a subscription as may be determined by the Members from time to time;

“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 otherwise admits, shall mean and include persons who have been admitted to any category of Membership;

“Member of the Committee” in Rule 33 where the context so admits shall be deemed to include the Office Bearers;

“Objects” means the objects of the Club, as required by the Act;

“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, Treasurer and Secretary for the time being of the Club;

“Period of Membership” in relation to a Member, denotes the twelve (12) month period terminating at midnight on 30 June each year;

“Person” Where the context reasonably permits, includes an individual, a firm or partnership, a company, a corporation, or any other legal entity;

“Public Officer” mean the Secretary of the Club elected from time to time;

“Rules” means the Rules of the Club, and where the context so admits, includes a paragraph or sub-paragraph thereof;

“Secretary” means the Honorary Secretary or the 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;

“Special General Meeting” means a general meeting of the club other than an Annual General Meeting;

“the Act” means the Association Incorporation Act, 1984;

“the Regulation” means the Association Incorporation Regulations 1984;

2. In these Rules:
 - (a) a reference to a function includes a reference to power, authority and duty: and
 - (b) a reference to the exercise of a function includes, where the function is a duty, a reference to the performance of a duty.
3. The provisions of the Interpretation Act, 1897, apply to and in respect of these Rules in the same manner as those provisions would so apply if these Rules were an instrument made under the Act.
4. 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 Regulations of the Council.
5. Words importing the male gender shall where, where the context reasonably permits, include the female and neuter gender and the singular number shall include the plural number.

AFFILIATION WITH THE COUNCIL

6. (a) The members shall, by a resolution considered at each May (monthly) General Meeting, which has been agreed to by a majority of not less than three-fourths (3/4ths) of the Members present thereat and entitled to vote, may direct the Committee to apply annually for affiliation with the Council.
- (b) Upon the admission of the club as an affiliate of the Council, the Club and every Member shall be deemed to have agreed with the Council to be bound by the Constitution and Regulations of the Council for the time being in force and at times to submit to and carry out every determination, finding, decision, requirement or direction of the Council so far as the same shall relate to it or them.

PART 11 - OBJECTS

7. The objects of the Club are:
 - (a) to affiliate with the Royal New South Wales Canine Council Limited;
 - (b) to promote and encourage the breeding of purebred dogs;
 - (c) to promote and raise the standards and exhibition of dogs;
 - (d) to promote the holding of exhibitions and shows and to conduct exhibitions and shows;
 - (e) to foster, promote and protect the interests of exhibitors of dogs at exhibitions and shows;
 - (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 Council for the conduct of exhibitions and shows;
 - (h) to promote good fellowship and sportsmanship amongst members and those participating in or attending 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 make awards and donate prizes for competition at exhibitions and shows and for the competition by breeders and exhibitors of dogs;
 - (l) to foster good relations with other Clubs and bodies having similar claims;
 - (m) to promote and assist and to make contributions to canine veterinary research and other worthy canine causes;
 - (n) to invest the funds of the Club not immediately required in such manner as the Members shall determine;
 - (o) 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 all breeds of dogs and to do all such other things as may be necessary or conducive to carrying out the objects of the Club.

PART 111 – MEMBERSHIP

GENERAL

8. (1) The Membership of the Club shall be not less than 50 Members having the right to vote at General Meetings of the Club, provided that at all times, one-half (1/2) of the Members shall be persons each of who is:
 - (a) the registered owner or part owner of a registered dog; or
 - (b) a member of a household, one of whom is the owner or part owner of a registered dog.
- (2) At least thirty (30) members must also be members of the Council.

- (3) Membership of the Club shall be divided into the following categories:
- (a) Member
 - (b) Dual Member
 - (c) Life Member
 - (d) Honorary Member
 - (e) Honorary Life Member
 - (f) Junior Member
 - (g) Family Member

and every person elected to Membership shall be and be deemed for all purposes to have agreed to be bound by the Constitution and Regulations for the time being in force of the Council and of all the Objects and Rules of the Club

MEMBERSHIP QUALIFICATION

9. (1) A person is qualified to be a member of the club if, but only if:
- (a) the person is a person referred to in section 15 (1) (a), (b) or (c) of the Act and has not ceased to be a member of the club at any time after incorporation of the club under the Act; or
 - (b) the person is a natural person;
 - (i) who has been nominated for membership of the club as provided by rule 10;
 - (ii) and who has been approved for membership of the club by the members in a general meeting.

NOMINATION FOR MEMBERSHIP

10. (1) An application for membership shall be in such form as the committee may from time to time prescribe and shall be signed by the applicant and by two (2) members as referees and lodged with the Secretary.
- (2) The Secretary shall submit such application to the first monthly general meeting of members next succeeding its receipt, and if such applicant is approved by a resolution passed by a majority of members voting in person thereat, the applicant shall thereupon become a member of the Club provided that he shall pay within fourteen (14) days of the dated of such meeting such entrance fee and subscription in respect of his category and period of membership or part thereof, as shall be determined from time to time. Upon the satisfactory completion of the foregoing, the Secretary will ensure that each new member receives a copy of the current Rules of the Club.
- (3) A member may, prior to 30 June each year, make application to the committee for re-admission as a member to his category of membership and upon payment of his annual subscription with such application shall be deemed for all purposes to have been re-elected as such a member.
- (4) A person elected to membership after 31 December in any financial year, upon payment of one-half (1/2) of the prescribed annual subscription applicable to the category of membership to which he was elected, shall be deemed to be a financial member for the remainder of the financial year.

CESSATION OF MEMBERSHIP

11. A person ceases to be a member of the Club;
- a) Upon the termination of his period of membership (whether by affliction of time or otherwise) unless he shall be re-admitted pursuant to Rule 10 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 dies
 - d) if pursuant to the Rules, he is expelled from the Club.

MEMBERSHIP ENTITLEMENTS NOT TRANSFERABLE

12. A right, privilege or obligation which a person has by reason of being a member of the club:
- (a) Is not capable of being transferred or transmitted to another person; and
 - (b) Terminates on cessation of the person's membership.

RESIGNATION OF MEMBERSHIP

13. (1) A member of the club is not entitled to resign that membership except in accordance with this rule.
- (2) A member of the club who has paid all amounts payable to the club in respect of the member's membership may resign from membership of the club by first giving to the secretary written notice of at least one month (or such other period as the members may from time to time determine) of the member's intention to resign and, on the expiration of the period of notice, the member ceases to be a member.
- (3) If a member of the club ceases to be a member under clause (2), and in every other case where a member ceases to hold membership, the secretary must take an appropriate entry in the registry of members recording the date on which the member ceases to be a member.

REGISTER OF MEMBERS

14. (1) The public officer of the club must establish and maintain a register of members of the club specifying the name, address and the category of membership of each person who is a member of the club together with the date on which each person becomes a member.
- (2) The register 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.

FEES & SUBSCRIPTIONS

15. The members at an annual general meeting may, upon a notice of motion of which twenty one (21) days notice has been given to all members, fix the amount of the annual subscription payable by each category or membership and may in like manner determine that an entrance fee shall be paid and the amount thereof.

PRIVILEGES OF MEMBERSHIP

16. Subject to the restrictions and limitations prescribed by or pursuant to these Rules, the privileges of a member shall be:
- (a) the right to attend and vote at all general meetings of the Club;
 - (b) to submit themselves as a candidate for any office of the Club;
 - (c) to receive any publication issued by the Club; and
 - (d) to exhibit at any exhibitions or show conducted by the Club and compete for prizes (including trophies) available for members of the Club.
- except that:
- A Junior Member, Honorary Member or Honorary Life Member shall not be entitled to vote or take part in the proceedings of a general meeting and shall not be eligible to hold office, but shall be entitled to exercise all other privileges of membership.

MEMBERS' LIABILITIES

17. The liability of a member of the Club to contribute towards the payment of the debts and liabilities of the Club or the costs, charges and expenses of the winding up of the Club is limited to the amount, if any, unpaid by the member in respect of membership of the Club as required by Rule 15.

DISCIPLINING AND CONDUCT OF MEMBERS

18. (1) A complaint may be made by any member of the Club that some other member of the Club:
- (a) has persistently refused or neglected to comply with a provision or provisions of these rules;
 - or
 - (b) has persistently and willfully acted in a manner prejudicial to the interests of the Club
- (2) On receiving such a complaint the committee:
- (a) must cause notice of the complaint to be served on the member concerned; and
 - (b) must give the member at least fourteen (14) days from the time the notice is served within which to make submissions to the committee in connection with the complaint; and
 - (c) must take into consideration any submissions made by the member in connection with the complaint.
- (3) The Committee may, by resolution, expel the member from the Club or suspend the member from membership of the Club if, after considering the complaint and any submissions made in connection with the complaint, it is satisfied that the facts alleged in the complaint have been proved.
- (4) If the committee expels or suspends a member, the secretary must, within seven (7) days after the action is taken cause written notice to be given to the member of the action taken, of the reasons given by the committee for having taken that action and of the members right of appeal under Rule 19.
- (5) The expulsion or suspension does not take effect:
- (a) until the expiration of the period in which the member is entitled to appeal against the resolution concerned; or
 - (b) if within that period the member exercises the right of appeal, unless and until the Club confirms the resolution under rule 19 (4), whichever is the later.

RIGHTS OF APPEAL OF DISCIPLINED MEMBERS

19. (1) A member may appeal to the Club in general meeting against a resolution of the committee under Rule 18, within seven (7) days after notice of the resolution is served on the member, by lodging with the secretary a notice to that effect.
- (2) The notice may, but need not, be accompanied by a statement of the grounds on which the member intends to rely for the purposes of the appeal.
- (3) On receipt of a notice from a member lodged under clause 19 (1), the secretary must notify the committee which is to convene to a general meeting of the Club to be held within twenty eight (28) days after the date on which the secretary received the notice.
- (4) At a general meeting of the Club convened under clause 19 (3):
- (a) no business other than the question of the appeal is to be transacted; and
 - (b) the committee and the member must be given the opportunity to state their respective cases orally or writing, or both; and
 - (c) the members present are to vote by secret ballot on the question of whether the resolution should be confirmed or revoked.
- (5) If at the general meeting the Club passes a special resolution in favour of the confirmation of the resolution, the resolution is confirmed.

PART IV – THE COMMITTEE

POWERS, CONSTITUTION, MEMBERSHIP

20. There shall be a Committee consisting of the Office Bearers being the President, Secretary, Treasurer and the following other Members being the 1st Vice President, 2nd Vice President, Assistant Secretary and six ordinary Members known as Committee Members
21. 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.
22. Notwithstanding the foregoing, the Members in General Meeting by resolution passed by a simple majority of the Members voting in person thereat, may overrule 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 simple 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.
23.
 - (1) The Committee shall keep or 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 had been dealt with which at all times shall show the true financial position of the Club.
 - (2) Except as otherwise provided by these Rules, the Public Officer shall keep in his or her custody or under his or her control all records, books and other documents relating to the Club.
24. A Member of the Committee absenting themselves without apology from three (3) consecutive general monthly meetings of the Club shall ipso facto cease to be a Member of the Committee, and if an Office Bearer he shall ipso facto also cease to hold his office.

MEETINGS OF THE COMMITTEE

25. Meetings of the Committee shall be held at least bi-monthly at such place and such time as the Committee from time to time determines.
26. 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.
27. The quorum for a Committee Meeting shall not be less than one-half (1/2) of the Members thereof present in person.
28. The Secretary shall call a meeting of the Committee whenever requested so to do by the President or by three (3) Members of the Committee.
29. The President, or in his absence, or if he shall be unwilling to act, a 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.
30. A Member of the Committee shall not vote in respect of any contract or proposed contract with the Club in which he has an interest or in respect of any matter arising thereout and if he does so vote, his vote shall not be counted.

31. All acts done by any meeting of the Committee or by a sub-committee thereof or by a sub-committee appointed by the Members or by any person acting as a Member of the Committee or 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 any person acting as aforesaid, or that the Members of the Committee or any of them or of a sub-committee were 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.
32. 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 like form each signed by one or more Members of the Committee
33. A casual vacancy occurring amongst the 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, shall 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 Members.

ELECTION OF OFFICE BEARERS AND COMMITTEE

34. The Office Bearers and the Members of the Committee shall be elected annually at the Annual General Meeting and shall hold office for 12 months
35. Nominations of Members proposed as Office Bearers or as 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 two members and the nominee.
36. Any member desirous of voting by mail shall register such desire with the Secretary at least twenty one (21) days before the date of the Annual General Meeting. Such registration shall be accepted by the Secretary if in writing, signed by a Member registering and if a stamped and addressed envelope to that Member is enclosed with such notification. A Member who has so registered shall be called a "Postal Voting Member".
37. If there be more than the required number of Members nominated for election to any office, an election by ballot shall take place.
38. A list of all such nominations shall be sent to each of the Postal Voting Members at least fourteen (14) days prior to the holding of the Annual General Meeting. Such list shall contain in respect of a retiring member of the committee whose name appears thereon the number of committee meetings which he has attended, whilst he was a member of the committee and shall indicate by an asterisk and footnote those Members eligible for re-election.
39. If a ballot is required for the election of one or more of the Office Bearers and/or Members of the Committee, the Secretary shall prepare a voting paper with the names of all the candidates for the position/s listed thereon in alphabetical order which shall be posted to each Postal Voting Member in the stamped and addressed envelope referred to in Clause 36 not later than fourteen (14) days prior to the date of the Annual General Meeting and the Secretary shall initial and number consecutively the top right hand corner of the ballot paper and keep a true record of the number of ballot papers issues.
40. At the Annual General Meeting, the Secretary shall hand a voting paper as described in Clause 39 to each other Member present.

41. If there be no nomination for any office on the Committee, including the Executive, or if a Member nominated for any such office declares at the Annual General Meeting verbally or in writing that he is unwilling to stand for such office, or if insufficient nominations have been received to fill all vacancies on the Committee, the candidates nominated shall be declared to be elected by the Returning Officer and further nominations may be taken from the floor at the annual general meeting.
42. For the purpose of the ballot, a returning officer and at least two scrutineers shall be appointed by the members no later than at the monthly general meeting immediately prior to the Annual General Meeting.
43. As the first business of the Annual General Meeting the Secretary shall hand to the returning officer a list of the Members of the Club entitled to vote. If any ballot paper shall indicate that a Member has purported to vote for a greater or lesser number of candidates than the number of vacancies that have to be filled, or if the ballot paper shall not have been endorsed and numbered by the Secretary as aforesaid, or the envelope containing the ballot paper had not been signed by the member purported to vote, such ballot paper shall be declared informal and the votes of that Member shall not be counted.
44.
 - (a) Each Postal Voting Member wishing to participate in the ballot shall stroke out from the voting paper all the names except the names of the candidates for whom he wishes to vote and shall insert the voting paper only and without any other matter in the envelope and return such envelope properly sealed so as to arrive at the Club's Office not later than 5.00pm (which shall be the time of the closing of the postal ballot) on the date appointed for the holding of the annual General Meeting at which the result of the ballot is to be declared as hereinafter provided.
 - (b) Each other Member participating in the ballot at the annual general meeting shall vote in the same manner and thereupon hand his voting paper to the Returning Officer.
45. The Returning Officer shall declare the result of the ballot immediately after the votes have been counted. In the event of two or more candidates for a position gaining an equal number of votes, the members present 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 the Members present and eligible to vote at the Annual General Meeting.
46.
 - (a) If any question shall arise as to the validity or invalidism of a voting paper, or whether any particular member has or had 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.
 - (b) All voting papers shall be kept for a minimum period of at least ninety (90 days) from the date of voting or maximum till the next AGM.

OFFICE BEARERS

47. (1) The Office Bearers of the Club, to be known as the Executive Committee, shall be:
 - (a) the President
 - (b) the Secretary, and
 - (c) the Treasurer

- (2) A Member shall not hold more than one (1) such office within the Executive Committee, at any one time.
- (3) A Member may not hold an office within the Executive Committee for more than three (3) years in succession, and shall not nominate for such office prior to the Annual General Meeting at which, in the absence of any other nomination, he may so nominate and be appointed to such office for a further term if so approved by the members voting in person thereat.
- ~~(4) Any two Members living in the same place of residence must not simultaneously hold office.~~
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- (5) No member shall nominate themselves for any position either on the Committee or the Executive.

DUTIES OF THE SECRETARY

- 48. (1) The Secretary of the Club 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) The Register of Members;
 - (b) A Register of the persons who are appointed by the Members as judges;
 - (c) Minutes of all proceedings of meetings of the Committee and of the Club;
 - (d) All necessary records of the affairs of the Club;
 - (e) A complete record of awards made at all exhibitions and shows conducted by the club.
- (2) The Secretary of the Club must, as soon as practicable after being appointed as secretary, lodge notice with the Club of his address.
- (3) The Secretary shall hold the office of Public Officer of the Club

DUTIES OF THE TREASURER

- 49. The Treasurer shall:
 - (a) receive all monies paid to the Club and accord the same to be paid into the banking account of the Club for such purpose within fourteen (14) days of the receipt thereof;
 - (b) keep all necessary books of accounts and financial statements as shall be required by the Auditors;
 - (c) prepare the annual balance sheet and accounts and accompanying reports;
 - (d) submit financial statements to Members of the Committee and of the Club;
 - (e) produce to the Members in General Meeting the cash books and bank passbook when requested to do so;
 - (f) keep vouchers for payments authorized by the Club and the Committee; and
 - (g) keep a true and correct inventory of all property of the Club.

SUB-COMMITTEES

- 50. (a) On the recommendation of the Committee or upon a motion of a Member, the Members in 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 authority to exercise such powers and duties as the committee in its discretion may recommend and the Members thereof shall hold office during the pleasure of the Members.
- (b) 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 such number thereof as shall be determined by the Members at the time of its election who may in like manner 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 number 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 the General Meeting.
- (e) Subject to the consent of the Members any such Sub-Committee may co-opt additional Members to assist in its duties.

PART V – GENERAL MEETINGS

ANNUAL GENERAL MEETING – HOLDING OF

- 51. (a) With the exception of the first Annual General Meeting of the Club, the club shall, at least once in each calendar year and within the period of three (3) months after the expiration of each Financial Year of the Club, convene an annual General Meeting of its Members.
- (b) The Club shall hold its first Annual General Meeting
 - (i) within the period of eighteen (18) months after its incorporation under the Act; and
 - (ii) within the period of three (3) months after its expiration of the first Financial Year of the incorporated club;
- (c) Sub-paragraphs (a) and (b) have effect subject to any extension or permission granted by the commission under section 26 (3) of the Act

ANNUAL GENERAL MEETING – CALLING OF AND BUSINESS AT

- 52. The Annual General Meeting of the Club shall, subject to the Act and to Rule 51, be convened on such date and at such place and time as the Committee thinks fit.
- 53. (1) In addition to any other business which may be transacted at an Annual General Meeting, the business at an Annual General Meeting shall be:
 - (a) to confirm the Minutes of the preceding Annual General Meeting;
 - (b) to receive and adopt the balance sheets and accounts of the Club and the accompanying reports thereon;
 - (c) to receive from the Returning Officer pursuant to Rule 44 and Rule 45 the result of the ballot for the election of Office Bearers and the Members of the Committee and pursuant to Rule 34, to elect Office Bearers or Members of the Committee;
 - (d) to appoint an Auditor
 - (e) to transact any other business written notice to which shall have been given to the Members at least twenty one (21) days prior to the date of such meeting.
- (2) The minutes of the Annual General Meeting shall be read at the next ordinary General Meeting.
- (3) Four members present in person (being members entitled under these rules to vote at an annual general meeting) shall constitute a quorum for the transaction of the business of the annual general meeting; (Amended 20/9/2011)

ORDINARY AND SPECIAL GENERAL MEETING – CALLING OF AND BUSINESS AT

- 54. An Ordinary General Meeting of the Club shall be held at least bi-monthly upon such dates and 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.
- 55. In addition to any other business which may be transacted at an Ordinary General Meeting, the business at an Ordinary General Meeting shall be:-

- (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 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 notice has been given;
 - (i) to consider and deal with correspondence received since the previous General Meeting;
 - (j) to receive Notices of Motion
 - (k) to consider and deal with Motions of which notice has not been given;
 - (l) to hear through the Chairman's 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 of the Members may allow;
56. 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 five (5) Members.
57. 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.
58. Four members present in person (being members entitled under these rules to vote at a general meeting or a special general meeting) shall constitute a quorum for the transaction of the business of a general meeting, an annual general meeting or a special general meeting. (Amended 20/9/2011)
59. The President or in his absence or if he shall be unwilling to act, a Vice-President or if there shall not be a Vice-President present, or if present each 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

60. Every General Meeting shall be convened by notice given by the Secretary to each Member of the Club specifying the date, time and venue of such meeting. The signature to any such notice may be written, stamped, impressed, typed or printed. Every such meeting shall commence not later than 8.00 pm.
61. At least seven (7) days prior notice shall be given in respect of each such meeting. Provided that with the sanction of a General Meeting one notice containing the particulars required by Rule 60, in respect of each General Meeting to be held during the Financial Year may be sent within the time aforesaid to the Members in the month of July each year or at such other time of the Financial Year in respect of the future General Meetings in that year as a General Meeting may direct. Provided further that a copy of the Notice of Motion received in writing from a Member shall be sent by the Secretary to each Member within the time aforesaid of the General Meeting at which the same is to be dealt with.
62. 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 provided that such publication is made and dispatched to the Members not less than seven (7) days prior to the date of the meeting or if it is served upon them personally or if it is sent through the post in a prepaid letter, envelope or wrapper addressed to such Member at the address known to the Secretary. A notice sent to one of a Dual Membership or to one of a Family Membership shall be deemed for all purposes to have been given to each of such Members.
63. 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.

64. A notice sent by post shall be deemed to have been served from the day following that on which the letter, envelope or wrapper containing the same is posted. In proving such service, a Certificate signed by the Secretary that the letter, envelope or wrapper was properly addressed, postage prepaid and put into the Post Office or a receptacle provided by Australia Post for the purpose of posting letters, shall be conclusive evidence thereof.

ADJOURNMENT OF MEETINGS

65. If at a General Meeting or at a Committee or Sub-Committee Meeting a quorum shall not be present after the lapse of fifteen (15) minutes from the appointed time thereof, the meeting shall thereupon lapse.
66. 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 (1) month.

PROCEDURE AT MEETINGS

67. 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 practice 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 or second vote.
68. At Meeting 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 any Member 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 such Meeting provided that on a resolution relating to the election of the Office Bearers or 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 Rules.
69. The Chairman of a General Meeting or of the Committee or of a Sub-Committee:-
- a) shall conduct the meeting in accordance with the Rules governing any such meeting and the law and accepted practice relating thereto;
 - b) shall make themselves familiar with such Rules and the law and accepted practice relating thereto;
 - c) shall be bound by the Rules and Regulations made pursuant thereto and shall ensure that the meeting at all times conforms thereto and shall administer the same fairly and impartially;
 - d) shall at all times endeavor to be concise in his statements to the meeting and be fair when summing up points at issue or as have been or are the subject of debate and to speak clearly so as to be heard by the Members;
 - e) provided that a quorum is then present or if not, then as soon as a quorum is present within the allowed time, shall declare the meeting open at the hour appointed;
 - f) if a quorum is not present as aforesaid, or if during the meeting there shall cease to be a quorum, shall adjourn the meeting or declare that it has lapsed as may be required by the Rules and Regulations;
 - g) shall introduce the items of business in the order set out in the notice convening the meeting or as prescribed by the Rules and shall not change such order without the approval of a resolution of the Members present pursuant to a Motion specifying the change required in such order;
 - h) shall close the meeting promptly at the completion of the business to be transacted thereat, or unless the Members shall otherwise determine, the time appointed;
 - i) shall not be entitled to take the Chair upon his late arrival at a meeting if some other person has been elected Chairman, due to his absence unless such Chairman as an act of courtesy, resigns from such position;

- j) shall not be required to accept a Motion of no-confidence in the Chair or that the Chairman leave the Chair provided that, except when the President is in the Chair, a Member who shall be named and who shall consent thereto take the Chair for the meeting, and if carried, the Chairman shall forthwith vacate the Chair and such Member shall become the Chairman for the remainder of the meeting; a member may propose or second themselves as Chairman and may vote for themselves;
 - k) shall call upon a Member by his name to speak, and shall alone determine the order of the speakers;
 - l) shall not permit discussion of any subject matter unless there is a Motion thereon before the meeting and shall forthwith terminate all irrelevant discussion;
 - m) shall ensure the decision of the Meeting is properly ascertained in respect of any question before it and subject to the Rules shall give to the Members sufficient opportunity to express their opposing views;
 - n) shall determine whether a Motion or an amendment thereof falls within the terms of the notice of the meeting or within a written Notice which is within the competence of the meeting when all the conditions incidental to the submission of the matter to the meeting have been observed;
 - o) if a poll is demanded shall determine the time and manner of taking it and if it is not possible to take such a poll during the course of the meeting, may adjourn the meeting for such purpose and may order a poll to be taken although the meeting desires voting by a show of hands;
 - p) shall enter or cause to be entered in the Minute Book the result of a poll and such entry shall be prima facie evidence of the result thereof;
 - q) where the voting is by show of hands, may require another vote although he has previously declared the result thereof;
70. A Member present at a meeting:-
- (a) Shall not address a meeting without first being called upon so to do by the Chairman;
 - (b) Desirous of moving a Motion or and amendment to a Motion or of taking part in discussion shall rise and when called upon to speak shall address the meeting through the Chairman;
 - (c) Proposing a motion or an amendment to a Motion, shall state its nature before so addressing the meeting,
 - (d) Shall resume his seat immediately upon the conclusion of his remarks or if the chairman rises or proceeds to speak or when called upon by the Chairman so to do;
 - (e) Shall not discuss or challenge a decision of the Chairman on a point of order and shall not move a Motion of disagreement with, or which would have the effect of altering any such decision;
 - (f) Shall not interrupt a speaker unless moving a Motion on a point of order whereupon the speaker shall resume his seat whilst the Member so moving is heard and the point of order determined whereupon if the decision is in his favor, the speaker may proceed with his subject;
 - (g) May at any time rise and address the Chairman on a point of order, but shall at once state so and confine his remarks to the point of order raised; a point of order shall be taken immediately if it is raised;
 - (h) Shall not speak more than once on a Motion, except as the mover thereof.
71. Motions shall be moved in the order in which the notices thereof have been received and shall not be proceeded with in the absence of the Member giving such notice unless he has authorized some other Member to move it on his behalf.
72. Upon a Motion being moved and seconded, the Chairman shall allow debate thereon as prescribed by the Rules and at the close of such debate shall put the Motion to the meeting.
73. Upon a Motion being put to the meeting and carried by the requisite majority of the Members, it shall become a resolution of the meeting and must be recorded accordingly.

74. The mover or seconder of a Motion shall not move or second an amendment to it, but shall be entitled to speak upon any amendment and to vote in favor of it.
75. Where Notice of a Motion has been given in writing, an amendment thereto shall not be moved unless notice of such amendment has been given in writing. Provided that the meeting by a resolution passed by a simple majority of the Members voting in person thereat may consent to a Motion of Amendment moved verbally at the meeting.
76. A Motion for amendment shall not be accepted by the Chairman which is or tends to be or would have the effect of being a negative of the Motion intended to be amended.
77. A second or subsequent Motion of amendment to an original Motion shall not be moved until the previous Motion of amendment has been dealt with by the meeting.
78. If a Motion or subsequent Motions for amendment shall be carried, the original Motion as amended shall then be debated and thereafter put to the vote of the Members.
79. The mover of a Motion of amendment shall not have the right to reply after debate thereon.
80. A Motion for amendment shall be put to the meeting before the original Motion is put.
81. Motions for amendment shall be taken in the order in which they effect the terms of the original Motion, and an amendment shall not be allowed in respect of those parts of the original Motion which have already been carried.
82. Except when another Member is speaking, a Member who has not moved or seconded or spoken on a Motion then before the meeting or on a proposed amendment thereto, may move at any time that the meeting proceed to the next business and such Motion shall not be amended but shall be immediately put to the vote without speech or discussion. If carried the matter then before the meeting shall be disposed of for that meeting, and the meeting shall proceed to the next business. If not carried, the meeting shall deal with the original Motion provided that a Member as aforesaid may again move a similar Motion. The business so shelved may be brought up again at another meeting on due notice being given in accordance with the Rules.
83. If a Member who is entitled to attend and vote at a General Meeting of Members or at a meeting of the Committee or Sub-Committee is denied admittance to such meeting, or if during such meeting he is removed or compelled to leave the meeting other than for a good and sufficient reason as provided by the Rules, all business conducted thereat shall be void and of no force or effect as though such meeting had not been held.

SPECIAL RESOLUTION

84. A resolution of the Club is a Special Resolution if:-
 - (a) It is passed by a majority which comprises not less than three-fourths (3/4ths) of such Members of the Club as, being entitled under these Rules so to do, vote at a General Meeting of which not less than twenty-one (21) days written notice specifying the intention of propose the resolution as a Special Resolution is given in accordance with these Rules; or
 - (b) Where it is made to appear to the Commissioner that it is not possible or practicable for the resolution to be passed in a manner specified in sub-paragraph (a) – the resolution is passed in a manner specified by the Commissioner.

PART VI – MISCELLANEOUS

INSURANCE

85. (a) The Club shall effect and maintain insurance pursuant to Section 44 of the Act.
(c) in addition to the insurance required under sub-paragraph (a), the Club may effect and maintain other insurance

FUNDS – SOURCE

86. (a) The funds of the Club shall be derived from entrance fees and annual subscriptions of Members, donations and, subject to any resolution passed by the Club in General Meeting, such other sources as the Committee determines.
(b) All money received by the Club shall be deposited as soon as practicable and without deduction to the credit of the Club's Bank Account
(d) The Club shall, as soon as practicable, after receiving any money, issue and appropriate receipt.

FUNDS – MANAGEMENT

87. (1) Subject to any resolution passed by the Club in General Meeting, the funds of the Club shall be used in pursuance of the objects of the Club in such manner as the Committee determines.
(2) All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments shall be signed by any three (3) of the four (4) following Members, being the members of the Executive Committee and the Assistant Secretary.

BANKING ACCOUNT

88. (1) The Committee shall cause a banking account to be opened with a recognised bank and be kept in the name of the Club.
(2) All cheques payable to the order of the Club shall be endorsed in such manner and by such persons as shall be appointed for that purpose from time to time by the members at an annual general meeting and deposited to the credit of the Club's banking account
(3) All monies payable on behalf of the Club with the exception of prize money shall be paid by cheque drawn upon the club's bankers which shall be signed by any three (3) of the four (4) Members specified in Rule 86 (2).
(4) Notice of every authority or change thereof shall be given to the Club's bankers forthwith whenever the need shall arise.

ALTERATION OF OBJECTS AND RULES

89. Subject to the prior written consent of the Council being first obtained, the Statement of Objects and Rules may be altered, rescinded or added to only by a Special Resolution of the Club.

COMMON SEAL

90. (1) The Common Seal of the Club shall be kept in the custody of the Public Officer.
(2) The Common Seal shall not be affixed to any instrument except by the authority of the Committee and the affixing of the Common Seal shall be attested by the signatures either of two Members of the Committee or of the Member of the Committee and of the Public Officer of Secretary.

FINANCIAL YEAR

- 91 The Financial Year of the Club shall commence on the 1st day of July in each year, and terminate on the 30th day of June in the following year.

AUDIT AND AUDITOR

92. (1) The Members at the Annual General Meeting shall appoint each year a duly qualified Auditor to be the Auditor of the Club and a person so appointed shall hold that Office until the next Annual General Meeting. A casual vacancy occurring in the position of Auditor shall be filled by the Committee.
- (2) Notice of the nomination of any person other than a retiring Auditor for appointment as Auditor shall be given to the Members not less than fourteen (14) days before the Annual General Meeting at which the appointment of Auditor is to be made.
- (3) A person shall not be appointed to act as Auditor of the Club:-
- a) if he is not a registered Auditor as defined by the Companies (NSW) Code; or
 - b) if he is an Office Bearer or a Member of the Committee or an employee of the Club.

PATRON

93. The Members at the Annual General Meeting may elect persons to be patrons of the Club who shall hold that office until the close of the next succeeding Annual General Meeting. A patron shall be entitled to attend a General Meeting of the Club and by invitation of the President to address the Members thereat, but unless he is a Member he shall not be entitled to enter into debate on any matter before the meeting or to vote thereat.

INSPECTION OF BOOKS

94. The records, books and other documents of the Club shall be open to inspection free of charge, by a member of the Club at any reasonable hour.

SERVICE OF NOTICES

95. (1) Except as otherwise provided by these Rules, a notice may be served by or on behalf of the Club upon any Member either personally or by sending it by post to the Member at the Member's address shown in the Register of Members.
- (2) Except as otherwise provided by these Rules where a document is sent to a person by properly addressing, prepaying and posting to the person a letter containing the document, the document shall, unless the contrary is proved to be deemed for the purposes of these Rules to have been served on the person at the time at which the letter would have been delivered in the ordinary course of post.

REGULATIONS

96. Subject to the Objects and Rules, Members in General Meeting by resolution passed by a simple majority and voting in person may make Regulations and may from time to time amend such Regulations by Variation, deletion or addition as they shall think fit in respect of:-
- (a) nominations of members
 - (b) the conduct 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) meetings of Members and of Committees;
 - (f) the publication of a newsletter or journal
97. The regulations shall be read and construed subject to the provisions for the time being of the Rules and the Club and of the Rules of Association and Regulations of the Council

SURPLUS PROPERTY

- 98. (1) At the first General Meeting of the Club following incorporation, it may pass a Special Resolution nominating an association (whether or not incorporated under the Act) as the association in which it is to vest its surplus property pursuant to Section 53 (2) of the Act in the event of the winding up or the cancellation of the incorporation of the Club.
- (2) The association so nominated shall be one which fulfills the requirements specified in Section 53 (2) (a) to (c) of the Act

WINDING UP

- 99 If for any reason whatsoever, the Club cannot continue to function as an affiliate of the Council, it shall make application to the Council for permission to wind up in accordance with the Regulations of the Council for the time being in force.

NOTES