

Archers of Greenwood Archery Club Inc.

Constitution

May 2017



TABLE OF CONTENTS

1. NAME	1
2. DEFINITIONS	1
3. OBJECTIVES	2
3.1 The objectives of the Archers of Greenwood Archery Club Inc. are;	2
3.2 Not-for-profit body	3
4. MEMBERSHIP	3
4.1 Eligibility	3
4.2 Applying for Membership	4
4.3 Dealing with Membership Applications	4
4.4 Becoming a Member	4
4.5 Types of Membership	4
4.6 Visiting Archers	5
4.7 When membership ceases	5
4.8 Resignation	6
4.9 Rights not transferable	6
4.10 Fee Structure	6
4.11 Membership Records	6
5. DISCIPLINARY ACTION	7
5.1 Suspension or expulsion	7
5.2 Consequences of suspension	8
6. RESOLVING DISPUTES	8
6.2 Application of Grievance Procedure	8
6.3 Parties to attempt to resolve dispute	8
6.4 How grievance procedure is started	9
6.5 Determination of dispute by committee	9
7. MEDIATION	10
7.1 Application of Mediation	10
7.2 Appointment of mediator	10
7.3 Mediation process	10
7.4 If mediation results in decision to suspend or expel being revoked	11
8. COMMITTEE AND POWERS	11
8.1 Committee	11
8.2 Committee members and duties	11
8.3 President	12
8.4 Secretary	13
8.5 Treasurer	13
8.6 How members become Committee members	14
8.7 Nomination of committee members	14
8.8 Election of office holders	14
8.9 Election of ordinary committee members	14
8.10 Term of office	15
8.11 Resignation and removal from office	15
8.12 When membership of committee ceases	16

8.13	Filling casual vacancies	16
8.14	Additional committee members	17
8.15	Validity of acts	17
8.16	Payments to committee or club members	17
8.17	Committee meetings	17
8.18	Notice of committee meetings	17
8.19	Procedure and order of business	17
8.20	Use of technology to be present at committee meetings	18
8.21	Quorum for committee meetings	18
8.22	Voting at committee meetings	19
8.23	Minutes of committee meetings	19
8.24	Subcommittees	19
8.25	Delegation to subcommittees and holders of subsidiary offices	20
9.	MEETINGS	20
9.1	Annual general meeting	20
9.2	Special general meetings	21
9.3	Notice of general meetings	21
9.4	Proxies	22
9.5	Use of technology to be present at general meetings	23
9.6	Presiding member and quorum for general meetings	23
9.7	Adjournment of general meeting	23
9.8	Voting at general meeting	24
9.9	When special resolutions are required	24
9.10	Determining whether resolution carried	24
9.11	Minutes of general meeting	25
10.	FINANCIAL MATTERS	26
10.1	Source of funds	26
10.2	Control of funds	26
10.3	Financial statements and financial reports	26
11.	GENERAL MATTERS	27
11.1	By Laws	27
11.2	Executing documents and common seal	27
11.3	Giving notices to members	28
11.4	Custody of books and securities	28
11.5	Record of office holders	28
11.6	Inspection of records and documents	28
11.7	Publication by committee members of statements about Association business prohibited	29
11.8	Distribution of surplus property on cancellation of incorporation or winding up	29
11.9	Dissolution	29
11.10	Amendment of the constitution	30

1. Name

The name of the club shall be, Archers of Greenwood Archery Club Inc. and shall also be known as, Archers of Greenwood or AoG.

2. Definitions

In these rules, unless the contrary intention appears –

Act means the *Associations Incorporation Act 2015*;

associate member means a member with the rights referred to in rule 4.5.1(b)

Association means the incorporated association to which these rules apply;

books, of the Association, includes the following —

- (a) a register;
- (b) financial records, financial statements or financial reports, however compiled, recorded or stored;
- (c) a document;
- (d) any other record of information;

by laws means by-laws made by the Association under rule 11.1;

Annual General Meeting (“AGM”) is the meeting convened under paragraph 9.1;

AWA means the Archery WA Inc or its successor name;

beginner means a person learning archery at this club under rule 4.1.4

Club means the Archers of Greenwood Archery Club Inc. referred to in rule 1;

Commissioner means the Commissioner for Fair Trading exercising powers under the Act;

committee means the Management Committee of the Archers of Greenwood Archery Club Inc. referred to in rule 8;

committee meeting means a meeting referred to in rule 8.17;

committee member means a member of the committee;

convene means to call together for a formal meeting;

Department means the government department with responsibility for administering the *Associations Incorporation Act (2015)*;

deputy is an appointed member of the committee to preside over meetings in the event that the president is unable or unwilling to attend.

financial records includes —

- (a) invoices, receipts, orders for the payment of money, bills of exchange, cheques, promissory notes and vouchers; and

- (b) documents of prime entry; and
- (c) working papers and other documents needed to explain —
 - (i) the methods by which financial statements are prepared; and
 - (ii) adjustments to be made in preparing financial statements;

financial report, has the meaning given in section 63 of the Act;

financial statements means the financial statements in relation to the Association required under Part 5 Division 3 of the Act;

financial year means a period not exceeding 15 months fixed by the Committee, being a period commencing on the date of incorporation of the Association and ending on 30 June; and thereafter each period commencing 1 July and ending on 30 June in the following year;

general meeting means a meeting to which all members are invited;

member means member of the Archers of Greenwood Archery Club Inc;

ordinary committee member means a committee member who is not an office holder of the Association under rules 8.2.3 and 8.2.4;

ordinary member means a member with the rights referred to in rule 4.5;

Recognised Governing Body (RGB) means the Archery WA Inc or its successor name;

register of members means the register of members referred to in section 53 of the Act;

rules means these rules of the Association, as in force for the time being;

secretary means the committee member holding office as the secretary of the Association;

special general meeting means a general meeting of the Association other than the annual general meeting;

special resolution means a resolution passed by the members at a general meeting in accordance with section 51 of the Act;

subcommittee means a subcommittee appointed by the committee under rule 8.24;

poll means voting conducted in written form (as opposed to a show of hands);

visiting archers are financial members of other Archery clubs who participate in activities under the control of the Club.

treasurer means the committee member holding office as the treasurer of the Association.

3. Objectives

3.1 The objectives of the Archers of Greenwood Archery Club Inc. are;

- (a) The promotion and education in the sport of Archery.
- (b) To adopt and follow the policies, rules and safety procedures of AWA and Archery Australia.

- (c) To maintain complete and accurate records of all club activities.
- (d) To promote a safe and fun environment.
- (e) To encourage the members of the Club to participate in events under the control of AWA or Archery Australia as well as any event promoted by either of these two groups.

3.2 Not-for-profit body

- 3.2.1 The property and income of the Association must be applied solely towards the promotion of the objectives or purposes of the Association and no part of that property or income may be paid or otherwise distributed, directly or indirectly, to any member, except in good faith in the promotion of those objectives or purposes.
- 3.2.2 A payment may be made to a member out of the funds of the Association only if it is authorised under sub-rule 3.2.3.
- 3.2.3 A payment to a member out of the funds of the Association is authorised if it is —
 - (a) the payment in good faith to the member as reasonable remuneration for any services provided to the Association, or for goods supplied to the Association, in the ordinary course of business; or
 - (b) the payment of interest, on money borrowed by the Association from the member, at a rate not greater than the cash rate published from time to time by the Reserve Bank of Australia; or
 - (c) the payment of reasonable rent to the member for premises leased by the member to the Association; or
 - (d) the reimbursement of reasonable expenses properly incurred by the member on behalf of the Association; or
 - (e) the subsidy of an individual member's entry fee into an interclub, state, national or international event. Level of subsidy to be determined by the committee.

4. Membership

4.1 Eligibility

- 4.1.1 Any person who supports the objects or purposes of the Association is eligible to apply to become a member.
- 4.1.2 An individual who has not reached the age of 15 years is not eligible to apply for a class of membership that confers full voting rights.
- 4.1.3 Membership of the Club is open to people who;
 - (a) can understand and demonstrate competency in abiding by the safety rules and practices of the Club and have paid the prescribed fee, and
 - (b) are aged no younger than eight (8) years of age, and
 - (c) have been nominated by a member and voted as a member at a General Meeting.
- 4.1.4 Provision may be made for beginners, who are not members of the Club to receive instruction in the sport of archery with suitably qualified coaches, appropriate insurance and established procedures.

4.2 Applying for Membership

- 4.2.1 A person who wants to become a member must apply in writing to the Association.
- 4.2.2 The application must include a member's nomination of the applicant for membership.
- 4.2.3 The application must be signed by the applicant and the member nominating the applicant.
- 4.2.4 The applicant must specify in the application the class of membership, if there is more than one, to which the application relates of membership that confers full voting rights.

4.3 Dealing with Membership Applications

- 4.3.1 The committee must consider each application for membership of the Association and decide whether to accept or reject the application.
- 4.3.2 Subject to sub-rule 4.3.3, the committee must consider applications in the order in which they are received by the Association.
- 4.3.3 The committee may delay its consideration of an application if the committee considers that any matter relating to the application needs to be clarified by the applicant or that the applicant needs to provide further information in support of the application.
- 4.3.4 The committee must not accept an application unless the applicant —
 - (a) is eligible under rule 4.1; and
 - (b) has applied under rule 4.2.
- 4.3.5 The committee may reject an application even if the applicant —
 - (a) is eligible under rule 4.1; and
 - (b) has applied under rule 4.2.
- 4.3.6 The committee must notify the applicant of the committee's decision to accept or reject the application as soon as practicable after making the decision.
- 4.3.7 If the committee rejects the application, the committee is not required to give the applicant its reasons for doing so.

4.4 Becoming a Member

An applicant for membership of the Association becomes a member when —

- (a) the committee accepts the application; and
- (b) the applicant pays any membership fees payable to the Association under rule 4.9.

4.5 Types of Membership

- 4.5.1 There will be five (5) types of members:
 - (a) **Shooting Members** are those members who actively participate in shooting events conducted by the Club or conducted under the control of the AWA and/or Archery Australia and/or FITA. All Shooting Members will be affiliated with AWA.

- (b) **Associate Members** are members of the Club who do not participate as archers in shooting events but have an interest in contributing toward the objectives of the Club. Associate Members may be parents or friends of shooting members. Associate Members will be affiliated with AWA.
- (c) **Life Members** are members of the Club who have made a major contribution to the life of the Club and the Committee determines to reward those members with a Life Membership.
- (d) **Conditional Members** are members of the Club who actively participate in shooting events conducted by the Club and are 8 or 9 years of age. Conditional Members are required to shoot next to their parent/guardian and the Conditional Members are required to supply their own shooting equipment. The parent/guardian of a Conditional Member must be a shooting member of the Club.
- (e) **Club Associate** is a person already registered to Archery Australia and the RGB through one Club but is seeking membership with Archers of Greenwood. Club Associate will be charged a club fee but will not be required to pay the Archery Australia or RGB component of the fees again as this has been paid to the parent club. Club Associate can only represent in competitions through the Club with whom they are registered with Archery Australia and the RGB.

4.5.2 **Temporary Affiliates** of Archery Australia Inc are not members of a Club affiliated with a RGB. They are temporary members who actively participate in shooting events conducted by the Club. Temporary Affiliates undertaking instruction, are entitled to 12 consecutive visits. For Temporary Affiliates visiting a club, there is a maximum of 4 visits in a year. Temporary Affiliates may speak and ask questions at a general meeting but shall not be entitled to move or second motions or to vote.

4.5.3 A member of the Club may hold concurrent membership in another club provided the Committee has been informed.

4.6 **Visiting Archers**

4.6.1 Visiting archers shall be entitled to participate in Club activities at the discretion of the Committee and after the visiting archer pays the prescribed target fee.

4.6.2 Visiting archers will be expected to wear the uniform of their club at all events under the control of the Club.

4.6.3 Visiting archers will be subject to the Constitution and Bylaws of the Club as if they were a member, while they are participating in Club activities.

4.7 **When membership ceases**

4.7.1 A person ceases to be a member when any of the following takes place —

- (a) for a member who is an individual, the individual dies;
- (b) the person resigns from the Association under rule 4.8;
- (c) the person is expelled from the Association under rule 5.1;
- (d) the person ceases to be a member under rule 4.10.4.

4.7.2 The secretary must keep a record, for at least one year after a person ceases to be a member, of —

- (a) the date on which the person ceased to be a member; and

- (b) the reason why the person ceased to be a member.

4.8 Resignation

4.8.1 A member may resign from membership of the Association by giving written notice of the resignation to the secretary.

4.8.2 The resignation takes effect —

- (a) when the secretary receives the notice; or
(b) if a later time is stated in the notice, at that later time.

4.8.3 A person who has resigned from membership of the Association remains liable for any fees that are owed to the Association (the owed amount) at the time of resignation.

4.8.4 The owed amount may be recovered by the Association in a court of competent jurisdiction as a debt due to the Association.

4.9 Rights not transferable

4.9.1 The rights of a member are not transferable and end when membership ceases.

4.10 Fee Structure

4.10.1 Club fees will be kept to a minimum to ensure that all families can afford to be Members of the Club.

4.10.2 Club membership and Affiliation fees to AWA and Archery Australia are due when joining the club and each year will be due before membership expiry.

4.10.3 Club fees will be set by the Committee each year after taking into consideration the affiliation fees levied on members by AWA. The fees determined may be different for different classes of membership.

4.10.4 If a member has not paid the annual membership fee within the period of 3 months after the due date, the member ceases to be a member on the expiry of that period.

4.10.5 If a person who has ceased to be a member under sub-rule 4.10.4 offers to pay the annual membership fee after the period referred to in that sub-rule has expired —

- (a) the committee may, at its discretion, accept that payment; and
(b) if the payment is accepted, the person's membership is reinstated from the date the payment is accepted.

4.11 Membership Records

4.11.1 The secretary, or another person authorised by the committee, is responsible for the requirements imposed on the Association under section 53 of the Act to maintain the register of members and record in that register any change in the membership of the Association.

4.11.2 In addition to the matters referred to in section 53(2) of the Act, the register of members must include the class of membership (if applicable) to which each member belongs and the date on which each member becomes a member.

4.11.3 The register of members must be kept at the secretary's place of residence, or at another place determined by the committee.

- 4.11.4 A member who wishes to inspect the register of members must contact the secretary to make the necessary arrangements.
- 4.11.5 If —
- (a) a member inspecting the register of members wishes to make a copy of, or take an extract from, the register under section 54(2) of the Act; or
 - (b) a member makes a written request under section 56(1) of the Act to be provided with a copy of the register of members,

the committee may require the member to provide a statutory declaration setting out the purpose for which the copy or extract is required and declaring that the purpose is connected with the affairs of the Association.

5. Disciplinary Action

5.1 Suspension or expulsion

- 5.1.1 The Committee shall have the power to immediately terminate the participation of, or suspend or expel any member of the Club or any beginner or any visiting archer, or any other person, in the activities of the Club for;
- (a) unsafe behaviour that puts at risk the safety of any member, beginner, visiting archer, spectator or any person, at any Club activity, inter-club event or any event promoted by the Club; or
 - (b) false or inaccurate statements made in the person's application for membership or score sheets or other paperwork; or
 - (c) the member contravenes any rule, regulation or by-law, of the Club, AWA or Archery Australia; or
 - (d) the member acts detrimentally to the interests of the Association.
- 5.1.2 The secretary must give the member written notice of the proposed suspension or expulsion at least 28 days before the committee meeting at which the proposal is to be considered by the committee.
- 5.1.3 The notice given to the member must state —
- (a) when and where the committee meeting is to be held; and
 - (b) the grounds on which the proposed suspension or expulsion is based; and
 - (c) that the member, or the member's representative, may attend the meeting and will be given a reasonable opportunity to make written or oral (or both written and oral) submissions to the committee about the proposed suspension or expulsion;
- 5.1.4 At the committee meeting, the committee must —
- (a) give the member, or the member's representative, a reasonable opportunity to make written or oral (or both written and oral) submissions to the committee about the proposed suspension or expulsion; and
 - (b) give due consideration to any submissions so made; and
 - (c) decide —
 - (i) whether or not to suspend the member's membership and, if the decision is to suspend the membership, the period of suspension; or
 - (ii) whether or not to expel the member from the Association.

- 5.1.5 A decision of the committee to suspend the member's membership or to expel the member from the Association takes immediate effect.
- 5.1.6 The committee must give the member written notice of the committee's decision, and the reasons for the decision, within 7 days after the committee meeting at which the decision is made.
- 5.1.7 A member whose membership is suspended or who is expelled from the Association may, within 14 days after receiving notice of the Committee's decision under sub-rule 5.1.6, give written notice to the secretary requesting the appointment of a mediator under rule 7.2.
- 5.1.8 If notice is given under sub-rule 5.1.7, the member who gives the notice and the committee are the parties to the mediation.

5.2 Consequences of suspension

- 5.2.1 During the period a member's membership is suspended, the member —
- (a) loses any rights (including voting rights) arising as a result of membership; and
 - (b) is not entitled to a refund, rebate, relief or credit for membership fees paid, or payable, to the Association.
- 5.2.2 When a member's membership is suspended, the secretary must record in the register of members —
- (a) that the member's membership is suspended; and
 - (b) the date on which the suspension takes effect; and
 - (c) the period of the suspension.
- 5.2.3 When the period of the suspension ends, the secretary must record in the register of members that the member's membership is no longer suspended.

6. Resolving Disputes

In this section –

grievance procedure means the procedures set out in this section;

party to a dispute includes a person –

- (a) who is a party to the dispute; and
- (b) who ceases to be a member within 6 months before the dispute has come to the attention of each party to the dispute.

6.2 Application of Grievance Procedure

The grievance procedure applies to disputes —

- (a) between members; or
- (b) between one or more members and the Association.

6.3 Parties to attempt to resolve dispute

The parties to a dispute must attempt to resolve the dispute between themselves within 14 days after the dispute has come to the attention of each party.

6.4 **How grievance procedure is started**

6.4.1 If the parties to a dispute are unable to resolve the dispute between themselves within the time required by rule 6.3, any party to the dispute may start the grievance procedure by giving written notice to the secretary of —

- (a) the parties to the dispute; and
- (b) the matters that are the subject of the dispute.

6.4.2 Within 28 days after the secretary is given the notice, a committee meeting must be convened to consider and determine the dispute.

6.4.3 The secretary must give each party to the dispute written notice of the committee meeting at which the dispute is to be considered and determined at least 7 days before the meeting is held.

6.4.4 The notice given to each party to the dispute must state —

- (a) when and where the committee meeting is to be held; and
- (b) that the party, or the party's representative, may attend the meeting and will be given a reasonable opportunity to make written or oral (or both written and oral) submissions to the committee about the dispute.

6.4.5 If —

- (a) the dispute is between one or more members and the Association; and
- (b) any party to the dispute gives written notice to the secretary stating that the party —
 - (i) does not agree to the dispute being determined by the committee; and
 - (ii) requests the appointment of a mediator under rule 7.2,

the committee must not determine the dispute.

6.5 **Determination of dispute by committee**

6.5.1 At the committee meeting at which a dispute is to be considered and determined, the committee must —

- (a) give each party to the dispute, or the party's representative, a reasonable opportunity to make written or oral (or both written and oral) submissions to the committee about the dispute; and
- (b) give due consideration to any submissions so made; and
- (c) determine the dispute.

6.5.2 The committee must give each party to the dispute written notice of the committee's determination, and the reasons for the determination, within 7 days after the committee meeting at which the determination is made.

6.5.3 A party to the dispute may, within 14 days after receiving notice of the committee's determination under sub-rule 6.5.1(c), give written notice to the secretary requesting the appointment of a mediator under rule 7.2.

6.5.4 If notice is given under sub-rule 6.5.3, each party to the dispute is a party to the mediation.

7. Mediation

7.1 Application of Mediation

7.1.1 This section applies if written notice has been given to the secretary requesting the appointment of a mediator —

- (a) by a member under rule 5.1.7; or
- (b) by a party to a dispute under rule 6.4.1(b) or 6.5.3

7.1.2 If this section applies, a mediator must be chosen or appointed under rule 7.2

7.2 Appointment of mediator

7.2.1 The mediator must be a person chosen —

- (a) if the appointment of a mediator was requested by a member under rule 5.1.7— by agreement between the Member and the committee; or
- (b) if the appointment of a mediator was requested by a party to a dispute under rule 6.4.1(b) or 6.5.3— by agreement between the parties to the dispute.

7.2.2 If there is no agreement for the purposes of rule 7.1.1(a) or 7.1.1(b), then, subject to sub-rules 7.2.3 and 7.2.4, the committee must appoint the mediator.

7.2.3 The person appointed as mediator by the committee must be a person who acts as a mediator for another not-for-profit body, such as a community legal centre, if the appointment of a mediator was requested by —

- (a) a member under rule 5.1.7; or
- (b) a party to a dispute under rule 6.4.4(b); or
- (c) a party to a dispute under rule 6.5.3 and the dispute is between one or more members and the Association.

7.2.4 The person appointed as mediator by the committee may be a member or former member of the Association but must not —

- (a) have a personal interest in the matter that is the subject of the mediation; or
- (b) be biased in favour of or against any party to the mediation.

7.3 Mediation process

7.3.1 The parties to the mediation must attempt in good faith to settle the matter that is the subject of the mediation.

7.3.2 Each party to the mediation must give the mediator a written statement of the issues that need to be considered at the mediation at least 5 days before the mediation takes place.

7.3.3 In conducting the mediation, the mediator must —

- (a) give each party to the mediation every opportunity to be heard; and
- (b) allow each party to the mediation to give due consideration to any written statement given by another party; and

- (c) ensure that natural justice is given to the parties to the mediation throughout the mediation process.

7.3.4 The mediator cannot determine the matter that is the subject of the mediation.

7.3.5 The mediation must be confidential, and any information given at the mediation cannot be used in any other proceedings that take place in relation to the matter that is the subject of the mediation.

7.3.6 The costs of the mediation are to be paid by the party or parties to the mediation that requested the appointment of the mediator.

Note for this rule:

Section 182(1) of the Act provides that an application may be made to the State Administrative Tribunal to have a dispute determined if the dispute has not been resolved under the procedure provided for in the incorporated association's rules.

7.4 **If mediation results in decision to suspend or expel being revoked**

If —

- (a) mediation takes place because a member whose membership is suspended or who is expelled from the Association gives notice under rule 5.1.7; and
- (b) as the result of the mediation, the decision to suspend the member's membership or expel the member is revoked,

that revocation does not affect the validity of any decision made at a committee meeting or general meeting during the period of suspension or expulsion.

8. **Committee and Powers**

8.1 **Committee**

8.1.1 The committee members are club members who, as the management committee of the Association, have the power to manage the affairs of the Association.

8.1.2 Subject to the Act, these rules, the by-laws and any resolution passed at a general meeting, the committee has power to do all things necessary or convenient to be done for the proper management of the affairs of the Association.

8.1.3 The committee must take all reasonable steps to ensure that the Association complies with the Act, these rules and the by-laws

8.2 **Committee members and duties**

8.2.1 The committee members consist of —

- (a) the office holders of the Association; and
- (b) at least one ordinary committee member.

8.2.2 The committee must determine the maximum number of members who may be ordinary committee members.

8.2.3 The following are the office holders of the Association —

- (a) the President;

- (b) the Secretary;
- (c) the Treasurer.

8.2.4 The Club shall appoint members to the following office bearing positions;

- (a) Equipment Officer
- (b) Recorder
- (c) Tournament Director
- (d) Club delegate to Archery Western Australia

8.2.5 These members will be elected at the Annual General Meeting and hold these positions for a period of one year and be eligible for re-election for the following year unless sub-rule 8.2.6 applies.

8.2.6 A member cannot be elected to the same position of President, Secretary or Treasurer on the Committee for more than 3 consecutive years without having a break for at least one year.

8.2.7 A person may be a committee member if the person is —

- (a) an individual who has reached 18 years of age; and
- (b) an ordinary member under rule 4.5.

8.2.8 A member must not hold 2 or more of the offices mentioned in sub-rule 8.2.3 at the same time.

Note to this rule -

Persons who are not to be members of Committee

The Act requires - Under section 39 of the Act the following persons must not, without leave of the Commissioner, accept an appointment or act as a member of a management committee of an association:

a person who is, according to the Interpretation Act 1984 section 13D, a bankrupt or person whose affairs are under insolvency laws;

a person who has been convicted, within or outside the State, of-

- an indictable offence in relation to the promotion, formation or management of a body corporate; or
- an offence involving fraud or dishonesty punishable by imprisonment for a period of not less than three months; or
- an offence under Part 4 Division 3 or section 127 of the Act

Section 39 only applies to a person who has been convicted of the above offences only for a period of 5 years from the time of the person's conviction, or if the conviction results in a term of imprisonment, from the time of the person's release from custody.

8.3 President

- (a) It is the duty of the president to consult with the secretary regarding the business to be conducted at each committee meeting and general meeting.

- (b) The president has the powers and duties relating to convening and presiding at committee meetings and presiding at general meetings provided for in these rules.

8.4 **Secretary**

The Secretary has the following duties —

- (a) dealing with the Association's correspondence;
- (b) consulting with the president regarding the business to be conducted at each committee meeting and general meeting;
- (c) preparing the notices required for meetings and for the business to be conducted at meetings;
- (d) unless another member is authorised by the committee to do so, maintaining on behalf of the Association the register of members, and recording in the register any changes in the membership, as required under section 53(1) of the Act;
- (e) maintaining on behalf of the Association an up-to-date copy of these rules, as required under section 35(1) of the Act;
- (f) unless another member is authorised by the committee to do so, maintaining on behalf of the Association a record of committee members and other persons authorised to act on behalf of the Association, as required under section 58(2) of the Act;
- (g) ensuring the safe custody of the books of the Association, other than the financial records, financial statements and financial reports, as applicable to the Association;
- (h) maintaining full and accurate minutes of committee meetings and general meetings;
- (i) carrying out any other duty given to the secretary under these rules or by the committee.

8.5 **Treasurer**

The treasurer has the following duties —

- (a) ensuring that any amounts payable to the Association are collected and issuing receipts for those amounts in the Association's name;
- (b) ensuring that any amounts paid to the Association are credited to the appropriate account of the Association, as directed by the committee;
- (c) ensuring that any payments to be made by the Association that have been authorised by the committee or at a general meeting are made on time;
- (d) ensuring that the Association complies with the relevant requirements of Part 5 of the Act;
- (e) ensuring the safe custody of the Association's financial records, financial statements and financial reports, as applicable to the Association;
- (f) coordinating the preparation of the Association's financial statements before their submission to the Association's annual general meeting;
- (g) providing any assistance required by an auditor or reviewer conducting an audit or review of the Association's financial statements or financial report under Part 5 Division 5 of the Act;



- (h) carrying out any other duty given to the treasurer under these rules or by the committee.

8.6 How members become Committee members

A member becomes a committee member if the member —

- (a) is elected to the committee at a general meeting; or
- (b) is appointed to the committee by the committee to fill a casual vacancy under rule 8.13.

8.7 **Nomination of committee members**

8.7.1 At least 42 days before an annual general meeting, the secretary must send written notice to all the members —

- (a) calling for nominations for election to the committee; and
- (b) stating the date by which nominations must be received by the secretary to comply with sub-rule 8.7.2.

8.7.2 A member who wishes to be considered for election to the committee at the annual general meeting must nominate for election by sending written notice of the nomination to the secretary at least 28 days before the annual general meeting.

8.7.3 The written notice must include a statement by another member in support of the nomination.

8.7.4 A member may nominate for one specified position of office holder of the Association or to be an ordinary committee member.

8.7.5 A member whose nomination does not comply with this rule is not eligible for election to the committee unless the member is nominated under rule 8.8.2 or 8.9.2(b).

8.8 **Election of office holders**

8.8.1 At the annual general meeting, a separate election must be held for each position of office holder of the Association.

8.8.2 If there is no nomination for a position, the president of the meeting may call for nominations from the ordinary members at the meeting.

8.8.3 If only one member has nominated for a position, the president of the meeting must declare the Member elected to the position.

8.8.4 If more than one member has nominated for a position, the ordinary members at the meeting must vote in accordance with procedures that have been determined by the committee to decide who is to be elected to the position.

8.8.5 Each ordinary member present at the meeting may vote for one member who has nominated for the position.

8.8.6 A member who has nominated for the position may vote for himself or herself.

8.8.7 On the member's election, the new president of the Association may take over as the president of the meeting.

8.9 **Election of ordinary committee members**

- 8.9.1 At the annual general meeting, the Association must decide by resolution the number of ordinary committee members (if any) to hold office for the next year.
- 8.9.2 If the number of members nominating for the position of ordinary committee member is not greater than the number to be elected, the chairperson of the meeting —
- (a) must declare each of those members to be elected to the position; and
 - (b) may call for further nominations from the ordinary members at the meeting to fill any positions remaining unfilled after the elections under paragraph (a).
- 8.9.3 If —
- (a) the number of members nominating for the position of ordinary committee member is greater than the number to be elected; or
 - (b) the number of members nominating under sub-rule 8.9.2(b) is greater than the number of positions remaining unfilled,
- the ordinary members at the meeting must vote in accordance with procedures that have been determined by the committee to decide the members who are to be elected to the position of ordinary committee member.
- 8.9.4 A member who has nominated for the position of ordinary committee member may vote in accordance with that nomination.
- 8.10 **Term of office**
- 8.10.1 The term of office of a committee member begins when the member —
- (a) is elected at an annual general meeting or under rule 8.11.3(b); or
 - (b) is appointed to fill a casual vacancy under rule 8.13.
- 8.10.2 Subject to rule 8.12, a committee member holds office until the positions on the committee are declared vacant at the next annual general meeting.
- 8.10.3 A committee member may be re-elected unless ineligible under rule 8.2.6.
- 8.11 **Resignation and removal from office**
- 8.11.1 A committee member may resign from the committee by written notice given to the secretary or, if the resigning member is the secretary, given to the president.
- 8.11.2 The resignation takes effect —
- (a) when the notice is received by the secretary or president; or
 - (b) if a later time is stated in the notice, at the later time.
- 8.11.3 At a general meeting, the Association may by resolution —
- (a) remove a committee member from office; and
 - (b) elect a member who is eligible under rule 8.2.7 to fill the vacant position.
- 8.11.4 A committee member who is the subject of a proposed resolution under sub-rule 8.11.3(a) may make written representations (of a reasonable length) to the secretary or president and may ask that the representations be provided to the members.

8.11.5 The secretary or president may give a copy of the representations to each member or, if they are not so given, the committee member may require them to be read out at the general meeting at which the resolution is to be considered.

8.12 **When membership of committee ceases**

A person ceases to be a committee member if the person —

- (a) dies or otherwise ceases to be a member; or
- (b) resigns from the committee or is removed from office under rule 8.11; or
- (c) becomes ineligible to accept an appointment or act as a committee member under section 39 of the Act;
- (d) becomes permanently unable to act as a committee member because of a mental or physical disability; or
- (e) fails to attend 3 consecutive Committee meetings, of which the person has been given notice, without having notified the Committee that the person will be unable to attend.

Note to this rule –

Section 41 of the Act imposes requirements, arising when a person ceases to be a member of the management committee of an incorporated association, that relate to returning documents and records.

Act requirements – handing over documents and records – where a person ceases to be a member of the association's committee section 41 of the Act requires that person to, as soon as practicable after their membership ceases, deliver to a member of the committee all of the relevant documents and records they hold pertaining to the management of the association's affairs.

8.13 **Filling casual vacancies**

8.13.1 The committee may appoint a member who is eligible under rule 8.2.7 to fill a position on the committee that —

- (a) has become vacant under rule 8.12; or
- (b) was not filled by election at the most recent annual general meeting or under rule 8.11.3(b)

8.13.2 If the position of secretary becomes vacant, the committee must appoint a member who is eligible under rule 8.2.7 to fill the position within 14 days after the vacancy arises.

8.13.3 Subject to the requirement for a quorum under rule 8.21, the committee may continue to act despite any vacancy in its membership.

8.13.4 If there are fewer committee members than required for a quorum under rule 8.21, the committee may act only for the purpose of —

- (a) appointing committee members under this rule; or
- (b) convening a general meeting.

8.14 **Additional committee members**

The Committee may co-opt other people onto the management Committee to perform other roles within the Club from time to time. These people will hold their position on the Committee for a period of up to one year and will be eligible to be re-appointed by the Committee for the following year.

8.15 **Validity of acts**

The acts of a committee or subcommittee, or of a committee member or member of a subcommittee, are valid despite any defect that may afterwards be discovered in the election, appointment or qualification of a committee member or member of a subcommittee.

8.16 **Payments to committee or club members**

A committee or club member is entitled to be paid out of the funds of the Association for any out-of-pocket expenses incurred in connection with the Association's business, in accordance to rule 3.2.3.

8.17 **Committee meetings**

8.17.1 The committee must meet at least 3 times in each year on the dates and at the times and places determined by the committee.

8.17.2 The date, time and place of the first committee meeting must be determined by the committee members as soon as practicable after the annual general meeting at which the committee members are elected.

8.17.3 Special committee meetings may be convened by the chairperson or any 2 committee members.

8.18 **Notice of committee meetings**

8.18.1 Notice of each committee meeting must be given to each committee member at least 48 hours before the time of the meeting.

8.18.2 The notice must state the date, time and place of the meeting and must describe the general nature of the business to be conducted at the meeting.

8.18.3 Unless sub-rule 8.18.4 applies, the only business that may be conducted at the meeting is the business described in the notice.

8.18.4 Urgent business that has not been described in the notice may be conducted at the meeting if the committee members at the meeting unanimously agree to treat that business as urgent.

8.19 **Procedure and order of business**

8.19.1 The president or, in the president's absence, the deputy must preside as president of each committee meeting.

8.19.2 If the president and a deputy are absent or are unwilling to act as president of a meeting, the committee members at the meeting must choose one of them to act as president of the meeting.

8.19.3 The procedure to be followed at a committee meeting must be determined from time to time by the committee.

- 8.19.4 The order of business at a committee meeting may be determined by the committee members at the meeting.
- 8.19.5 A member or other person who is not a committee member may attend a committee meeting if invited to do so by the committee.
- 8.19.6 A person invited under sub-rule 8.19.5 to attend a committee meeting —
- (a) has no right to any agenda, minutes or other document circulated at the meeting; and
 - (b) must not comment about any matter discussed at the meeting unless invited by the committee to do so; and
 - (c) cannot vote on any matter that is to be decided at the meeting.

Note to this rule –

Under section 43 of the Act a member of the management committee who has a material personal interest in a matter being considered at a meeting of the management committee must not be present while the matter is being considered at the meeting or vote on the matter.

Under section 42(6) of the Act the association must record every disclosure made by a committee member of a material personal interest in the minutes of the committee meeting at which the disclosure is made.

8.20 Use of technology to be present at committee meetings

- 8.20.1 The presence of a committee member at a committee meeting need not be by attendance in person but may be by that committee member and each other committee member at the meeting being simultaneously in contact by telephone or other means of instantaneous communication.
- 8.20.2 A member who participates in a committee meeting as allowed under sub-rule 8.20.1 is taken to be present at the meeting and, if the member votes at the meeting, the member is taken to have voted in person.

8.21 Quorum for committee meetings

- 8.21.1 Subject to rule 8.13.4, no business is to be conducted at a committee meeting unless a quorum is present.
- 8.21.2 If a quorum is not present within 30 minutes after the notified commencement time of a committee meeting —
- (a) in the case of a special meeting — the meeting lapses; or
 - (b) otherwise, the meeting is adjourned to the same time, day and place in the following week.
- 8.21.3 If —
- (a) a quorum is not present within 30 minutes after the commencement time of a committee meeting held under sub-rule 8.21.2(b) and
 - (b) at least 2 committee members are present at the meeting,

those members present are taken to constitute a quorum.

8.22 **Voting at committee meetings**

- 8.22.1 Each committee member present at a committee meeting has one vote on any question arising at the meeting.
- 8.22.2 A motion is carried if a majority of the committee members present at the committee meeting vote in favour of the motion.
- 8.22.3 If the votes are divided equally on a question, the president of the meeting has a second or casting vote.
- 8.22.4 A vote may take place by the committee members present indicating their agreement or disagreement or by a show of hands, unless the committee decides that a secret ballot is needed to determine a particular question.
- 8.22.5 If a secret ballot is needed, the president of the meeting must decide how the ballot is to be conducted.

8.23 **Minutes of committee meetings**

- 8.23.1 The committee must ensure that minutes are taken and kept of each committee meeting.
- 8.23.2 The minutes must record the following —
 - (a) the names of the committee members present at the meeting;
 - (b) the name of any person attending the meeting under rule 8.19.5;
 - (c) the business considered at the meeting;
 - (d) any motion on which a vote is taken at the meeting and the result of the vote.
- 8.23.3 The minutes of a committee meeting must be entered in the Association's minute book within 30 days after the meeting is held.
- 8.23.4 The president must ensure that the minutes of a committee meeting are reviewed and signed as correct by —
 - (a) the president of the meeting; or
 - (b) the president of the next committee meeting.
- 8.23.5 When the minutes of a committee meeting have been signed as correct they are, until the contrary is proved, evidence that —
 - (a) the meeting to which the minutes relate was duly convened and held; and
 - (b) the matters recorded as having taken place at the meeting took place as recorded; and
 - (c) any appointment purportedly made at the meeting was validly made.

8.24 **Subcommittees**

- 8.24.1 To help the committee in the conduct of the Association's business, the committee may, in writing, do either or both of the following —
 - (a) appoint one or more subcommittees;
 - (b) create one or more subsidiary offices and appoint people to those offices.

- 8.24.2 A subcommittee may consist of the number of people, whether or not members, that the committee considers appropriate.
- 8.24.3 A person may be appointed to a subsidiary office whether or not the person is a member.
- 8.24.4 Subject to any directions given by the committee —
- (a) a subcommittee may meet and conduct business as it considers appropriate; and
 - (b) the holder of a subsidiary office may carry out the functions given to the holder as the holder considers appropriate.

8.25 Delegation to subcommittees and holders of subsidiary offices

- 8.25.1 In this rule —

non-delegable duty means a duty imposed on the committee by the Act or another written law.

- 8.25.2 The committee may, in writing, delegate to a subcommittee or the holder of a subsidiary office the exercise of any power or the performance of any duty of the committee other than —
- (a) the power to delegate; and
 - (b) a non-delegable duty.
- 8.25.3 A power or duty, the exercise or performance of which has been delegated to a subcommittee or the holder of a subsidiary office under this rule, may be exercised or performed by the subcommittee or holder in accordance with the terms of the delegation.
- 8.25.4 The delegation may be made subject to any conditions, qualifications, limitations or exceptions that the committee specifies in the document by which the delegation is made.
- 8.25.5 The delegation does not prevent the committee from exercising or performing at any time the power or duty delegated.
- 8.25.6 Any act or thing done by a subcommittee or by the holder of a subsidiary office, under the delegation has the same force and effect as if it had been done by the committee.
- 8.25.7 The committee may, in writing, amend or revoke the delegation

9. Meetings

9.1 Annual general meeting

Note to this rule -

Unless the Commissioner allows otherwise, under section 50(3) of the Act the annual general meeting must be held within 6 months after the end of the Association's financial year. If it is the first annual general meeting, section 50(2) of the Act provides that it may be held at any time within 18 months after incorporation.

- 9.1.1 The committee must determine the date, time and place of the annual general meeting.
- 9.1.2 The ordinary business of the annual general meeting is as follows —

- (a) to confirm the minutes of the previous annual general meeting and of any special general meeting held since then if the minutes of that meeting have not yet been confirmed; and
- (b) to receive and consider —
 - (i) the committee's annual report on the Association's activities during the preceding financial year; and
 - (ii) the financial statements of the Association for the preceding financial year presented under Part 5 of the Act; and
 - (iii) if required to be presented for consideration under Part 5 of the Act, a copy of the report of the review or auditor's report on the financial statements or financial report; and
- (c) to elect the office holders of the Association and other committee members; and
- (d) if applicable, to appoint or remove a reviewer or auditor of the Association in accordance with the Act; and
- (e) to confirm or vary the entrance fees, subscriptions and other amounts (if any) to be paid by members.

9.1.3 Any other business of which notice has been given in accordance with these rules may be conducted at the annual general meeting.

9.2 **Special general meetings**

9.2.1 The committee may convene a special general meeting.

9.2.2 The committee must convene a special general meeting if at least 20% of the members require a special general meeting to be convened.

9.2.3 The members requiring a special general meeting to be convened must —

- (a) make the requirement by written notice given to the secretary; and
- (b) state in the notice the business to be considered at the meeting; and
- (c) each sign the notice.

9.2.4 The special general meeting must be convened within 28 days after notice is given under sub-rule 9.2.3(a).

9.2.5 If the committee does not convene a special general meeting within that 28 day period, the members making the requirement (or any of them) may convene the special general meeting.

9.2.6 A special general meeting convened by members under sub-rule 9.2.5 —

- (a) must be held within 3 months after the date the original requirement was made; and
- (b) may only consider the business stated in the notice by which the requirement was made.

9.2.7 The Association must reimburse any reasonable expenses incurred by the members convening a special general meeting under sub-rule 9.2.5.

9.3 **Notice of general meetings**

- 9.3.1 The secretary or, in the case of a special general meeting convened under rule 9.2.4 the members convening the meeting, must give to each member —
- (a) at least 21 days' notice of a general meeting if a special resolution is to be proposed at the meeting; or
 - (b) at least 14 days' notice of a general meeting in any other case.
- 9.3.2 The notice must —
- (a) specify the date, time and place of the meeting; and
 - (b) indicate the general nature of each item of business to be considered at the meeting; and
 - (c) if the meeting is the annual general meeting, include the names of the members who have nominated for election to the committee under rule 8.8 and
 - (d) if a special resolution is proposed —
 - (i) set out the wording of the proposed resolution as required by section 9.2.3 of the Act; and
 - (ii) state that the resolution is intended to be proposed as a special resolution; and
 - (iii) comply with rule 9.9
- 9.4 **Proxies**
- 9.4.1 Subject to sub-rule 9.4.2 an ordinary member may appoint an individual who is an ordinary member as his or her proxy to vote and speak on his or her behalf at a general meeting.
- 9.4.2 An ordinary member may be appointed the proxy for not more than 5 other members.
- 9.4.3 The appointment of a proxy must be in writing and signed by the member making the appointment.
- 9.4.4 The member appointing the proxy may give specific directions as to how the proxy is to vote on his or her behalf.
- 9.4.5 If no instructions are given to the proxy, the proxy may vote on behalf of the member in any matter as the proxy sees fit.
- 9.4.6 If the committee has approved a form for the appointment of a proxy, the member may use that form or any other form —
- (a) that clearly identifies the person appointed as the member's proxy; and
 - (b) that has been signed by the member.
- 9.4.7 Notice of a general meeting given to an ordinary member under rule 9.3 must —
- (a) state that the member may appoint an individual who is an ordinary member as a proxy for the meeting; and
 - (b) include a copy of any form that the committee has approved for the appointment of a proxy.

- 9.4.8 A form appointing a proxy must be given to the secretary before the commencement of the general meeting for which the proxy is appointed.
- 9.4.9 A form appointing a proxy sent by post or electronically is of no effect unless it is received by the Association not later than 24 hours before the commencement of the meeting.
- 9.5 **Use of technology to be present at general meetings**
- 9.5.1 The presence of a member at a general meeting need not be by attendance in person but may be by that member and each other member at the meeting being simultaneously in contact by telephone or other means of instantaneous communication.
- 9.5.2 A member who participates in a general meeting as allowed under sub-rule 9.5.1 is taken to be present at the meeting and, if the member votes at the meeting, the member is taken to have voted in person.
- 9.6 **Presiding member and quorum for general meetings**
- 9.6.1 The president or, in the president's absence, the deputy must preside as president of each general meeting.
- 9.6.2 No business is to be conducted at a general meeting unless a quorum is present.
- 9.6.3 If a quorum is not present within 30 minutes after the notified commencement time of a general meeting —
- (a) in the case of a special general meeting — the meeting lapses; or
 - (b) in the case of the annual general meeting — the meeting is adjourned to —
 - (i) the same time and day in the following week; and
 - (ii) the same place, unless the president specifies another place at the time of the adjournment or written notice of another place is given to the members before the day to which the meeting is adjourned.
- 9.6.4 If —
- (a) a quorum is not present within 30 minutes after the commencement time of an annual general meeting held under rule 9.4.6(b); and
 - (b) at least 2 ordinary members are present at the meeting,
- those members present are taken to constitute a quorum.
- 9.7 **Adjournment of general meeting**
- 9.7.1 The president of a general meeting at which a quorum is present may, with the consent of a majority of the ordinary members present at the meeting, adjourn the meeting to another time at the same place or at another place.
- 9.7.2 Without limiting sub-rule 9.7.1, a meeting may be adjourned —
- (a) if there is insufficient time to deal with the business at hand; or
 - (b) to give the members more time to consider an item of business.
- 9.7.3 No business may be conducted on the resumption of an adjourned meeting other than the business that remained unfinished when the meeting was adjourned.

- 9.7.4 Notice of the adjournment of a meeting under this rule is not required unless the meeting is adjourned for 14 days or more, in which case notice of the meeting must be given in accordance with rule 9.3.
- 9.8 **Voting at general meeting**
- 9.8.1 On any question arising at a general meeting —
- (a) subject to sub-rule 9.8.6, each ordinary member has one vote unless the member may also vote on behalf of a body corporate under sub-rule 9.8.2; and
 - (b) ordinary members may vote personally or by proxy.
- 9.8.2 An ordinary member that is a body corporate may, in writing, appoint an individual, whether or not the individual is a member, to vote on behalf of the body corporate on any question at a particular general meeting or at any general meeting, as specified in the document by which the appointment is made.
- 9.8.3 A copy of the document by which the appointment is made must be given to the secretary before any general meeting to which the appointment applies.
- 9.8.4 The appointment has effect until —
- (a) the end of any general meeting to which the appointment applies; or
 - (b) the appointment is revoked by the body corporate and written notice of the revocation is given to the secretary.
- 9.8.5 Except in the case of a special resolution, a motion is carried if a majority of the ordinary members present at a general meeting vote in favour of the motion.
- 9.8.6 If votes are divided equally on a question, the chairperson of the meeting has a second or casting vote.
- 9.8.7 If the question is whether or not to confirm the minutes of a previous general meeting, only members who were present at that meeting may vote.
- 9.8.8 For a person to be eligible to vote at a general meeting as an ordinary member, or on behalf of an ordinary member that is a body corporate under sub-rule 9.8.2, the ordinary member —
- (a) must have been an ordinary member at the time notice of the meeting was given under rule 9.3; and
 - (b) must have paid any fee or other money payable to the Association by the member.
- 9.9 **When special resolutions are required**
- 9.9.1 A special resolution is required if it is proposed at a general meeting —
- (a) to affiliate the Association with another body; or
 - (b) to request the Commissioner to apply to the State Administrative Tribunal under section 109 of the Act for the appointment of a statutory manager.
- 9.9.2 Sub-rule 9.9.1 does not limit the matters in relation to which a special resolution may be proposed.
- 9.10 **Determining whether resolution carried**

9.10.1 In this rule —

poll means the process of voting in relation to a matter that is conducted in writing.

9.10.2 Subject to sub-rule 9.10.4, the president of a general meeting may, on the basis of general agreement or disagreement or by a show of hands, declare that a resolution has been —

- (a) carried; or
- (b) carried unanimously; or
- (c) carried by a particular majority; or
- (d) lost.

9.10.3 If the resolution is a special resolution, the declaration under sub-rule 9.10.2 must identify the resolution as a special resolution.

9.10.4 If a poll is demanded on any question by the president of the meeting or by at least 3 other ordinary members present in person or by proxy —

- (a) the poll must be taken at the meeting in the manner determined by the president;
- (b) the president must declare the determination of the resolution on the basis of the poll.

9.10.5 If a poll is demanded on the election of the president or on a question of an adjournment, the poll must be taken immediately.

9.10.6 If a poll is demanded on any other question, the poll must be taken before the close of the meeting at a time determined by the chairperson.

9.10.7 A declaration under sub-rule 9.10.2 or 9.10.4 must be entered in the minutes of the meeting, and the entry is, without proof of the voting in relation to the resolution, evidence of how the resolution was determined.

9.11 **Minutes of general meeting**

9.11.1 The secretary, or a person authorised by the committee from time to time, must take and keep minutes of each general meeting.

9.11.2 The minutes must record the business considered at the meeting, any resolution on which a vote is taken and the result of the vote.

9.11.3 In addition, the minutes of each annual general meeting must record —

- (a) the names of the ordinary members attending the meeting; and
- (b) any proxy forms given to the president of the meeting under rule 9.4.8; and
- (c) the financial statements or financial report presented at the meeting, as referred to in rule 9.1.2(b); and
- (d) any report of the review or auditor's report on the financial statements or financial report presented at the meeting, as referred to in rule 9.1.2(b).

9.11.4 The minutes of a general meeting must be entered in the Association's minute book within 30 days after the meeting is held.

9.11.5 The president must ensure that the minutes of a general meeting are reviewed and signed as correct by —

- (a) the president of the meeting; or
- (b) the president of the next general meeting.

9.11.6 When the minutes of a general meeting have been signed as correct they are, in the absence of evidence to the contrary, taken to be proof that —

- (a) the meeting to which the minutes relate was duly convened and held; and
- (b) the matters recorded as having taken place at the meeting took place as recorded; and
- (c) any election or appointment purportedly made at the meeting was validly made.

10. Financial Matters

10.1 Source of funds

The funds of the Association may be derived from entrance fees, annual subscriptions, donations, fund-raising activities, grants, interest and any other sources approved by the committee.

10.2 Control of funds

10.2.1 The Association must open an account in the name of the Association with a financial institution from which all expenditure of the Association is made and into which all funds received by the Association are deposited.

10.2.2 Subject to any restrictions imposed at a general meeting, the committee may approve expenditure on behalf of the Association.

10.2.3 The committee may authorise the treasurer to expend funds on behalf of the Association up to a specified limit without requiring approval from the committee for each item on which the funds are expended.

10.2.4 All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments of the Association must be signed by —

- (a) 2 committee members; or
- (b) one committee member and a person authorised by the committee.

10.2.5 All funds of the Association must be deposited into the Association's account within 5 working days after their receipt.

10.3 Financial statements and financial reports

10.3.1 For each financial year, the committee must ensure that the requirements imposed on the Association under Part 5 of the Act relating to the financial statements or financial report of the Association are met.

10.3.2 Without limiting sub-rule 10.3.1, those requirements include —

- (a) the preparation of the financial statements; and
- (b) if required, the review or auditing of the financial statements or financial report, as applicable; and
- (c) the presentation to the annual general meeting of the financial statements or financial report, as applicable; and

- (d) if required, the presentation to the annual general meeting of the copy of the report of the review or auditor's report, as applicable, on the financial statements or financial report.

Note to this rule -

Under section 66 of the Act, an incorporated association must keep financial records that:

correctly record and explain its transactions and financial position and performance; and enable true and fair financial statements to be prepared in accordance with Part 5 Division 3 of the Act.

Under section 67 of the Act, an incorporated association must retain its financial records for at least 7 years after the transactions covered by the records are completed.

11. General Matters

11.1 By Laws

11.1.1 The Association may, by resolution at a general meeting, make, amend or revoke by-laws.

11.1.2 By-laws may —

- (a) provide for the rights and obligations that apply to any classes of associate membership approved under rule 4.5.1(b); and
- (b) impose restrictions on the committee's powers, including the power to dispose of the association's assets; and
- (c) impose requirements relating to the financial reporting and financial accountability of the association and the auditing of the association's accounts; and
- (d) provide for any other matter the association considers necessary or convenient to be dealt with in the by-laws.

11.1.3 A by-law is of no effect to the extent that it is inconsistent with the Act, the regulations or these rules.

11.1.4 Without limiting rule 11.3.1, a by-law made for the purposes of sub-rule 11.1.2(c) may only impose requirements on the Association that are additional to, and do not restrict, a requirement imposed on the Association under Part 5 of the Act.

11.1.5 At the request of a member, the Association must make a copy of the by-laws available for inspection by the member.

11.2 Executing documents and common seal

11.2.1 The Association may execute a document without using a common seal if the document is signed by —

- (a) 2 committee members; or
- (b) one committee member and a person authorised by the committee.

11.2.2 If the Association has a common seal —

- (a) the name of the Association must appear in legible characters on the common seal; and
- (b) a document may only be sealed with the common seal by the authority of the committee and in the presence of —
 - (i) 2 committee members; or
 - (ii) one committee member and a person authorised by the committee, and each of them is to sign the document to attest that the document was sealed in their presence.

11.2.3 The secretary must make a written record of each use of the common seal.

11.2.4 The common seal must be kept in the custody of the secretary or another committee member authorised by the committee.

11.3 Giving notices to members

11.3.1 In this rule —

recorded means recorded in the register of members.

11.3.2 A notice or other document that is to be given to a member under these rules is taken not to have been given to the member unless it is in writing and —

- (a) delivered by hand to the recorded address of the member; or
- (b) sent by prepaid post to the recorded postal address of the member; or
- (c) sent by facsimile or electronic transmission to an appropriate recorded number or recorded electronic address of the member.

11.4 Custody of books and securities

11.4.1 Subject to sub-rule 11.4.2, the books and any securities of the Association must be kept in the secretary's custody or under the secretary's control.

11.4.2 The financial records and, as applicable, the financial statements or financial reports of the Association must be kept in the treasurer's custody or under the treasurer's control.

11.4.3 Sub-rules 11.4.1 and 11.4.2 have effect except as otherwise decided by the committee.

11.4.4 The books of the Association must be retained for at least 7 years.

11.5 Record of office holders

The record of committee members and other persons authorised to act on behalf of the Association that is required to be maintained under section 58(2) of the Act must be kept in the secretary's custody or under the secretary's control.

11.6 Inspection of records and documents

11.6.1 Sub-rule 11.6.2 applies to a member who wants to inspect —

- (a) the register of members under section 54(1) of the Act; or
- (b) the record of the names and addresses of committee members, and other persons authorised to act on behalf of the Association, under section 58(3) of the Act; or



(c) any other record or document of the association.

11.6.2 The member must contact the secretary to make the necessary arrangements for the inspection.

11.6.3 The inspection must be free of charge.

11.6.4 If the member wants to inspect a document that records the minutes of a committee meeting, the right to inspect that document is subject to any decision the committee has made about minutes of committee meetings generally, or the minutes of a specific committee meeting, being available for inspection by members.

11.6.5 The member may make a copy of or take an extract from a record or document referred to in sub-rule 11.6.1(c) but does not have a right to remove the record or document for that purpose.

11.6.6 The member must not use or disclose information in a record or document referred to in sub-rule 11.6.1(c) except for a purpose —

(a) that is directly connected with the affairs of the Association; or

(b) that is related to complying with a requirement of the Act.

11.7 **Publication by committee members of statements about Association business prohibited**

11.7.1 A committee member must not publish, or cause to be published, any statement about the business conducted by the Association at a general meeting or committee meeting unless —

(a) the committee member has been authorised to do so at a committee meeting; and

(b) the authority given to the committee member has been recorded in the minutes of the committee meeting at which it was given.

11.7.2 A committee member must not publish, or cause to be published, any statement about the business conducted by the Association at a general meeting or committee meeting unless —

(a) the committee member has been authorised to do so at a committee meeting; and

(b) the authority given to the committee member has been recorded in the minutes of the committee meeting at which it was given.

11.8 **Distribution of surplus property on cancellation of incorporation or winding up**

11.9 **Dissolution**

11.9.1 The Club may be dissolved or wound up by a resolution passed by a 75% majority of all members entitled to vote at a Special General Meeting called for such purpose.

11.9.2 If upon the dissolution or winding up of the club there remains, after the satisfaction of all its debts and liabilities, any property whatsoever, the same shall not be paid to, transferred or distributed amongst the members. It shall be paid or transferred to AWA or a charitable organization or an incorporated non-profit organization having similar objectives to the Club, as decided by the members at the Special General Meeting at which it is decided to wind up the club.



11.10 **Amendment of the constitution**

- 11.10.1 The Club may alter or rescind these rules, or make rules additional to these rules, may do so only by special resolution and by otherwise complying with Part 3 Division 2 of the Act.
- 11.10.2 These rules bind every member and the Club to the same extent as if every member and the Club had signed and sealed these rules and agreed to be bound by all their provisions.

Note to this rule -

Section 31 of the Act requires an incorporated association to obtain the Commissioner's approval if the alteration of its rules has effect to change the name of the association.

Section 33 of the Act requires an incorporated association to obtain the Commissioner's approval if the alteration of its rules has effect to alter the objects or purposes of the association or the manner in which surplus property of the association must be distributed or dealt with if the association is wound up or its incorporation is cancelled.

Archers of Greenwood Archery Club Inc.

Bylaws

May 2017



TABLE OF CONTENTS

BL1	Duties of President, Secretary, Treasurer and Recorder	1
BL2	Fee Structure – in addition to rule 4.10 of the Constitution.	1
BL3	BL2 Duties of a Club Member	1
BL4	Club Uniform	2
BL5	Shooting times	2
BL6	Yearly Competition	2
BL7	Additional Officers on the Committee	3
BL8	Signatories of Club Accounts	4
BL9	Working with Children Check and Police Clearance	4
BL10	Club Signalling	4
BL11	Shooting Line	4
BL12	Membership	4
BL13	Club Records	5
BL14	Awards and Certificates	5
BL15	Crossbows	5
BL16	Timing of General meetings and Management Committee meetings	5
BL17	Club delegate to the Archery Society of Western Australia	5
BL18	Accompanied Minors	5

BL1 Duties of President, Secretary, Treasurer and Recorder

BL1.1 President - in addition to 8.3 of the Constitution the president will:

- (a) Provide leadership to members of the Club.
- (b) Ensure the smooth running of the Club.
- (c) Promote state and national tournaments under the control of Archery Western Australia or Archery Australia to members of the Club.

BL1.2 Secretary – in addition to 8.4 of the Constitution the secretary will:

- (a) Together with the treasurer, keeps and maintains a list of all members of the Club.
- (b) Together with the treasurer, keeps and maintains a list of all members who hold an office in the Club.
- (c) Together with the treasurer, maintains a book for all shooting members to sign before participating in any events held by the Club and collects any fee.
- (d) Together with the treasurer, Administers the temporary affiliate forms on behalf of Archery Western Australia and Archery Australia.
- (e) Together with the treasurer, organises the end of year function and purchase of end of year trophies.

BL1.3 Treasurer – in addition to 8.5 of the Constitution, the treasurer will:

- (a) Together with the secretary, maintains a book for all shooting members to sign before participating in any events held by the Club and collects any fee.

BL1.4 Recorder – The recorder will:

- (a) Maintain a list of the shooting performance and classification of all shooting members of the Club.
- (b) Maintain a record of the performance of all beginner archers.
- (c) Together with the Club President, issue certificates and medallions as appropriate.
- (d) Liaise with the state recorder of Archery Western Australia as appropriate.

BL2 Fee Structure – in addition to rule 4.10 of the Constitution.

BL2.1 The Committee may set a target fee from time to time. If a fee is set, it will be due before a member participates in a Club event.

BL3 BL2 Duties of a Club Member

BL3.1 All members of the Club will be expected to attend the Annual General Meeting, General Meeting and Special General Meeting when such meetings are called.

- BL3.2 All members of the Club will be expected to help with the setting up and clearing away of club equipment before and after a shoot, and contribute to the smooth running of the Club in other ways.
- BL3.3 All members of the Club will be expected to wear the uniform of the Club at all Club events, inter-club events and competitions run under the control of the Club or another club unless that member is entitled to wear the uniform of this state or country. Any member, not wearing the complete and correct Club uniform can be denied participation in Club or inter-club activities.
- BL3.4 All Members of the Club are expected to participate in the rosters and busy bees of the Club.

BL4 Club Uniform

- BL4.1 The Club uniform of the Archers of Greenwood Archery Club Inc. is;
- (a) Either the Club track suit and the white and light green Club polo shirt with the logo of the Club on the sleeve or; neat black pants, black shorts or black skirt and Club polo shirt with the logo of the Club on the front; and
- (b) Closed-in shoes.

BL5 Shooting times

- BL5.1 The Club start times will be adjusted by the Club Committee as required.
- BL5.2 Set up will commence at 8.15am.

BL6 Yearly Competition

- BL6.1 The Club will run an annual Club Competition (The Competition) consisting of a variety of target rounds.
- BL6.2 The Competition will run once a month for the ten months from February to November each year.
- BL6.3 The target rounds shot each month will, where possible, be aligned with events scheduled on the Archery WA Calendar to give Club members the opportunity to practice those rounds.
- BL6.4 Competition events will be shot on the first Saturday of the month, unless that Saturday falls within a Public Holiday weekend, in which case the event will be shot on the second Saturday of the month.
- BL6.5 Prior to the start of The Competition the Club Recorder will allocate each member to one of four Grades (A, B, C or D), based on their official Rating as at 1 January of that year. Grades will correspond roughly with Archery Australia Classifications as detailed in Schedule 4 of the Archery Australia Constitution and Shooting Rules 2016. With D Grade being White classification, C Grade Black classification, B Grade Blue Classification and A Grade Red and above classifications. The Club Recorder may, at his or her discretion, move an archer up or down a Grade during The Competition where that archer has been shooting significantly above or below their Rating. If this occurs, the archer's points scored in one Grade will move with them to the next Grade.

- BL6.6 An archer's points for each event will be based on (or as near as can be calculated) the Archery Australia Rating for the score at the distance shot. Ratings for different bow types will then be adjusted in relation to the Rating awarded to a Recurve archer.
- BL6.7 Each archer's best six scores from the maximum ten events will be used to calculate their overall Competition score.
- BL6.8 Trophies will be given to each of the groups to the archers who achieved 1st, 2nd and 3rd place in each Grade (12 trophies).
- BL6.9 An additional 2 trophies are to be awarded.
- (a) The "Champion Archer" trophy is given to the archer who has the most points from the Club competition.
 - (b) The "Archer of the Year" trophy is to be given to the archer who has performed the best in competitions run outside this club.
- BL6.10 Additional trophy or trophies may be awarded at the committee's discretion.
- BL6.11 There is to be no Beginner Archers or coaching of Beginner Archers on Club tournament days.
- BL6.12 Coaching of club members is permitted on Club tournament days provided such coaching conforms to World Archery or Archery Australia rules.
- BL6.13 Disputes or queries about an arrow score, will be resolved by the majority decision by the shooters on that target. If there is not a majority decision by the shooters on that target, a Club committee member, who is not shooting on that target, will make the final decision.

BL7 Additional Officers on the Committee

- BL7.1 The following officers of the Club will be elected at the Annual General Meeting and hold their position for a period of one year and be eligible for re-election for the following year;
- BL7.2 Club Judge
- (a) All club members, regardless of the number of roles held in the Club, who are accredited by Archery Australia as a judge are entitled to be recognized as a judge of the Club.
 - (b) The Annual General Meeting may elect one of the people accredited as a judge as the Senior Club Judge.
- BL7.3 Club Coach,
- (a) All Club members, regardless of the number of roles held in the club, who are accredited by Archery Australia as a Club Coach are entitled to be recognized as a coach of the Club.
 - (b) The Annual General Meeting may elect one of the people accredited as a Club Coach as the Senior Club Coach.
 - (c) Persons who are not accredited as a Club Coach, or holding a higher coaching qualification accredited by Archery Australia, can only coach others in the sport of Archery under the specific and detailed direction of an accredited Club Coach or a person holding a higher coaching qualification accredited by Archery Australia.



BL7.4 First Aid Officer,

BL7.5 Catering Officer,

BL8 Signatories of Club Accounts

BL8.1 The Club will appoint two signatories to operate all Club accounts,

BL8.2 The signatories shall be the President and the Treasurer.

BL9 Working with Children Check and Police Clearance

BL9.1 All members of the Committee, including co-opted members, are to have a valid Working With Children Check. The checks are to be repeated every three years. The costs of such checks are to be met by the Club.

BL9.2 The Committee may require an individual member to have a valid Working With Children Check. The costs of such checks are to be met by the Club.

BL10 Club Signalling

BL10.1 The system of signals for controlling the shooting shall be known as "Competition Signalling". Only one person shall be appointed the Director of Shooting (DOS) at a time. All people appointed DOS will be senior club members. All Club members shall be behind the waiting line at all times, unless directed by the DOS.

BL10.2 The DOS will give;

- (a) Two (2) whistle blasts, to signal walking up to the shooting line; One (1) whistle blasts to signal commence shooting.
- (b) Three (3) whistle blast, to signal it is safe to proceed to the targets for scoring.
- (c) Five (5) or more whistle blasts, to signal there is danger and everyone is to immediately cease shooting.

BL10.3 When members return from scoring they shall return to behind the waiting line and wait for the signal to commence shooting, or other directions as appropriate.

BL10.4 On Club tournament days, the time allowed to shoot may be timed.

BL10.5 The whistle may be replaced by another suitable device.

BL11 Shooting Line

BL11.1 The Club will run one shooting line. The Committee may set up more shooting lines to accommodate other disciplines as appropriate. Each line is to be under separate control.

BL12 Membership

BL12.1 All persons wishing to become members of the Club will need to be nominated by two financial Club members before being voted in, at a special meeting, which can be called at any time by the current President. A simple majority vote of the members present at the meeting is needed before being invited to join.

BL12.2 The minimum age for a person to be a member of the Club is eight years..

BL13 Club Records

BL13.1 A register of Club records shot by members will be kept. These records are the highest score shot by Club members and based on rounds shot at AA, AWA, and Clubs. The records evolve as time progresses.

BL14 Awards and Certificates

BL14.1 The Club will use the Archery Australia (AA) system of Awards and Certificates.

BL15 Crossbows

BL15.1 Club members or visitors are not to use to use crossbows on the Club grounds.

BL16 Timing of General meetings and Management Committee meetings

BL16.1 The Committee will meet every month on a Saturday on competition day or more often if needed.

BL16.2 General meetings are to be held once per month during the monthly competition days

BL17 Club delegate to the Archery Society of Western Australia

BL17.1 The Club delegate to Archery Western Australia is to be a member of the Committee, and elected at the Annual General Meeting, subject to rule 8.2.7 of the Constitution.

BL17.2 if no person on the Committee takes up the role of AWA delegate then a person who is not a member of the Committee may take on this role and they become an additional member of the Committee.

BL18 Accompanied Minors

BL18.1 A minor under the age of 15 years must be accompanied by a parent or guardian while on Club grounds.

Change History

This is a compilation of the changes made to the Archers of Greenwood Constitution and Bylaws. This table does not form part of the constitution or bylaws.

Date	Version	Constitution or Bylaw amended	Details and comments
2002	1.0	Constitution	No information. First copy recorded on file at AWA
May 2009	2.0	Constitution	No information.
November 2015			Review of bylaws
		BL3.1.1	Club Uniform. Club shirt colour changed to match competition shirt, to keep costs down for members.
		BL4.1 & BL4.2	Shooting Times. Shooting times changed to a later consistent starting time.
		BL5.10.3	Trophies. New bylaw allowing additional trophies.
		BL6.6	Additional Officers on the Committee. Expanded definition of who can be the Member Protection Officer.
		BL10.1	Shooting Line. One shooting line with progressively shorter target distances will allow for archer visibility when collecting arrows.
		BL10.2	Deleted as there will now be 1 shooting line unless directed by the Committee.
		BL11.3	Conditional archer. Defined approval process.
		BL11.4	New bylaw to ensure safety of all Club members, and ensures a conditional archer has equipment that is appropriate for their size and strength.
April 2017		BL 18	New bylaw: Parent or guardian accompanying a minor under the age of 15 years.
May 2017	3.0	Constitution & BL	Constitution and bylaws to comply with new Associations Incorporation Act 2015.