

**NSW CAVY CLUB INC****CONSTITUTION****Contents****Part 1 - Preliminary**

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- Appendix 1 - Application for membership
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## PART 1 – PRELIMINARY

### 1. Definitions

(1) In this constitution:

**Director-General** means the Director-General of the Department of Services, Technology and Administration.

**ordinary committee member** means a member of the committee who is not an office-bearer of the association.

**secretary** means:

- (a) the person holding office under this constitution as secretary of the association, or
- (b) if no such person holds that office - the public officer of the association.

**special general meeting** means a general meeting of the club, other than the annual general meeting, called for the purpose of considering a special resolution or an appeal under clause 14.

**the Act** means the *Associations Incorporation Act 2009*

**the Regulation** means the Associations Incorporation Regulation 2010

(2) In this constitution:

- (a) a reference to a function includes a reference to a power, authority and duty, and
- (b) a reference to the exercise of a function includes, if the function is a duty, a reference to the performance of the duty.

(3) The provisions of the *Interpretation Act 1987* apply to and in respect of this constitution in the same manner as those provisions would so apply if this constitution were an instrument made under the Act.

### 2. The association

(1) The name of the association shall be NSW Cavy Club, hereafter referred to as the club.

(2) AIMS and OBJECTS. To improve the status of cavies generally by educating members on improving breed standards while also promoting a positive image of and generating interest in cavies in the general public. To provide information to the public concerning the nature and care of cavies to the best of knowledge that is accurate and not misleading. To promote stronger links in the cavy community and public through a variety of regular shows.

(3) The club shall be a not-for-profit organisation.

(4) The club shall be an affiliate of the Cavy Council of New South Wales. The club and every member of the club shall be deemed to have agreed to abide by the Constitution and Regulations of the Cavy Council of New South Wales, for the time being in force, and at all times to submit to and carry out every determination, decision, requirement or direction of the Cavy Council of New South Wales so far as they apply to the club or member.

## **PART 2 - MEMBERSHIP**

### **3. Membership generally**

(I) There shall be three classes of membership: single, household and institutional (e.g. school or college).

A person is eligible for single member of the association if:

- (a) the person is a natural person, and
- (b) the person has applied for and been approved for membership of the club in accordance with clause 4.

A group is eligible for household membership if

- (a) it consists of one or two adults and their children aged under 18 residing together, and
- (b) the household has applied for and been approved for membership of the club in accordance with clause 4.

Any child in the household aged 18 or over, or a child who turns 18, will be required to apply for single membership.

A group is eligible for institutional membership if

- (a) it consists of people from a single institution such as a school or college, and has at least one member aged 18 or over.
- (b) the institutional group has applied for and been approved for membership of the club in accordance with clause 4.

At any time when an institutional group attends a club event, there must be at least one of its members aged 18 or over present who will be responsible for its members under 18.

### **4. Application for membership**

- (1) An application for membership of the club must be made in writing in the form set out in Appendix 1 to this constitution, and must be lodged with the secretary of the club.
- (2) As soon as practicable after receiving an application for membership, the secretary must refer the application to the committee which is to determine whether to approve or to reject the application. No single member of the committee may make the decision. No reason for the decision need be given.
- (3) As soon as practicable after the committee makes that determination, the secretary must:
  - (a) notify the applicant that the committee approved or rejected the application (whichever is applicable), and
  - (b) if the committee approved the application, request the applicant to pay (within the period of 28 days after receipt by the applicant of the notification) the sum payable under this constitution by a member as entrance fee and annual subscription.
- (4) The secretary must, on payment by the applicant of the amounts referred to in subclause 3 (b) within the period referred to in that provision, enter or cause to be entered the applicant's name in the register of members and, on the name being so entered, the applicant becomes a member of the club.

- (5) The committee may, on a two-thirds majority vote, reject an application for membership or expel an existing member if:
- (a) the person has not paid membership fees within the 28 day period for new members, or within three months of the due date for existing members, or
  - (b) the person poses a direct physical or mental threat to other club members, judges or general public at club events or to cavies at any time, or
  - (c) the person does not have the legal capacity to enter into a contractual agreement to abide by the constitution and code of conduct, or
  - (d) the person behaves in a way that significantly interferes with the operation of the club or club meetings.

## **5. Cessation of membership**

A person ceases to be a member of the club if the person:

- (a) dies, or
- (b) resigns membership, or
- (c) is expelled from the club, or
- (d) fails to pay the annual membership fee under clause 10 (2) within 3 months after the fee is due.
- (e) An unfinancial member may not vote on any club business or hold any position in the club. An unfinancial member may have his or her membership restored upon payment of the outstanding fee within six months of the due date.

## **6. Life membership**

- (1) Life membership may be granted to a member who:
  - (a) has at least seven years membership in the club, and
  - (b) has, in the opinion of the committee, given lasting and valuable service to the club.
- (2) The number of life members at any one time shall be limited to five. If a vacancy occurs, no more than one life member may be created in any calendar year.
- (3) Proposals for life membership should be submitted in writing to the committee for investigation. If approved by the committee the proposal shall be submitted to a general meeting for ratification on a two-thirds majority of those voting.

## **7. Membership entitlements not transferable**

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.

## **8. Resignation of membership**

- (1) A member of the club may resign from membership of the club by first giving to the secretary written notice of at least 1 month (or such other period as the committee may determine) of the member's intention to resign, and, on the expiration of the period of notice, the member ceases to be a member.

- (2) If a member of the club ceases to be a member under subclause (1), and in every other case where a member ceases to hold membership, the secretary must make an appropriate entry in the register of members recording the date on which the member ceased to be a member.

## **9. Register of members**

- (1) The Secretary of the club must establish and maintain a register of members of the club specifying the name and postal or residential address of each person who is a member of the club together with the date on which the person became a member.
- (2) The register of members must be kept at the address of the secretary, or such other place as the committee may determine from time to time. A copy shall be held by the Public Officer.
- (3) No details of a member, other than their name, may be divulged without the express permission of the member.
- (4) A member will be required to give provide an email address or postal address to be given to the editor for the purpose of sending the club newsletter. This may be different from the contact details for that member in the register.
- (5) A member must not use information about a person obtained from the register to contact or send material to the person, other than for:
- (a) the purposes of sending the person a newsletter, a notice in respect of a meeting or other event relating to the club or other material relating to the club, or
  - (b) any other purpose necessary to comply with a requirement of the Act or the Regulation.

## **10. Fees and subscriptions**

- (1) A member of the club must, on admission to membership, pay to the club a joining fee as determined by the committee.
- (2) In addition to any amount payable by the member under subclause (1), a member of the club must pay to the club an annual membership fee as determined by the committee:
- (a) except as provided by paragraph (b), by the end of the month set by the committee, or
  - (b) if the person becomes a member with less than three months before fees are again due, their payment shall be taken to cover the period until fees are due in the following year.

## **11. Members' liabilities**

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 clause 10.

## 12. Resolution of disputes

- (1) A dispute between a member and another member (in their capacity as members) of the club, or a dispute between a member or members and the club, if it has not been resolved within the forums of the club, is to be referred to a community justice centre for mediation under the *Community Justice Centres Act 1983*.
- (2) If a dispute is not resolved by mediation within 3 months of the referral to a community justice centre, the dispute is to be referred to arbitration.
- (3) The *Commercial Arbitration Act 1984* applies to any such dispute referred to arbitration.

## 13. Disciplining of members

- (1) A complaint may be made to the committee by any person that a member of the club:
  - (a) has refused or neglected to comply with a provision or provisions of this constitution, or
  - (b) has wilfully acted in a manner prejudicial to the interests of the club.
- (2) The committee may refuse to deal with a complaint if it considers the complaint to be trivial or vexatious in nature.
- (3) The committee shall refuse to deal with a complaint if it falls outside the jurisdiction of the club. The committee may refer such a complaint to the relevant body. For example a complaint about an incident at another club may be referred to that club.
- (4) If the committee decides to deal with the 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 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.
- (5) 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 and the expulsion or suspension is warranted in the circumstances.
- (6) If the committee expels or suspends a member, the secretary must, within 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 member's right of appeal under clause 14 .
- (7) The expulsion or suspension does not take effect:
  - (a) until the expiration of the period within 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 clause 14, whichever is the later.

## **14. Right of appeal of disciplined member**

- (1) A member may appeal to the club in general meeting against a resolution of the committee under clause 13, within 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 under subclause (1), the secretary must notify the committee which is to convene a general meeting of the club to be held within 42 days after the date on which the secretary received the notice.
- (4) At a general meeting of the club convened under subclause (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 in 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) The appeal is to be determined by a simple majority of votes cast by members of the club.

## **PART 3 – THE COMMITTEE**

### **15. Powers of the committee**

Subject to the Act, the Regulation and this constitution and to any resolution passed by the club in general meeting, the committee:

- (a) is to control and manage the affairs of the club, and
- (b) may exercise all such functions as may be exercised by the club, other than those functions that are required by this constitution to be exercised by a general meeting of members of the club, and
- (c) has power to perform all such acts and do all such things as appear to the committee to be necessary or desirable for the proper management of the affairs of the club.

### **16. Composition and membership of committee**

- (1) The committee is to consist of:
  - (a) the office bearers of the club, and
  - (b) at least two ordinary committee members, each of whom is elected at the annual general meeting of the club under clause 17.
- (2) The total number of committee members is to be seven. In the event of one person being elected to two office-bearer positions, an additional ordinary committee member shall be elected to maintain the total number of committee members as seven. The committee may at its discretion invite other members of the club to attend committee meetings.
- (3) The office-bearers of the association are as follows:
  - (a) the president
  - (b) the vice-president
  - (c) the secretary



- (d) the treasurer
- (e) the show secretary

- (4) A committee member may hold up to two offices (other than both the president and vice-president offices).
- (5) Each member of the committee is, subject to this constitution, to hold office until the conclusion of the annual general meeting following the date of the member's election, but is eligible for re-election.

## **17. Election of committee members**

- (1) Nominations of candidates for election as office-bearers of the club or as ordinary committee members :
  - (a) must be made in writing, signed by two members of the club and accompanied by the written consent of the candidate (which may be endorsed on the form of the nomination), and
  - (b) must be delivered to the secretary of the club at least 7 days before the date fixed for the holding of the annual general meeting at which the election is to take place.
- (2) If insufficient nominations are received to fill all vacancies on the committee, the candidates nominated are taken to be elected and further nominations are to be received at the annual general meeting.
- (3) If insufficient further nominations are received, any vacant positions remaining on the committee are taken to be casual vacancies.
- (4) If the number of nominations received is equal to the number of vacancies to be filled, the persons nominated are taken to be elected.
- (5) If the number of nominations received exceeds the number of vacancies to be filled, a ballot is to be held.
- (6) The ballot for the election of office-bearers and ordinary committee members of the committee is to be conducted at the annual general meeting in such usual and proper manner as the committee may direct.
- (7) A person nominated as a candidate for election as an office-bearer or as an ordinary committee member of the club must be a member of the club.

## **18. Other positions**

The club may appoint people to other positions such as show manager, point scorer, editor etc. as required. Such positions will not be part of the committee, but may be held by committee members.

## **19. Secretary**

- (1) The secretary of the club must, as soon as practicable after being appointed as secretary, lodge notice with the club of his or her address.

- (2) It is the duty of the secretary to keep minutes of:
  - (a) all appointments of office-bearers and members of the committee, and
  - (b) the names of members of the committee present at a committee meeting or a general meeting, and
  - (c) all proceedings at committee meetings and general meetings.
- (3) Minutes of proceedings at a meeting must be signed by the chairperson of the meeting or by the chairperson of the next succeeding meeting.

## **20. Treasurer**

It is the duty of the treasurer of the club to ensure:

- (a) that all money due to the club is collected and received and that all payments authorised by the club are made, and
- (b) that correct books and accounts are kept showing the financial affairs of the club, including full details of all receipts and expenditure connected with the activities of the club, and
- (c) that a financial statement is presented at each meeting, including all accounts paid since the previous meeting.

## **21. Casual vacancies**

- (1) In the event of a casual vacancy occurring in the membership of the committee, the committee may appoint a member of the club to fill the vacancy and the member so appointed is to hold office, subject to this constitution, until the conclusion of the annual general meeting next following the date of the appointment.
- (2) A casual vacancy in the office of a member of the committee occurs if the member:
  - (a) dies, or
  - (b) ceases to be a member of the club, or
  - (c) becomes an insolvent under administration within the meaning of the *Corporations Act 2001* of the Commonwealth, or
  - (d) resigns office by notice in writing given to the secretary, or
  - (e) is removed from office under clause 22, or
  - (f) becomes a mentally incapacitated person, or
  - (g) is absent without the consent of the committee from three consecutive meetings of the committee, or
  - (h) is convicted of an offence involving fraud or dishonesty for which the maximum penalty on conviction is imprisonment for not less than 3 months, or
  - (i) is prohibited from being a director of a company under Part 2D.6 (Disqualification from managing corporations) of the *Corporations Act 2001* of the Commonwealth.

## **22. Removal of committee members**

- (1) The club in general meeting may by resolution remove any member of the committee from the office of member before the expiration of the member's term of office and may by resolution appoint another person to hold office until the expiration of the term of office of the member so removed.

(2) If a member of the committee to whom a proposed resolution referred to in subclause (1) makes representations in writing to the secretary or president (not exceeding a reasonable length) and requests that the representations be notified to the members of the club, the secretary or the president may send a copy of the representations to each member of the club or, if the representations are not so sent, the member is entitled to require that the representations be read out at the meeting at which the resolution is considered.

### **23. Committee meetings and quorum**

- (1) The committee must meet at least three times in each period of 12 months at such place and time as the committee may determine.
- (2) Additional meetings of the committee may be convened by the president or by any member of the committee.
- (3) Oral or written notice of a meeting of the committee must be given by the secretary to each member of the committee at least 48 hours (or such other period as may be unanimously agreed on by the members of the committee) before the time appointed for the holding of the meeting.
- (4) Notice of a meeting given under subclause (3) must specify the general nature of the business to be transacted at the meeting and no business other than that business is to be transacted at the meeting, except business which the committee members present at the meeting unanimously agree to treat as urgent business.
- (5) Any three members of the committee constitute a quorum for the transaction of the business of a meeting of the committee.
- (6) No business is to be transacted by the committee unless a quorum is present and if, within half an hour of the time appointed for the meeting, a quorum is not present, the meeting is to stand adjourned to the same place and the same hour of the same day in the following week, unless another place is specified at the time of the adjournment by the person presiding at the meeting or communicated to the committee members before the day to which the meeting is to be adjourned.
- (7) If at the adjourned meeting a quorum is not present within half an hour of the time appointed for the meeting, the meeting is to be dissolved.
- (8) At a meeting of the committee:
  - (a) the president, or in the president's absence, the vice-president is to preside, or
  - (b) if the president and the vice-president are absent or unwilling to act, such one of the remaining members of the committee as may be chosen by the members present at the meeting is to preside.

### **24. Delegation by committee to sub-committee**

- (1) The committee may, by instrument in writing, delegate to one or more sub-committees (consisting of such member or members of the club as the committee thinks fit) the exercise of such of the functions of the committee as are specified in the instrument, other than:

- (a) this power of delegation, and
- (b) a function which is a duty imposed on the committee by the Act or by any other law.

(2) A function the exercise of which has been delegated to a sub-committee under this clause may, while the delegation remains unrevoked, be exercised from time to time by the sub-committee in accordance with the terms of the delegation.

(3) A delegation under this clause may be made subject to such conditions or limitations as to the exercise of any function, or as to time or circumstances, as may be specified in the instrument of delegation.

(4) Despite any delegation under this clause, the committee may continue to exercise any function delegated.

(5) Any act or thing done or suffered by a sub-committee acting in the exercise of a delegation under this clause has the same force and effect as it would have if it had been done or suffered by the committee.

(6) The committee may, by instrument in writing, revoke wholly or in part any delegation under this clause.

(7) A sub-committee may meet and adjourn as it thinks proper.

## **25. Voting and decisions**

(1) Questions arising at a meeting of the committee or of any sub-committee appointed by the committee are to be determined by a majority of the votes of members of the committee or sub-committee present at the meeting.

(2) Each member present at a meeting of the committee or of any sub-committee appointed by the committee (including the person presiding at the meeting) is entitled to one vote but, in the event of an equality of votes on any question, the person presiding may exercise a second or casting vote.

(3) Subject to clause 23 (5), the committee may act despite any vacancy on the committee.

(4) Any act or thing done or suffered, or purporting to have been done or suffered, by the committee or by a sub-committee appointed by the committee, is valid and effectual despite any defect that may afterwards be discovered in the appointment or qualification of any member of the committee or sub-committee.

## **PART 4 – GENERAL MEETINGS**

### **26. General meetings**

(1) General meetings shall be held at least 3 times a year including the annual general meeting, to be convened at such dates, times and places as the committee thinks fit.

(2) The business of each general meeting shall include the following:

- (a) to confirm the minutes of the last preceding general meeting,

- (b) to receive any correspondence to the club and to consider any correspondence sent from

the club

(c) to receive and consider any financial statement or report, and

(d) to consider any matter raised by the committee, by any sub-committee or by any member.

## **27. Annual general meetings – holding of**

The club must hold its annual general meetings:

(a) within 6 months after the close of the club's financial year, or

(b) within such later time as may be allowed by the Director-General or prescribed by the Regulation.

## **28. Annual general meetings – calling of and business**

(1) The annual general meeting of the club is, subject to the Act and to clause 27, to be Convened on such date and at such place and time as the committee thinks fit.

(2) In addition to any other business which may be transacted at an annual general meeting, the business of an annual general meeting is to include the following:

(a) to confirm the minutes of the last preceding annual general meeting and of any special general meeting held since that meeting,

(b) to receive from the committee reports on the activities of the club during the last preceding financial year,

(c) to elect office-bearers of the club and ordinary committee members,

(d) to receive and consider any financial statement or report required to be submitted to members under the Act.

(3) An annual general meeting must be specified as such in the notice convening it.

## **29. Special general meetings - calling of**

(1) The committee may, whenever it thinks fit, convene a special general meeting of the club.

(2) The committee must, on the requisition in writing of at least 5 per cent of the total number of members, convene a special general meeting of the club.

(3) A requisition of members for a special general meeting:

(a) must state the purpose or purposes of the meeting, and

(b) must be signed by the members making the requisition, and

(c) must be lodged with the secretary, and

(d) may consist of several documents in a similar form, each signed by one or more of the members making the requisition.

(4) If the committee fails to convene a special general meeting to be held within 2 months after that date on which a requisition of members for the meeting is lodged with the secretary, any one or more of the members who made the requisition may convene a special general meeting to be held not later than 3 months after that date.

(5) A special general meeting convened by a member or members as referred to in subclause (4) must be convened as nearly as is practicable in the same manner as general meetings are convened by the committee.

### **30. Notice**

- (1) The secretary must, at least 14 days before the date fixed for the holding of a general meeting, give a notice to each member specifying the place, date and time of the meeting and the nature of the business proposed to be transacted at the meeting.
- (2) If the nature of the business proposed to be dealt with at a special general meeting requires a special resolution of the club, the secretary must, at least 21 days before the date fixed for the holding of the special general meeting, cause notice to be given to each member specifying, in addition to the matter required under subclause (1), the intention to propose the resolution as a special resolution.
- (3) No business other than that specified in the notice convening a special general meeting is to be transacted at the meeting except, in the case of an annual general meeting, business which may be transacted under clause 28(2).
- (4) A member desiring to bring any business before a general meeting may give notice in writing of that business to the secretary who must include that business in the next notice calling a general meeting given after receipt of the notice from the member.

### **31. Quorum for general meetings**

- (1) No item of business is to be transacted at a general meeting including special general meeting or annual general meeting unless a quorum of members entitled under this constitution to vote is present during the time the meeting is considering that item.
- (2) Five members present (being members entitled under this constitution to vote at a general meeting) constitute a quorum for the transaction of the business of a general meeting.
- (3) If within half an hour after the appointed time for the commencement of a general meeting a quorum is not present, the meeting:
  - (a) if convened on the requisition of members, is to be dissolved, and
  - (b) in any other case, is to stand adjourned to the same day in the following week at the same time and (unless another place is specified at the time of the adjournment by the person presiding at the meeting or communicated by written notice to members given before the day to which the meeting is adjourned) at the same place.
- (4) If at the adjourned meeting a quorum is not present within half an hour after the time appointed for the commencement of the meeting, the members present (being at least three) are to constitute a quorum.

### **32. Presiding member**

- (1) The president or, in the president's absence, the vice-president, is to preside as chairperson at each general meeting of the club.
- (2) If the president and the vice-president are absent or unwilling to act, the members present must elect one of their number to preside as chairperson at the meeting.

### 33. Adjournment

- (1) The chairperson of a general meeting at which a quorum is present, may, with the consent of the majority of members present at the meeting, adjourn the meeting from time to time and place to place, but no business is to be transacted at an adjourned meeting other than the business left unfinished at the meeting at which the adjournment took place.
- (2) If a general meeting is adjourned for 14 days or more, the secretary must give written or oral notice of the adjourned meeting to each member of the club stating the place, date and time of the meeting and the nature of the business to be transacted at the meeting.
- (3) Except as provided in subclauses (1) and (2), notice of an adjournment of a general meeting or of the business to be transacted at an adjourned meeting is not required to be given.

### 34. Making of decisions

- (1) A question arising at a general meeting of the club is to be determined by either:
  - (a) a show of hands, or
  - (b) if on the motion of the chairperson or if 5 or more members present at the meeting decide that the question should be determined by a written ballot – a written ballot.
- (2) If the question is to be determined by a show of hands, a declaration by the chairperson that a resolution has, on a show of hands, been carried or carried unanimously or carried by a particular majority or lost, or an entry to that effect in the minute book of the club, is evidence of the fact without proof of the number or proportion of the votes recorded in favour of or against that resolution.
- (3) If the question is to be determined by a written ballot, the ballot is to be conducted in accordance with the directions of the chairperson.

### 35. Special resolutions

- (1) A resolution is passed by the club as a *special resolution*
  - (a) at a meeting of the club of which notice has been given to its members according to clause 30 (2) or
  - (b) in a postal ballot conducted by the club if it is supported by at least three-quarters of the votes cast by members of the club who, under the club's constitution, are entitled to vote on the proposed resolution.

### 36. Voting

- (1) On any question arising at a general meeting of the club a member has one vote only.
- (2) In the case of an equality of votes on a question at a general meeting, the chairperson of the meeting is entitled to exercise a second or casting vote.
- (3) A member is not entitled to vote at any general meeting of the club unless all money due and payable by the member to the club has been paid.
- (4) A member is not entitled to vote at any general meeting of the club if the member is under 18 years of age.

(5) A household membership shall have one vote for each adult, ie maximum 2 votes. Where there are 2 adults, each must be present or have submitted a valid proxy for voting.

(6) An institutional membership shall have one vote.

### **37. Proxy votes permitted**

Proxy voting may be undertaken at or in respect of a general meeting including the annual general meeting, except at a meeting called under clause 14 (Right of appeal). Notice of proxies to be sent to the secretary at least 24 hours before the meeting.

### **38. Postal ballots**

(1) The club may hold a postal ballot to determine any issue or proposal (other than an appeal under clause 14.

(2) A postal ballot is to be conducted in accordance with Schedule 3 to the Regulation.

## **PART 5 - MISCELLANEOUS**

### **39. Insurance**

The club may effect and maintain insurance.

### **40. Funds – source**

(1) The funds of the club are to be derived from joining 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.

(2) All money received by the club must be deposited as soon as practicable and without deduction to the credit of the club's bank or other authorised deposit-taking institution account.

(3) The club must, as soon as practicable after receiving any money, issue an appropriate receipt.

### **41. Funds – management**

(1) Subject to any resolution passed by the club in general meeting, the funds of the club are to be used in pursuance of the objects of the club in such manner as the committee determines.

(2) All accounts will be paid by cheque or electronic transfer. All cheques must be signed by any two of the authorised signatories.

(3) Signatories will be the treasurer, president, secretary and public officer. The committee may authorise one or more additional committee members as signatories.

(4) All books of accounts for the club are to be subjected to an annual review as to their accuracy. The person doing that review may be a member of the club.



## **42. Change of name, objects and constitution**

- (1) The name, objects or constitution of the club may be altered, rescinded or added to only by a special resolution of the club at the annual general meeting or a special general meeting.
- (2) Notice of the special resolution must be given to members of the club no later than 21 days before the date on which the meeting is held.
- (3) Any proposed amendments to the club's name, objects or constitution are to be in writing, signed by at least 5 financial members and submitted to the committee, to be voted on at the annual general meeting or a special general meeting.
- (4) Any amendment to to club's name, objects or constitution will require a two-thirds majority of those present and voting.
- (5) An application to the Director-General for registration of a change in the club's name, objects or constitution in accordance with section 10 of the Act is to be made by the public officer or a committee member.

## **43. Custody of books etc.**

The treasurer must keep in his or her custody all books and financial records relating to the funds of the club. All other records, books and other documents relating to the club must be kept in the custody of the secretary at the address of the secretary or such other place as the committee shall determine from time to time.

## **44. Inspection of books etc**

- (1) The following documents must be open to inspection, free of charge, by a member of the club at any reasonable hour:
  - (a) records, books and other financial documents of the club,
  - (b) this constitution,
  - (c) minutes of all general meetings of the club.
- (2) A member of the club may obtain a copy of any of the documents referred to in subclause (1) on payment of a fee of not more than \$1 for each page copied.

## **45. Service of notices**

- (1) For the purpose of this constitution, a notice may be served on or given to a person:
  - (a) by delivering it to the person personally, or
  - (b) by sending it by pre-paid post to the address of the person, or
  - (c) by sending it by facsimile transmission or some other form of electronic transmission to an address specified by person for giving or serving the notice.
- (2) For the purpose of this constitution, a notice is taken, unless the contrary is proved, to have been given or served:
  - (a) in the case of a notice given or served personally, on the date on which it is received by the addressee, and
  - (b) in the case of a notice sent by pre-paid post, on the date when it would have been delivered in the ordinary course of post, and

(c) in the case of a notice sent by facsimile transmission or some other form of electronic transmission, on the date it was sent or, if the machine from which the transmission was sent produces a report indicating that the notice was sent on a later date, on that date.

#### **46. Financial year**

The financial year of the club shall be each period of 12 months commencing on 1 January and ending on 31 December.

#### **47. Judges' Panel**

There shall be a judges' panel consisting of three fully qualified and currently accredited judges of the club. The panel shall be responsible for the training and accreditation of new judges.

#### **48. Code of Ethics**

The Code of Ethics of the club is set out at Appendix 2 to this constitution. As part of their application to join the club a person shall sign an agreement to abide by this code.

#### **49. Winding up of the club**

The club shall be wound up if the membership is less than three, or by unanimous decision of all financial members. Any remaining assets of the club after debts and expenses have been settled shall be given to like club/s and/or other animal welfare bodies as agreed by the members.

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Appendix 1. Application for membership

Appendix 2. Code of Ethics