



# CONSTITUTION

September 2005

# Canberra Archery Club Inc – Constitution

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## Part 1 Preliminary

### 1. Definitions

In these rules:

*Note* A definition applies except so far as the contrary intention appears (see *Legislation Act 2001*, s 155).

**financial year** means the year ending on 30 June.

**member** means a member, however described, of the association.

**ordinary committee member** means a member of the committee who is not an office-bearer of the association as referred to in rule 12 (1) (a).

**secretary** means the person holding office under these rules as secretary of the association or, where no such person holds that office, the public officer of the association.

the **Act** means the *Associations Incorporation Act 1991*.

the **regulations** means the *Associations Incorporation Regulations 1991*.

### 2. Application of Legislation Act 2001

The *Legislation Act 2001* applies to these rules in the same way as it would if they were an instrument made under the Act.

### 3. Name of the Association

The association shall be known as the Canberra Archery Club Inc, and any reference to ‘the association’ in these rules is a reference to the Canberra Archery Club Inc.

### 4. Objectives of the association

- (1) provide for the promotion of Archery activities in the region
- (2) provide or contract for the provision of resources and facilities for archery participation in the region
- (3) provide for training, coaching and personal development in the sport of archery.
- (4) promote competition and sportsmanship in archery disciplines consistent with national and international rules and, State, Territory and National legislation.
- (5) affiliate with Archery Australian incorporated, Archery ACT Society Inc and with other organisations, where such an affiliation would be consistent with the association's other objectives.
- (6) do any other such thing as would or is necessary or desirable to the achievement of the association's other objectives

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## Part 2                      Membership

### 5. Categories of membership

The membership of the association consists of:

- (a) ordinary members,
- (b) junior members,
- (c) life members,
- (d) patron members,
- (e) associate members, and
- (f) honorary members.

### 6. Membership eligibility

Membership may be granted to people or organisations for the following categories of membership subject to any eligibility criteria specified.

- (a) General criteria
  - (i). Members must abide by the Constitution, Rules & Policies of the Association, and
  - (ii). Members must be of good character.
- (b) Ordinary members.
  - (i). A person must be a resident of Australia.
  - (ii). Over the age of 18 years of age.
- (c) Junior members
  - (i). A person must be a resident of Australia
  - (ii). A person who is under 18 years of age.
- (d) Associate members.
  - (i). Associate membership is open to those people or organisations who do not qualify for other forms of membership of the association.
- (e) Life members.
  - (i). A person must be a resident of Australia.
  - (ii). Over the age of 18 years of age.
- (f) Patron members
  - (i). A person must be a resident of Australia
  - (ii). Over the age of 18 years of age.

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- (g) Honorary members.
  - (i). The Association may grant honorary membership for a term and on such terms as approved by the Committee to individuals or organisations in recognition of their contribution or potential contribution to the sport of archery.
  - (ii). A person must be a resident of Australia.

## 7. Patron Members

- (1) The Association shall have the power to appoint a Patron of the Association for such period as may be deemed necessary provided that the appointee has demonstrably contributed to the promotion and status of the Association.
- (2) Patron members shall not be eligible to vote unless they are a current member of the Association under another category of membership.
- (3) A patron, if present, at a general meeting shall be invited to chair the general meeting.

## 8. Membership qualifications

A person is qualified to be a member if—

- (a) the person is a person referred to in the Act, section 21 (2) (a) or (b) and has not ceased to be a member of the association at any time after incorporation of the association under the Act;  
or
- (b) the person—
  - (i) has applied or been nominated for membership in accordance with rule 9(1) or 9(3); and
  - (ii) has been approved for membership of the association in accordance with Rule 9.

## 9. Application for new membership

- (1) An application for ordinary, junior or associate membership shall:
  - (a) Be made in writing on the application form approved by the Committee;
  - (b) Be accompanied by the membership fees as prescribed in rule; and
  - (c) Lodged with the Secretary of the association.
- (2) As soon as is practicable after receiving an application for membership, the secretary shall refer the nomination to the committee which shall determine whether to approve or to reject the nomination.
- (3) Where the committee determines to approve an application for membership, the secretary shall, as soon as practicable after that determination:
  - (a) notify the nominee of that approval; and
  - (b) cause the applicant's name to be entered into the register of members
- (4) An applicant's membership commences from the date the committee approves the application for membership or at such later date as determined by the committee.

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- (5) Where the committee rejects an application for membership, the secretary shall, as soon as practicable after that determination:
  - (a) notify the applicant of the committee's decision; and
  - (b) refund the fees accompanying the application.

## 10. Nomination for membership

- (1) A nomination of a person for life, patron or honorary membership of the association:
  - (a) shall be made by a member of the association in writing in the form set out in appendix 1;
  - (b) shall be accompanied by a statement(s) in support of the nomination; and
  - (c) lodged with the secretary of the association.
- (2) As soon as is practicable after receiving a nomination for membership, the secretary shall refer the nomination to the committee which shall determine whether to recommend the acceptance or rejection of the nomination.
- (3) In the case of the committee recommending the acceptance of a nomination for life, patron or honorary, the recommendation shall be submitted to a general meeting of the association for ratification.
- (4) Upon acceptance of a nomination for membership by a general meeting of the association:
  - (a) the nominee shall become a member of the association; and
  - (b) the secretary shall cause the nominee's name to be entered into the register of members.

## 11. Renewal of membership

- (1) An application by an ordinary, junior or associate member to renew their membership of the association:
    - (a) shall be made by lodging a membership renewal form approved by the Committee;
    - (b) shall be accompanied by the membership fees as prescribed in rule; and
    - (c) lodged with the Secretary of the association before 31 July in each calendar year.
  - (2) Where a member does not renew their membership by 31 July in each calendar year, their membership of the association shall cease unless the member has, before that date, applied to the committee for an exemption on the following reasons:
    - (a) The member will be absent from the ACT or near region for that year; or
    - (b) The member is experiencing serious financial difficulties.
  - (3) Where the committee approves an exemption under sub rule (2), the member shall be entitled to renew their membership the following financial year and not pay membership fees for the exempted year. During the exempted year the member shall not be entitled to the rights under rule 12 or to hold office of the association.
  - (4) As soon as practicable after receiving the application for renewal of membership the secretary shall ensure that the member's name is entered into the register of members, unless
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the secretary is of the view that the member is not eligible for membership in which case the application shall be referred to the committee which shall determine whether to approve or reject the application.

- (5) Where an application for renewal or exemption is rejected by the committee the appeal provisions of rules 18 and 19 shall apply mutatis mutandis.

## 12. Membership & Rights

- (1) All classes of members have the same right and privileges with the following exceptions:
  - (a) Only ordinary and life members have voting rights
  - (b) Junior, Associate, and Honorary Members shall have no voting rights
  - (c) Only persons who are over the age of 18 shall be office bearers of the Association.
- (2) Only the voting members are entitled to vote on matters before a general meeting of the Association

## 13. Membership entitlements not transferable

A right, privilege or obligation which a person has by reason of being a member of the association—

- (a) is not capable of being transferred or transmitted to another person; and
- (b) terminates on cessation of the person's membership.

## 14. Cessation of membership

A person ceases to be a member of the association if the person—

- (a) dies or, in the case of a body corporate, is wound up; or
- (b) resigns from membership of the association; or
- (c) is expelled from the association; or
- (d) fails to renew membership of the association.

## 15. Resignation of membership

- (1) A member is not entitled to resign from membership of the association except in accordance with this rule.
- (2) A member who has paid all amounts payable by the member to the association may resign from membership of the association by first giving notice (being not less than 1 month or, if the committee has determined a shorter period, that shorter period) in writing to the secretary of the member's intention to resign and, on the expiration of the period of notice, the member ceases to be a member.
- (3) Where a person ceases to be a member, the secretary shall make an appropriate entry in the register of members recording the date on which the member ceased to be a member.

## 16. Fee, subscriptions etc

- (1) The association's membership fee shall comprise a club membership fee, and affiliation fees to Archery ACT Society Inc and Archery Australia Inc.

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- (2) The club membership fee is the amount decided by the members from time to time at a General meeting of the Association. Changes to this fee require a 2/3 majority of those members present and entitled to vote at a General meeting of the Association.
- (3) The membership fee for ordinary, junior and associate membership:
  - (a) is the association's membership fee as determined under sub rules (1) and (2), except that existing members of Archery ACT Society Inc and or Archery Australia Inc are not required to pay the respective affiliation fees again; and
  - (b) for applications for new membership is payable with their application form or
  - (c) for applications for renewal of membership is payable with their renewal application form and before 31 July in each calendar year.
- (4) The committee shall set shooting fees for all shooting at the club by members and non members. In setting this fee the committee shall also determine the conditions and frequency for payment of shooting fees. The shooting fee requirement is to be promulgated and adhered to by all club members.
- (5) Requests for exemption of shooting fees are to be made in writing to the secretary and shall be subject to approval or rejection by the committee.
- (6) Life, patron and honorary members are exempt from paying the Association's membership and shooting fees.

## 17. Members' liabilities

The liability of a member to contribute towards the payment of the debts and liabilities of the association or the costs, charges and expenses of the winding up of the association is limited to the amount (if any) unpaid by the member in respect of membership of the association as required by rule 16.

## 18. Disciplining of members

- (1) Where the committee is of the opinion that a member—
  - (a) has persistently refused or neglected to comply with a provision of these rules; or
  - (b) has persistently and wilfully acted in a manner prejudicial to the interests of the association;the committee may, by resolution—
  - (c) expel the member from the association; or
  - (d) suspend the member from such rights and privileges of membership of the association as the committee may determine for a specified period.
- (2) A resolution of the committee under subrule (1) is of no effect unless the committee, at a meeting held not earlier than 14 days and not later than 28 days after service on the member of a notice under subrule (3), confirms the resolution in accordance with this rule.
- (3) Where the committee passes a resolution under subrule (1), the secretary shall, as soon as practicable, cause a notice in writing to be served on the member—
  - (a) setting out the resolution of the committee and the grounds on which it is based; and
  - (b) stating that the member may address the committee at a meeting to be held not earlier than 14 days and not later than 28 days after service of the notice; and

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- (c) stating the date, place and time of that meeting; and
- (d) informing the member that the member may do either or both of the following:
  - (i) attend and speak at that meeting;
  - (ii) submit to the committee at or prior to the date of that meeting written representations relating to the resolution.
- (4) Subject to section 50 of the Act, at a meeting of the committee mentioned in subrule (2), the committee shall—
  - (a) give to the member mentioned in subrule (1) an opportunity to make oral representations; and
  - (b) give due consideration to any written representations submitted to the committee by that member at or prior to the meeting; and
  - (c) by resolution determine whether to confirm or to revoke the resolution of the committee made under subrule (1).
- (5) Where the committee confirms a resolution under subrule (4), the secretary shall, within 7 days after that confirmation, by notice in writing inform the member of that confirmation and of the member's right of appeal under rule 19.
- (6) A resolution confirmed by the committee under subrule (4) does not take effect—
  - (a) until the expiration of the period within which the member is entitled to appeal against the resolution where the member does not exercise the right of appeal within that period; or
  - (b) where within that period the member exercises the right of appeal, unless and until the association confirms the resolution in accordance with rule 19 (4).

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

- (1) A member may appeal to the association in general meeting against a resolution of the committee which is confirmed under rule 18(4), within 7 days after notice of the resolution is served on the member, by lodging with the secretary a notice to that effect.
- (2) On receipt of a notice under subrule (1), the secretary shall notify the committee which shall convene a general meeting of the association to be held within 21 days after the date on which the secretary received the notice or as soon as possible after that date.
- (3) Subject to the Act, section 50, at a general meeting of the association convened under subrule (2)—
  - (a) no business other than the question of the appeal shall be transacted; and
  - (b) the committee and the member shall be given the opportunity to make representations in relation to the appeal orally or in writing, or both; and
  - (c) the members present shall vote by secret ballot on the question of whether the resolution made under rule 18 (4) should be confirmed or revoked.
- (4) If the meeting passes a special resolution in favour of the confirmation of the resolution made under rule 18 (4), that resolution is confirmed.

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## Part 3 Committee

### 20. Powers of committee

- (1) The committee, subject to the Act, the regulations, these rules, and to any resolution passed by the association in general meeting—
  - (a) shall control and manage the affairs of the association; and
  - (b) may exercise all such functions as may be exercised by the association other than those functions that are required by these rules to be exercised by the association in general meeting; 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 association.
- (2) The office-bearers of the association shall:
  - (a) Manage the day to day affairs of the association;
  - (b) Approve expenditure of the association’s funds subject to limits and conditions approved by the committee; and
  - (c) Meet as it sees fit to plan and manage the affairs of the association.

### 21. Constitution and membership

- (1) The committee shall consist of—
  - (a) the office-bearers of the association, “The Executive”; and
  - (b) 6 ordinary committee members;each of whom shall be elected under rule 19 or appointed in accordance with subrule (4).
- (2) The office-bearers of the association shall be:
  - (a) the president;
  - (b) the vice-president;
  - (c) the treasurer; and
  - (d) the secretary.
- (3) The ordinary members of the association shall be:
  - (a) Recorder;
  - (b) Equipment Officer;
  - (c) Publicity Officer;
  - (d) Field Course Officer;
  - (e) Target Range Officer; and
  - (f) Beginners Coordinator

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- (3) Each member of the committee shall, subject to these rules, hold office until the conclusion of the annual general meeting following the date of the member's election, but is eligible for re-election.
- (4) In the event of a vacancy in the membership of the committee, the committee may appoint a member of the association to fill the vacancy and the member so appointed shall hold office, subject to these rules, until the conclusion of the annual general meeting next following the date of the appointment.

## **22. Election of committee members**

- (1) Nominations of candidates for election as office-bearers of the association or as ordinary committee members—
  - (a) shall be made in writing, signed by 2 members of the association and accompanied by the written consent of the candidate (which may be endorsed on the nomination form); and
  - (b) shall be delivered to the secretary of the association not less than 14 days before the date fixed for the annual general meeting at which the election is to take place.
- (2) At the close of nominations, the secretary shall promptly publish a list of nominations at the club.
- (3) If only a single nomination is received to fill a vacancy on the committee, the candidate nominated shall be deemed to be elected.
- (4) If no nominations are received, for any vacant position, nominations may be received at the annual general meeting.
- (5) If any committee positions remain vacant at the close of an annual general meeting the Committee may fill this vacancy in accordance with sub rule 21(4).
- (6) If two or more nominations are received for a vacancy, a ballot shall be held.
- (7) The ballot for the election of office-bearers and ordinary committee members shall be conducted at the annual general meeting by secret ballot.
- (8) A person is not eligible to simultaneously hold more than 1 position on the committee.
- (9) A person is not eligible to hold or continue to hold a position on the committee unless they have paid the annual membership fees as provided for in rule 16.

## **23. President**

- (1) The President is the most Senior Officer of the Association.
- (2) The President shall:
  - (a) Represent the Association on formal occasions and be the public spokesperson, as may be required.
  - (b) Be chairman of Committee and general meetings.
  - (c) Actively engage in the management of all the affairs of the Association as required by virtue of the office.
  - (d) By virtue of the office, oversee the duties and operations of Officers and Committees by providing support, guidance and direction, as may be required.

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- (e) Provide written reports as required.

## 24. Vice President

- (1) The Vice President is the second most senior Officers of the Association.
- (2) The Vice President shall:
  - (a) Assist the President in the performance of his/her duties as required.
  - (b) Carry out the functions of the President in his/her absence, or under delegation by the President or the Executive Officers.
  - (c) Be chairman of meetings of the Association in the absence of the President, or as may be determined by circumstances from time to time.
  - (d) Be responsible for the promotion, sponsorship and marketing for the Association.
  - (e) Provide written reports as required.

## 25. Secretary

- (1) The secretary of the association shall, as soon as practicable after being appointed as secretary, notify the association of his or her address.
- (2) The secretary shall keep minutes of—
  - (a) all elections and appointments of office-bearers and ordinary committee members; 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 shall be signed by the person presiding at the meeting or by the person presiding at the next succeeding meeting.
- (4) Attend to all correspondence.
- (5) Carry out other such duties as the Committee directs.

## 26. Treasurer

- (1) The treasurer of the association shall—
  - (a) collect and receive all moneys due to the association and make all payments authorised by the association;
  - (b) keep correct accounts and books showing the financial affairs of the association with full details of all receipts and expenditure connected with the activities of the association;
  - (c) report to each meeting of the committee a summary of the association's financial affairs and present claims for payment for the approval of the committee.
  - (d) ensure that an annual audit of the associations financial affairs are conducted in accordance with the Act and presented to the association's annual general meeting; and
  - (e) Carry out other such duties as the Committee directs.

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## **27. Recorder**

- (1) The Recorder of the association shall
  - (a) Maintain performance records of members
  - (b) Process claims for performance awards
  - (c) Maintain stocks of badges and certificates
  - (d) Keep records of competitions
  - (e) carry out such other duties as the Committee directs.

## **28. Equipment Officer**

- (1) The Equipment Officer of the association shall
  - (a) In liaison with the Treasurer, maintain records of all Association equipment
  - (b) Advise the Committee on current Association equipment holdings and their state of repair, and make recommendations for new and/or replacement equipment;
  - (c) Coordinate the maintenance of the Association's equipment
  - (d) carry out a 100% stocktake of Association equipment twice yearly. and
  - (e) carry out such other duties as the Committee directs.

## **29. Publicity Officer**

- (1) The Publicity Officer of the association shall
  - (a) Liaise with the media to raise the Association's profile in the community.
  - (b) Carry out such other duties as the Committee directs.

## **30. Field Course Office**

- (1) The field course coordinator shall—
  - (a) be responsible for coordinating the management of the Association's field course
  - (b) Provide written reports as required.
  - (c) Carry out other such duties as the Committee directs.

## **31. Target Range Officer**

- (1) The target range officer shall—
  - (a) Be responsible for coordinating the maintenance of the venue
  - (b) Developing guidelines for the safe use of the venue
  - (c) Provide written reports as required.
  - (d) Carry out other such duties as the Committee directs.

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## **32. Coaching Coordinator**

- (1) The coaching coordinator shall—
  - (a) Coordinate the training of beginner archers
  - (b) Coordinate other club coaching requirements as necessary for example, coaching of specific groups and individuals
  - (c) Maintain a register of all current Archery Australia Inc recognised coaches
  - (d) Provide written reports as required.
  - (e) Carry out other such duties as the Committee directs.

## **33. Committee Vacancies**

- (1) For these rules, a 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 association; or
  - (c) resigns the office; or
  - (d) is removed from office under rule 32; or
  - (e) becomes an insolvent under administration within the meaning of the Corporations Act; or
  - (f) suffers from mental or physical incapacity; or
  - (g) is disqualified from office under the Act, section 63 (1); or
  - (h) is absent without the consent of the committee from all meetings of the committee held during a period of 3 months.
- (2) Vacancies of the committee shall be filled according to subrule 21(4).

## **34. Removal of committee members**

The association in general meeting may by resolution, subject to section 50 of the Act, remove any member of the committee from the office of member of the committee before the expiration of the member's term of office.

## **35. Committee meetings and quorum**

- (1) The committee shall meet at least 4 times in each calendar year at such place and time as the committee may determine.
- (2) Additional meetings of the committee may be convened by any office bearer of the committee.
- (3) Oral or written notice of a meeting of the committee shall be given by the secretary to each member of the committee and sub committees at least 7 days (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.

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- (4) Notice of a meeting given under subrule (3) shall specify the general nature of the business to be transacted at the meeting and no business other than that business shall be transacted at the meeting, except business which the committee members present at the meeting unanimously agree to treat as urgent business.
- (5) A quorum for committee meetings shall consist of 2 executive members and 4 other members of the committee.
- (6) No business shall be transacted by the committee unless a quorum is present and, if within half an hour after the time appointed for the meeting a quorum is not present, the meeting stands adjourned to the same place and at the same hour of the same day in the following week. The secretary shall advise all members of the committee of the adjourned meeting details.
- (7) If at the adjourned meeting a quorum is not present within half an hour after the time appointed for the meeting, the meeting shall be dissolved.
- (8) At meetings of the committee—
  - (a) the president or, in the absence of the president, the vice-president shall preside; or
  - (b) if the president and the vice-president are absent—1 of the remaining members of the executive may be chosen by the committee members present to preside, otherwise an ordinary committee member may be chosen to preside.
- (9) At each meeting of the committee, the secretary shall keep minutes of all proceedings of the meeting. In the absence of the secretary, the committee shall designate a member of the club to take minutes of the proceedings of the meeting which shall be forwarded to the secretary as soon as practicable.

### **36. Delegation by committee to subcommittee**

- (1) The committee may, by instrument in writing, delegate to 1 or more subcommittees (consisting of such member or members of the association 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 function imposed on the committee by the Act, by any other Territory law, or by resolution of the association in general meeting.
- (2) A function, the exercise of which has been delegated to a subcommittee under this rule may, while the delegation remains unrevoked, be exercised from time to time by the subcommittee in accordance with the terms of the delegation.
- (3) A delegation under this rule 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) Notwithstanding any delegation under this rule, the committee may continue to exercise any function delegated.
- (5) Any act or thing done or suffered by a subcommittee acting in the exercise of a delegation under this rule has the same force and effect as it would have if it had been done or suffered by the committee.

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- (6) The committee may, by instrument in writing, revoke wholly or in part any delegation under this rule.
- (7) Subcommittees shall report to each meeting of the committee and at least one member of the subcommittee shall attend each committee meeting.
- (7) A subcommittee may meet and adjourn as it thinks proper.
- (8) Office bearers of the Association are ex-officio members of all sub-committees.

## **37. Voting and decisions**

- (1) Questions arising at a meeting of the committee or of any subcommittee appointed by the committee shall be determined by a majority of the votes of members of the committee or subcommittee present at the meeting.
- (2) Each member present at a meeting of the committee or of any subcommittee appointed by the committee (including the person presiding at the meeting) is entitled to 1 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 rule 33 (5), the committee may act notwithstanding 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 subcommittee appointed by the committee, is valid and effectual notwithstanding any defect that may afterwards be discovered in the appointment or qualification of any member of the committee or subcommittee.

## **Part 4 General meetings**

### **38. Annual general meetings—holding of**

- (1) With the exception of the first annual general meeting of the association, the association shall, at least once in each calendar year and within the period of 5 months after the expiration of each financial year of the association, convene an annual general meeting of its members.
- (2) The association shall hold its first annual general meeting—
  - (a) within the period of 18 months after its incorporation under the Act; and
  - (b) within the period of 5 months after the expiration of the first financial year of the association.
- (3) Subrules (1) and (2) have effect subject to the powers of the registrar-general under the Act, section 120 in relation to extensions of time.

### **39. Annual general meetings—calling of and business at**

- (1) The annual general meeting of the association shall, subject to the Act, 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 shall be—

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- (a) to confirm the minutes of the last preceding annual general meeting and of any general meeting held since that meeting; and
  - (b) to receive from the committee reports on the activities of the association during the last preceding financial year; and
  - (c) to elect members of the committee, including office-bearers; and
  - (d) to receive and consider the statement of accounts and the reports that are required to be submitted to members under the Act, section 73 (1).
- (3) An annual general meeting shall be specified as such in the notice convening it in accordance with rule 39.
- (4) An annual general meeting shall be conducted in accordance with the provisions of this part.

## **40. General meetings—calling of**

- (1) The committee may, whenever it thinks fit, convene a general meeting of the association.
- (2) The committee shall, on the requisition in writing of not less than 5% of the total number of members, convene a general meeting of the association.
- (3) A requisition of members for a general meeting—
  - (a) shall state the purpose or purposes of the meeting; and
  - (b) shall be signed by the members making the requisition; and
  - (c) shall be lodged with the secretary; and
  - (d) may consist of several documents in a similar form, each signed by 1 or more of the members making the requisition.
- (4) If the committee fails to convene a general meeting within 1 month after the date on which a requisition of members for the meeting is lodged with the secretary, any 1 or more of the members who made the requisition may convene a general meeting to be held not later than 3 months after that date.
- (5) A general meeting convened by a member or members referred to in subrule (4) shall be convened as nearly as is practicable in the same manner as general meetings are convened by the committee and any member who thereby incurs expense is entitled to be reimbursed by the association for any reasonable expense so incurred.

## **41. Notice**

- (1) Except where the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the association, the secretary shall, at least 28 days before the date fixed for the holding of the general meeting, cause to be sent by prepaid post to each member at the member's address appearing in the register of members, a notice specifying the place, date and time of the meeting and the nature of the business proposed to be transacted at the meeting.
- (2) Where the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the association, the secretary shall, at least 28 days before the date fixed for the holding of the general meeting, cause notice to be sent to each member in the manner provided in subrule (1) specifying, in addition to the matter required under that subrule, the intention to propose the resolution as a special resolution.

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- (3) No business other than that specified in the notice convening a general meeting shall be transacted at the meeting except, in the case of an annual general meeting, business which may be transacted under rule 37(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 shall include that business in the next notice calling a general meeting given after receipt of the notice from the member.

## **42. General meetings—procedure and quorum**

- (1) No item of business shall be transacted at a general meeting unless a quorum of members entitled under these rules to vote is present during the time the meeting is considering that item.
- (2) Twenty five percent of voting members present in person (being members entitled under these rules to vote at a general meeting) constitute a quorum for the transaction of the business of a general meeting.
- (3) If within 30 minutes after the appointed time for the commencement of a general meeting a quorum is not present, the meeting if convened on the requisition of members shall be dissolved and in any other case shall stand adjourned to the same day in the following week at the same time and (unless another place is specified at the time of 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 30 minutes after the time appointed for the commencement of the meeting, the members present (being not less than 20 per cent of the voting members) shall constitute a quorum.

## **43. Presiding member**

- (1) Except as provided by subrule 7(3):
  - (a) The president, or in the absence of the president, the vice-president, shall preside at each general meeting of the association,
  - (b) If the president and the vice-president are absent from a general meeting, the members present shall elect 1 of their number to preside at the meeting.

## **44. Adjournment**

- (1) The person presiding at 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 shall be transacted at an adjourned meeting other than the business left unfinished at the meeting at which the adjournment took place.
- (2) Where a general meeting is adjourned for 14 days or more, the secretary shall give written or oral notice of the adjourned meeting to each member of the association 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 subrules (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.

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## 45. Making of decisions

- (1) A question arising at a general meeting of the association shall be determined on a show of hands and, unless before or on the declaration of the show of hands a poll is demanded, a declaration by the person presiding 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 association, is evidence of the fact without proof of the number or proportion of the votes recorded in favour of or against that resolution.
- (2) At a general meeting of the association, a poll may be demanded by the person presiding or by not less than 3 members present in person or by proxy at the meeting.
- (3) Where the poll is demanded at a general meeting, the poll shall be taken—
  - (a) immediately in the case of a poll which relates to the election of the person to preside at the meeting or to the question of an adjournment; or
  - (b) in any other case, in such manner and at such time before the close of the meeting as the person presiding directs, and the resolution of the poll on the matter shall be deemed to be the resolution of the meeting on that matter.

## 46. Voting

- (1) Subject to subrule (3), on any question arising at a general meeting of the association a member has 1 vote only.
- (2) All votes shall be given personally or by proxy but no member may hold more than one proxy.
- (3) In the case of an equality of votes on a question at a general meeting, the person presiding is entitled to exercise a second or casting vote.
- (4) A member or proxy is not entitled to vote at any general meeting of the association unless all money due and payable by the member or proxy to the association has been paid.

## 47. Appointment of proxies

- (1) Each member shall be entitled to appoint another member as proxy by notice given to the secretary no later than 24 hours before the time of the meeting in respect of which the proxy is appointed.
- (2) The notice appointing the proxy shall be in the form set out in appendix 2.

## Part 5 Miscellaneous

### 48. Funds—source

- (1) The funds of the association shall be derived from general sales, shooting fees, tournament entrance fees, coaching fees and annual subscriptions of members, donations and, subject to any resolution passed by the association in general meeting and subject to the Act, section 114, such other sources as the committee determines.
- (2) All money received by the association shall be deposited as soon as practicable and without deduction to the credit of the association's bank account.

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- (3) The association shall, as soon as practicable after receiving any money, issue an appropriate receipt.

## **49. Funds—management**

- (1) Subject to any resolution passed by the association in general meeting, the funds of the association shall be used for the objects of the association in such manner as the committee determines.
- (2) All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments shall be signed by any 2 members of the executive or employees of the association, being members of the committee or employees authorised to do so by the committee.

## **50. Alteration of objects and rules**

Neither the objects of the association referred to in the Act, section 29 nor these rules shall be altered except in accordance with the Act.

## **51. Common seal**

- (1) The common seal of the association shall be kept in the custody of the secretary.
- (2) The common seal shall not be affixed to any instrument except by the authority of the committee and the affixing of the common seal shall be attested by the signatures either of 2 members of the committee or of 1 member of the committee and of the secretary.

## **52. Custody of books**

Subject to the Act, the regulations and these rules, the secretary shall keep in his or her custody or under his or her control all records, books, and other documents relating to the association.

## **53. Inspection of books**

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

## **54. Service of notice**

- (1) For these rules, a notice may be served by or on behalf of the association on any member either personally or by sending it by post to the member at the member's address shown in the register of members.
- (2) Where a document is sent to a person by properly addressing, prepaying and posting to the person a letter containing the document, the document shall, unless the contrary is proved, be deemed for these rules to have been served on the person at the time at which the letter would have been delivered in the ordinary course of post.

## **55. Surplus property**

- (1) At the first general meeting of the association, the association shall pass a special resolution nominating—
  - (a) another association for the Act, section 92 (1) (a); or

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(b) a fund, authority or institution for the Act, section 92 (1) (b);

in which it is to vest its surplus property in the event of the dissolution or winding up of the association.

- (2) An association nominated under subrule (1) (a) must fulfil the requirements specified in the Act, section 92 (2).

### **56. By-laws, policies and procedures**

- (1) The Committee may make, amend or repeal by-laws, not inconsistent with these rules, for the internal management of the association.
- (2) A by-law may be set aside by a vote of members at a general meeting of the association.

### **57. Savings provisions**

- (1) Any decision, action or resolution taken by the association prior to the commencement of this constitution shall be taken to be a decision, action or resolution under this constitution.
- (2) Any member of the association immediately prior to the commencement of this constitution shall be taken to be a member of the association under this constitution.

# Appendix 1

(see rule 10(1))

## **Nomination for membership of association**

Canberra Archery Club Incorporated (incorporated under the *Associations Incorporation Act 1991*)

I, .....  
(*full name of applicant*)

of .....  
(*address*)

..... hereby apply to become  
(*occupation*)

a member of the abovenamed incorporated association. In the event of my admission as a member, I agree to be bound by the rules of the association for the time being in force.

.....  
(*Signature of applicant*)

Date .....

I, .....  
(*full name*)

a member of the association, nominate the applicant, for the membership of the association.

.....  
(*Signature of proposer*)

Date .....

I, .....  
(*full name*)

a member of the association, second the nomination of the applicant, for membership of the association.

.....  
(*Signature of seconder*)

Date .....

## Appendix 2

(see rule 47(2))

### Form of appointment of proxy

I, .....

(full name)

of .....

(address)

being a member of the Canberra Archery Club Inc

hereby

appoint .....

(full name of proxy)

of .....

(address)

being a member of that incorporated association, as my proxy to vote for me on my behalf at the general meeting of the association (annual general meeting or other general meeting, as the case may be) to be held on ..... and at any adjournment of that meeting.

\*My proxy is authorised to vote in favour of/against (delete as appropriate) the resolution (insert details).

.....

(Signature of member

appointing proxy)

(\*To be inserted if desired.)

Date .....

Note A proxy vote may not be given to a person who is not a member of the association.