

CONSTITUTION

AND

RULES

OF

THE DAHLIA SOCIETY
OF NSW & ACT INCORPORATED

Amended September 2000

**CONSTITUTION AND RULES
OF
THE DAHLIA SOCIETY OF NSW & ACT INCORPORATED**

INCORPORATED - August 1991 NO. A 01901

1. NAME

The name of the Incorporated Society is The Dahlia Society of NSW & ACT Incorporated referred to herein as the 'Society'.

- 1.1** The Society was founded in May 1976 and known as The Dahlia Growers Association of NSW & ACT. The name was amended to The Dahlia Society of NSW (1978) ; to The Dahlia Society of NSW & ACT (1979) and then to The Dahlia Society of NSW & ACT Inc. (August 1991)

2. INTERPRETATION

- 2.1** In these rules, unless the contrary intention appears:-

'committee' means the Committee of management of the Society;

'financial year' means the year ending on 30 June;

'meeting' means a general meeting of members of the Society;

'member' means a member, however described, of the Society;

'executive officer' means a financial member who has been duly elected to be an office bearer of the Society as referred to in sub-rule 15.2;

'ordinary committee member' means a member of the committee who is not an office-bearer of the Society as referred to in sub-rule 15.2 ;

'the Act' means the Associations Incorporation Act 1991;

'the Regulations' means the Associations Incorporation Regulations.

- 2.2** The Society is a not for profit organization and shall not discriminate on the bases of race, creed, gender or political persuasion.

- 2.3** The provisions of the Interpretation Act 1967 apply to and in respect of these rules in the same manner as those provisions would so apply if these rules were an instrument made under the Act.

- 2.4** Items and issues not covered specifically in this constitution are subject to the guidelines of the Model Rules for Associations (ACT Registrar-General).

3. OBJECTS

- 3.1** The objects of the Society are:-

- (a) To arouse, foster and maintain the interests of its members and the public concerning Dahlias of all types and cultivars.
- (b) To exchange ideas and information with kindred organizations.
- (c) To formulate Rules, Regulations, By-Laws, Standards and generally deal with like matters in the interests of Dahlia Culture.
- (d) To hold periodical public meetings, lectures, demonstrations and exhibitions.
- (e) To award by provision of a prize to a person or group judged by the Society to be worthy of such an award.

4. MEMBERSHIP

- 4.1** The membership of the Society shall consist of --

- (a) Full Membership.
- (b) Affiliated Body Membership.
- (c) Honorary Membership.
- (d) Honorary Life Membership.

5. MEMBERSHIP QUALIFICATIONS

5.1 FULL MEMBERSHIP

A person is qualified to be a full member if –
the person –

- (i) has agreed to conform to the rules of the Society;
- (ii) has been nominated for membership in accordance with sub-rule (6.1); and
- (iii) has been approved for membership of the Society by the members of the Society.
- (iv) has paid the annual subscription, as provided in sub-rules 10.1 and 10.2.

5.2 AFFILIATED BODY MEMBERSHIP

Affiliated membership of the Society shall be open to any Horticultural Society or Kindred Body if --

- (a) the Horticultural Society or Kindred Body -
 - (i) has been nominated for membership in accordance with sub-rule (6.1); and
 - (ii) has been approved for membership of the Society by the members of the Society.
 - (iii) has paid the annual subscription, as provided in sub-rules 10.1 and 10.2.
- (b) The Horticultural Society or Kindred Body may appoint one delegate to represent that Horticultural Society or Kindred Body to the Society.

5.3 HONORARY MEMBERSHIP

The Society shall have the power, by simple majority, to appoint Honorary Members at their discretion, and shall have the power to withdraw this privilege at any time.

5.4 HONORARY LIFE MEMBERSHIP

Any person in good standing who has rendered the Society meritorious service may be granted Honorary Life Membership by a three quarters of the voting members present at an Annual General Meeting.

6. NOMINATION FOR MEMBERSHIP

6.1 A nomination of a person for membership of the Society -

- (a) shall be made by a member of the Society in writing in the form set out in Appendix 1 to these rules; and
- (b) shall be lodged with the Secretary of the Society.

6.2 As soon as practicable after receiving a nomination for membership, the Secretary shall refer the nomination to the committee which shall determine whether to approve or reject the nomination.

6.3 Where the committee determines to approve a nomination for membership, the Secretary shall as soon as practicable after determination notify the nominee of that approval and request the nominee to pay within 28 days after receipt of the notification the sum payable under these rules by a member as entrance fee and the first year's annual subscription.

6.4 The Secretary shall, on payment by the nominee of the amounts referred to in sub-rule (6.3) within the period referred to in that sub-rule, enter the nominee's name in the register of members and, upon the name so entered, the nominee shall become a member of the Society.

7. MEMBERSHIP ENTITLEMENTS NOT TRANSFERABLE

7.1 A right, privilege or obligation which a person has by reason of being a member of the Society --

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

8. CESSATION OF MEMBERSHIP

8.1 A person ceases to be a member of the Society if the person --

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

9. RESIGNATION OF MEMBERSHIP

9.1 A member is not entitled to resign from membership of the Society except in accordance with this rule.

9.2 A member who has paid all amounts payable by the member to the Society may resign from membership of the Society 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, upon the expiration of the period of notice, the member ceases to be a member.

9.3 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.

10. FEE, SUBSCRIPTIONS ETC.

10.1 The annual subscription, for each class of membership shall be such sum as determined from time to time by the Annual General Meeting.

10.2 The annual subscription is payable --

- (a) except as provided by paragraph (b), on 1 July in each calendar year; or
- (b) where a person becomes a member on or after 1 February in any calendar year, before

1 July in each succeeding calendar year;
and shall entitle the payer(s) to membership of the Society up to the thirtieth day of June in the year following payment of such subscription.

- 10.3** Any member whose subscription fee is outstanding for more than five calendar months after the due date for payment shall be deemed unfinancial and debarred from the privileges of membership, and shall not be entitled to receive any publications or notices after the first day of December of that membership year. Such member may be reinstated to such privileges upon payment of the arrears.
- 10.4** A Non-financial member shall not be entitled to a vote at any meeting.

11. MEMBERS' LIABILITIES

- 11.1** The liability of a member to contribute towards payment of the debts and liabilities of the Society or the costs, charges and expenses of the winding up of the Society is limited to the amount, if any, unpaid by the member in respect of membership of the Society as required by rule 10.

12 DISCIPLINING OF MEMBERS

- 12.1** 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 Society, the committee may, by resolution—
 - (c) expel the member from the Society; or
 - (d) suspend the member from such rights and privileges of membership of the Society as the committee may determine for a specified period.
- 12.2** A resolution of the committee under sub-rule (12.1) 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 sub-rule (12.3), confirms the resolution in accordance with this rule.
- 12.3** Where the committee passes a resolution under sub-rule (12.1), 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;
 - (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;
 - (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.
- 12.4** Subject to section 50 of the Act, at a meeting of the committee mentioned in sub-rule (12.2), the committee shall –
- (a) give to the member mentioned in sub-rule (12.1) an opportunity to make oral representations;
 - (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 sub rule (12.1).
- 12.5** Where the committee confirms a resolution under sub-rule (12.4), 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 (13).
- 12.6** A resolution confirmed by the committee under sub-rule (12.4) 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 Society confirms the resolution in accordance with sub-rule (12.4).
- #### **13 RIGHT OF APPEAL OF DISCIPLINED MEMBER**
- 13.1** A member may appeal to the Society in general meeting against a resolution of the committee which is confirmed under sub-rule (12.4), within 7 days after notice of the resolution is served on the member, by lodging with the secretary a notice to that effect.
- 13.2** Upon receipt of a notice under sub-rule (13.1), 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.
- 13.3** Subject to section 50 of the Act, at a general meeting of the Society convened under sub-rule (13.2)
- (a) no business other than the question of the appeal shall be transacted;

- (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 sub-rule (12.4) should be confirmed or revoked.

13.4 If the meeting passes a special resolution in favour of the confirmation of the resolution made under sub-rule (12.4), that resolution is confirmed.

14 THE COMMITTEE

14.1 POWERS OF THE COMMITTEE

The committee, subject to the Act, the Regulations, these rules, and to any resolution passed by the Society in general meeting-

- (a) shall manage and control the affairs of the Society;
- (b) may exercise all such functions as may be exercised by the Society other than those functions that are required by these rules to be exercised by the Society 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.

15 CONSTITUTION AND MEMBERSHIP OF THE COMMITTEE

15.1 The committee shall consist of---

- (a) the office-bearers of the Society; and
- (b) 3 ordinary committee members;

each of whom shall be elected pursuant to rule (16) or appointed in accordance with sub-rule (15.4)

15.2 The office-bearers of the Society shall be---

- (a) the president;
- (b) the vice-president;
- (c) the treasurer; and
- (d) the secretary.

15.3 Each member of the committee shall, subject to the 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, provided that the President shall not hold office for more than three consecutive years, and the Secretary and Treasurer shall not hold office for more than five consecutive years.

15.4 In the event of a vacancy in the membership of the committee, the vacancy shall be filled at the next General Meeting of the Society following the date on which such vacancy occurred 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.

16 ELECTION OF OFFICE-BEARERS AND COMMITTEE MEMBERS

16.1 Nominations of candidates for election as office-bearers of the Society or as ordinary committee members—

- (a) shall be made in writing, in the form as set out in Appendix 2 of these rules; and
- (b) be 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
- (c) shall be delivered to the secretary of the association not less than 7 days before the date fixed for the annual general meeting at which the election is to take place.

16.2 If insufficient nominations are received to fill all vacancies on the committee, the candidates nominated shall be deemed to be elected and further nominations shall be received at the annual general meeting.

16.3 If insufficient further nominations are received, any vacant positions remaining on the committee shall be deemed to be vacancies.

16.4 If the number of nominations received is equal to the number of vacancies to be filled, the persons nominated shall be taken to be elected.

16.5 If the number of nominations received exceeds the number of vacancies to be filled, a ballot shall be held.

16.6 The ballot for the election of office-bearers and ordinary committee members shall be conducted at the annual general meeting in such a manner as the committee may direct.

16.7 Any person is not eligible to simultaneously hold more than 1 position of office on the committee.

17 PRESIDENT

17.1 The President shall be the Chief Executive Officer of the Society with the power to convene General and Special Meetings of the Society and Committee.

17.2 The president shall be responsible for:-

- (a) conduct of all meetings;
- (b) supervision of discussions;
- (c) preservation of order so that business may be conducted in due form and with propriety;

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- (d) signing of the minutes, upon confirmation; and
- (e) preparation of a report on the immediate past year's activities for presentation to the Annual General Meeting.

18. SECRETARY

- 18.1** It is the duty of the Secretary to ensure that records and minutes are kept of-
- (a) all elections and appointments of office-bearers and ordinary committee members;
 - (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.
- 18.2** Subject to supervision by the President, the Secretary shall deal with all correspondence directed to, or to be answered by the Society.
- 18.3** The Secretary shall keep a register of the names of all members of the Society which shall be open for inspection, free of charge, by a member of the Society at any reasonable hour.
- 18.4** 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.
- 18.5** As soon as practicable the Secretary shall carry out all the business arising out of the proceedings of the Society meetings.
- 18.6** The Secretary is to be responsible for the custody of:-
- (a) the Minute books of the Society; and
 - (b) any other documents of the Society other than those referred to in rule 19.

19. TREASURER

- 19.1** The Treasurer of the Society shall-
- (a) collect and receive all moneys due to the Society, deposit same in the bank or building society approved by the Society and make all payments authorised by the Society; and
 - (b) keep correct records of accounts showing the financial affairs of the Society, including full details of all receipts and expenditure connected with the activities of the Society;
 - (c) furnish statements of income and expenditure and a Balance Sheet audited for the year ending 30 June.

20. PUBLIC OFFICER

- 20.1** The Public Officer shall-
- (a) meet the requirements of the Associations Incorporation Act 1991.
 - (b) keep a register of the names of all members of the Society which shall be open for inspection, free of charge, by a member of the Society at any reasonable hour.
 - (c) lodge with the ACT Registrar-General or other such Government body that may from time to time be appointed by the Government for this function the relevant documents as required.
- 20.2** In the event of a vacancy in the office of Public Officer the Executive Officers shall within 14 days of such vacancy appoint another Public Officer.

21. VACANCIES

- 21.1** For the purposes of these rules, a vacancy in the office of a member of the committee occurs if the member-
- (a) dies;
 - (b) ceases to be a member of the Society;
 - (c) resigns the office;
 - (d) is removed from office pursuant to rule (22);
 - (e) becomes insolvent under administration within the meaning of the Corporations Law;
 - (f) suffers from mental or physical incapacity;
 - (g) is disqualified from office under subsection 63 (1) of the Act; or
 - (h) is absent without consent of the committee from all meetings of the committee held during a period of 6 months.

22. REMOVAL OF COMMITTEE MEMBERS

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

23. COMMITTEE MEMBERS AND QUORUM

- 23.1** The committee shall meet at least 3 times in each period of twelve months at such place and time as the committee may determine.
- 23.2** Additional meetings of the committee may be convened by the President and Secretary on the request of any two members of the committee.

- 23.3** Oral or written notice of a meeting of the committee shall be given by the secretary to each member of the committee at least 48 hours (or such other period as majority shall agree) before the time appointed for the holding of the meeting.
- 23.4** Notice of meeting given under sub-rule (23.3) 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.
- 23.5** Any 4 members of the committee constitute a quorum for the transaction of the business of a meeting of the committee.
- 23.6** 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.
- 23.7** If at the adjourned meeting a quorum is not present within half an hour after the appointed time for the meeting, the meeting shall be dissolved.
- 23.8** 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 committee may be chosen by the members present to preside.
- 24 DELEGATION BY COMMITTEE TO SUB-COMMITTEE**
- 24.1** The committee may delegate to 1 or more sub-committees (consisting of such members of the Society as the committee sees fit) the exercise of such functions of the committee other than—
- (a) this power of delegation; and
 - (b) a function which is a duty imposed on the committee by the Act and any subsequent amendments, by any other law of the Territory, or by resolution of the Society in general meeting.
- 24.2** Notwithstanding any delegation under this rule, the committee may continue to exercise any function delegated.
- 24.3** A sub-committee may meet and adjourn as it thinks fit but shall keep the President and committee informed as to the progress of its deliberations, and no action shall be taken by a sub-committee without the approval of the committee.
- 24.4** The committee may revoke wholly or in part any delegation under this rule.
- 24.5** A sub-committee may meet and adjourn as it thinks proper.
- 25 COMMITTEE – VOTING AND DECISIONS**
- 25.1** Questions arising at a meeting of the committee or of any sub-committee appointed by the committee shall be determined by a majority of the votes of members of the committee or sub-committee present at the meeting.
- 25.2** 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 1 vote but, in the event of an equality of votes on any question, the person presiding may exercise a second or casting vote.
- 25.3** Subject to sub-rule (23.5), the committee may act notwithstanding any vacancy on the committee.
- 25.4** 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 notwithstanding any defect that may afterwards be discovered in the appointment or qualification of any member of the committee or sub-committee.
- 26 ANNUAL GENERAL MEETINGS – HOLDING OF**
- 26.1** The committee shall convene an Annual General Meeting of the Society before the 1 October each year.
- 26.2** Sub-rule (26.1) has effect subject to the powers of the Registrar-General under section 120 of the Act in relation to extensions of time.
- 27 ANNUAL GENERAL MEETINGS – CALLING OF AND BUSINESS AT**
- 27.1** The Annual general Meeting of the Society shall, subject to the Act, be convened on such date and at such place and time as the committee thinks fit.
- 27.2** In addition to any other business which may be transacted at an Annual General Meeting, the business of an Annual General Meeting shall be—
- (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 elected and/or appointed members reports on the activities of the Society during the preceding financial year;
 - (c) to elect members of the committee, including office-bearers;

- (d) to appoint members to non committee positions of the Society; and
 - (d) to receive and consider the Statement of Accounts and the reports that are required to be submitted to members pursuant to subsection 73(1) of the Act.
- 27.3** An Annual General Meeting shall be specified as such in the notice convening it in accordance with rule 29.
- 28 GENERAL MEETINGS – CALLING OF**
- 28.1** The committee may, whenever it thinks fit, convene a general meeting of the Society.
- 28.2** The committee shall, on the requisition in writing of not less than 5 per cent of the total number of members, convene a general meeting of the Society.
- 28.3** A requisition of members for a general meeting—
- (a) shall state the purpose or purposes of the meeting;
 - (b) shall be signed by the members making the requisition;
 - (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.
- 28.4** 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, and 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.
- 28.5** A general meeting convened by a member or members referred to in sub-rule (28.4) 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 Society for any reasonable expense incurred.
- 29 NOTICE**
- 29.1** Except where the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the Society, the secretary shall at least 21 days before the date fixed for the holding of the general meeting, cause to be sent by pre-paid 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.
- 29.2** Where the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the Society, the secretary shall, at least 21 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 sub-rule (29.1) specifying, in addition to the matter required under that sub-rule, the intention to propose the resolution as a special resolution.
- 29.3** No business other than that specified in the notice convening a Special General Meeting shall be transacted at the meeting except, in the case of an annual general meeting, business which may be transacted pursuant to sub-rule (27.2)
- 29.4** Any member desiring to bring any business before a general meeting may give 28 days 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.
- 30 GENERAL MEETINGS – PROCEDURES AND QUORUM**
- 30.1** 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.
- 30.2** 5 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. For the purpose of this clause, "member" includes a person attending as a delegate representing an Affiliated Body.
- 30.3** If within half an hour after the appointed time for the commencement of a general meeting a quorum is not present, the meeting if convened upon the requisition of members shall lapse.
- 31 GENERAL MEETINGS - PRESIDING MEMBER**
- 31.1** The President, or in the absence of the president, the Vice-President, shall preside at all meetings of the Society.
- 31.2** If the President and Vice-President are absent, the members present shall elect 1 of their number to preside at the meeting.
- 32 ADJOURNMENT**
- 32.1** 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.
- 32.2** 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.

- 32.3** Except as provided in sub-rules (32.1) and (32.2), 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

33 MAKING OF DECISIONS

- 33.1** A question arising at a general meeting of the Society 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 Society, is evidence of the fact without proof of the number or proportion of the votes recorded in favour of or against that resolution.
- 33.2** At a general meeting of the Society, 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.
- 33.3** 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 presides directs, and the resolution of the poll on the matter shall be deemed to be the resolution of the meeting on that matter.

34 VOTING

- 34.1** Subject to sub-rule (34.3), upon any question arising at a general meeting of the Society a financial member or Honorary Life Member has 1 vote only.
- 34.2** All votes shall be given personally or by proxy but no member may hold more than 5 proxies.
- 34.3** 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.
- 34.4** A member or proxy is not entitled to vote at any general meeting of the Society unless all money due and payable by the member or proxy to the Society has been paid.
- 34.5** Honorary Membership is not an entitlement to vote.

35 APPOINTMENT OF PROXIES

- 35.1** 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 Annual General Meeting or Special General Meeting.
- 35.2** The notice appointing the proxy shall be in the form set out in Appendix 3 to these rules.
- 35.3** Proxy votes will not be accepted at general meetings other than an Annual General Meeting or Special General meeting.

36 INSURANCE

- 36.1** The Society shall cause to be taken out, with a recognised insurance company, a policy of insurance in the sum of at least \$10 million, or such other sum as determined at a general meeting, safe-guarding the Society and members of the committee against all risks from any claims for damages or injuries sustained by any person or persons at any meeting, show, demonstration, or the like, organised by the Society.

37 FUNDS - SOURCE

- 37.1** The funds of the Society shall be derived from annual subscriptions of members, donations, sponsorships and, subject to any resolution passed by the Society in general meeting and subject to section 114 of the Act, such other sources as the committee determines.
- 37.2** All money received by the Society shall be deposited as soon as practicable and without deduction to the credit of the Society's bank account.
- 37.3** The Society shall, as soon as practicable after receiving any money, issue an appropriate receipt.

38 FUNDS -MANAGEMENT

- 38.1** Subject to any resolution passed by the Society in general meeting, the funds of the Society shall be used in pursuance of the objects of the Society in such manner as the committee determines.
- 38.2** All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments shall be signed by any 2 members of the committee of the Society, being members of the committee authorised to do so by the committee.

39 FUNDS - AUDIT

- 39.1** An Auditor shall be appointed and shall be responsible for auditing the records of accounts for the Annual Meeting. He or She may call on the records of accounts for audit at any time through the year.

40 FUNDS - NOT FOR PROFIT

40.1 The assets and income of the Society shall be applied exclusively to the promotion of its objects and no portion shall be paid or distributed directly or indirectly to the members of the Society except as bona fide remuneration for services rendered or expenses incurred on behalf of the Society or where such payments are made in accordance with sub-rule (3.1(e)).

41 ALTERATION OF OBJECTS AND RULES

41.1 Neither the objects of the Society referred to in section 29 of the Act nor these rules shall be altered except in accordance with the Act, and sub-rules (41.2) and (41.3);

41.2 (a) Any alteration or amendment of the rules of the Society shall be made at an Annual General Meeting provided that all members are given 21 days written notice of such meeting and of the intended amendment or amendments; and

(b) the resolution shall be determined by a majority ; or

41.3 (a) Any alteration or amendment of the rules of the Society shall be made at an Special General Meeting called for that purpose provided that all members are given 21 days written notice of such meeting and of the proposed amendment, amendments or alteration; and

(b) the resolution shall be determined by a majority of all members entitled to vote.

41.4 All amendments and alterations shall be registered with Registrar-General as required by the Act.

41.5 Every member shall be issued with a copy of these rules and any amendments or alterations.

42 ALTERATION OF BY-LAWS

42.1 Every member shall be issued with a copy of the By-Laws and amendments.

42.2 Should the members propose and pass the acceptance or amendment of a By-Law at a general meeting, the committee will be deemed to have framed and adopted the same and it shall be incorporated in the list of By-Laws of the Society.

43 COMMON SEAL

43.1 The Society shall have a common seal upon which its corporate name shall appear in legible characters.

43.2 The common seal of the Society shall be kept in the custody of the secretary or such person as the committee may from time to time decide.

43.3 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.

44 CUSTODY OF BOOKS

44.1 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 Society other than those referred to in rule 19.

45 INSPECTION OF BOOKS

45.1 The records, books and other documents of the Society shall be open for inspection, free of charge, by a member of the Society at any reasonable hour.

46 SERVICE OF NOTICE

46.1 For the purpose of these rules, a notice may be served by or on behalf of the Society upon any member either personally or by sending it by post to the member at the member's address shown in the register of members.

46.2 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 the purposes of these rules to have been served on the person at the time at which the letter would have been delivered in the ordinary course of post.

47. WINDING UP

47.1 The Society may be wound up in the manner provided for in the Act.

48. APPLICATION OF SURPLUS ASSETS.

48.1 If after the winding up or dissolution of the Society, there remains after satisfaction of all it's debts and liabilities any property whatsoever, the same shall not be paid to or distributed amongst members of the Society, but shall be distributed to other body or bodies having similar objectives, or to such charitable body or bodies and which shall prohibit for distribution of income and property to members.

APPENDIX 1

Sub rule (6.1)

APPLICATION FOR MEMBERSHIP OF THE DAHLIA SOCIETY OF N.S.W. & A.C.T. Incorporated.
(incorporated under the Associations Act 1991)

I,
(full name of applicant)

of
(address)

.....

hereby apply to become a member of the above named incorporated society. In the event of my admission as a member, I agree to be bound by the rules of the Society from the time being in force.

.....
(Signature of applicant)

Date

I,
(full name)

a member of the Society, nominate the applicant, who is personally known to me, for membership of the Society.

.....
(Signature of proposer)

Date

I,
(full name)

a member of the Society, second the nomination of the applicant, who is personally known to me, for membership of the Society.

.....
(Signature of seconder)

Date

APPENDIX 2

Sub rule (16.1a)

FORM - NOMINATION FOR COMMITTEE OF THE DAHLIA SOCIETY OF N.S.W. & A.C.T. Inc.
(incorporated under the Associations Act 1991)

Nominations are called for Committee Members for the Year 20** - 20** to be elected at the Annual General Meeting on20**.

Nominations should be forwarded no later than20** to:
(date to be not less than seven days before Annual general Meeting)

The Returning Officer

.....
(address)
.....

Further information may be obtained from The Secretary,

cut here

We and
(a financial member) (a financial member)

nominate
for the position of President / Vice President / Treasurer / Secretary / Committee Member (3)
(Circle position)
for the Committee of the Dahlia Society of NSW & ACT Inc. for 20** - 20**

Signed Date

Signed Date

I accept the above nomination, being a financial member of the Dahlia Society of NSW & ACT Inc. for the year 20**-20**

Signed Date

IT IS PERMISSIBLE TO MAKE PHOTOCOPIES OR WRITTEN COPIES OF THE ABOVE FORM IF YOU WISH TO MAKE MORE THAN ONE NOMINATION TO THE COMMITTEE.

APPENDIX 3

Sub rule (16.1a)

THE DAHLIA SOCIETY OF N.S.W. & A.C.T. Inc.
(incorporated under the Associations Act 1991)

FORM – APPOINTMENT OF PROXY

I,
(full name of applicant)

of
(address)

.....
being a member of The Dahlia Society of NSW & ACT Incorporated hereby appoint

.....
(full name of proxy)

of
(address)

.....
being a member of The Dahlia Society of NSW & ACT Incorporated, as my proxy to vote for me on my behalf at the general meeting of the Society (annual general meeting or other general meeting, as the case may be) to be held on the day of 20**
and at any adjournment of that meeting.

.....
(Signature of member
appointing proxy)

Date

THE DAHLIA SOCIETY OF N.S.W. & A.C.T Inc.

BY-LAWS.

1. The address of the Society shall be:-
The Secretary
P.O. Box 727
LITHGOW NSW 2790
2. The annual subscription shall be such as the Society in General Meeting shall from time to time prescribe, provided that until the Society shall otherwise resolve, the annual subscription shall be \$15 for Family Membership and \$10 for Single Membership and affiliated Societies, and \$5 for Pensioners/Seniors Card Holders.
3. Family Membership includes two adults and all children under 18 at the same address and entitles the two adult members to a vote each.
4. Membership fees may be prepaid up to three years in advance at the current set rate in By-law 2. Any new fee set is not due to that member until the expiration of their current pre-paid membership.
5. That at the General Meeting preceding the Annual General Meeting the fees for the ensuing financial year be set.
6. In debate, the mover shall be allowed five minutes for speaking in support of his motion. Subsequent speakers three minutes, and the mover three minutes to reply. The time of discussion to be limited to twenty minutes for each question unless extended by resolution.
7. No more than two members shall speak in succession on either side, either for or against any question before the meeting, and if at the conclusion of the second speaker's remarks, no member rises to speak on the other side, the motion or amendment shall be put to the meeting after the mover has replied.
8. On request the Society will furnish a list of judges who are members of this Society or who can be recommended by this Society.
9. If a member should propagate a new Dahlia, he or she may loan or give that new Dahlia to a fellow member, but he or she must register that loan or gift with the Stud Book Registrar. The receiver must not give or sell that new Dahlia to any person or persons without the written permission of the propagator and the Stud Book Registrar. Any member who contravenes this rule will have action taken against him by the General Committee and/or by the propagator.
10. In the event of an association or society who is conducting a Dahlia exhibition, not complying with reasonable requests by this Society, this Society may instruct its members to refrain from exhibiting.
11. It is the object of this Society to have at least one seedling class included at all Dahlia exhibitions.
12. The Standards and Judging Rules of the Dahlia shall be those as laid down by the Australian Dahlia Council.
13. A Standard Unit is a vase of one variety.
All blooms 160mm and over are to be staged one per vase.
All blooms under 160mm are to be staged three per vase (except where otherwise stated in Special Classes but these are not Standard Units).
14. Points awarded in judging.
Points will be awarded on the basis of 100 maximum.
Comprising:

* FORM	40
* CONDITION	25
* STEM	15
* COLOUR	10
* SIZE	5
* STAGING	5

THE DAHLIA SOCIETY OF N.S.W. & A.C.T Inc.

* TOTAL 100

15. A Stud Book Registrar may be appointed whose responsibility it will be to keep an accurate and up to date record of all new seedlings and sported Dahlias as they are bred and registered.
16. Regional branches of this Society may be formed by interested parties with the consent and guidance of the committee. These branches will have the right to form their own executive committees and manage their own affairs so long as they do not contravene the Rules, By-laws or Standards set down by this Society.
17. The following positions are to be appointed at the Annual General Meeting:-
 - (a) Auditor;
 - (b) Public Officer;
 - (c) Judges Convenor;
 - (d) Newsletter Editor;
 - (e) Seedling/Stud book Registrar;
 - (f) Representatives to kindred bodies;
 - (g) Area Representatives; and/or
 - (h) any other position as determined from time to time.