



# **Constitution of Port Stephens Archers Incorporated.**

INCORPORATION NUMBER: TBA

**Dated: 29 January 2019**

**This constitution has been prepared in accordance with the Associations  
Incorporation Act 1984 and the Associations Incorporation Regulation 1999, as  
amended.**

# Constitution of Port Stephens Archers Incorporated

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## PART 1 – PRELIMINARY.

### 1. Definitions

1.1 In these rules:

**Commissioner means** - the **Commissioner** of the Office of Fair Trading.

**Association means** – Port Stephens Archers Incorporated.

**Committee member means** - a member who has been elected to the committee in accordance with clause 15.4 and rule 16.

**Ordinary committee member means** - a committee member, who is not an office-bearer of the association, as referred to in clause 15.2

**Member means** - any financial member of the association.

**Secretary means** –

(a) the person holding office under these rules as secretary of the association, or

(b) if no such person holds that office, the public officer of the association.

**Annual General Meeting means** – a meeting of the association held once annually to receive annual reports, elect a new committee and such other business as indicated under clause 26.2

**General Meeting means** – a normal meeting of the association, usually held monthly

**Special General Meeting means** – a general meeting of the association other than an annual general meeting called to consider special items of business such as changes to the constitution or other business as prescribed under rule 27.

**The Act means** – the Associations Incorporation Act 1984.

**The Regulation means** – the Associations Incorporation Regulation 1999.

**3D AAA means** – the 3D Archery Association of Australia

**Game Council of NSW means** – the statutory authority established under the *Game and Feral Animal Control Act 2002*.

**Approved Hunting Organisation means** – an organization which meets the criteria specified by the Game Council of NSW for the status of an “approved” hunting organization (AHO) and is so registered by the Game Council of NSW.

1.2 In these rules:

(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.

1.3 The provisions of the *Interpretation Act 1987* 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.

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## PART 2 – MEMBERSHIP.

### 2. Membership qualifications.

2.1 A person is qualified to be a member of the association if, but only if:

(a) the person is a person referred to in section 15 (1) (a) (b) or (c) of the Act and has not ceased to be a member of the association at any time after incorporation of the association under the Act, or

(b) the person is a natural person:

(i) who has applied for membership of the association as provided by rule 3, and

(ii) who has been approved for membership by the committee of the association.

2.2 The committee may recommend to a general meeting of the association that suitable persons be appointed Honorary Members. Such Honorary Members shall not pay subscription nor be entitled to vote at any meeting. Membership of the 3D Archery Association of Australia will be required for insurance purposes.

2.3 Members may, by resolution at an annual general meeting, confer Life Membership on any member for meritorious service to the association. Such life member shall be entitled to all rights and responsibilities of membership of the association but shall not be liable to pay any subscriptions or levies to the association. Membership of the 3D Archery Association of Australia will still be required for insurance purposes.

### 3. Membership application.

3.1 Application for membership with the association must be in writing and lodged with the secretary of the association.

3.2 The application for membership shall be made on the prescribed form in accordance with the association's Operating Procedures.

3.3 Applicants for membership of the association shall include on the Application for Membership Form written evidence that the applicant is a current financial member, and shall remain a financial member, of the 3D Archery Association of Australia or is seeking membership of the 3D Archery Association of Australia at the time of application for membership of Lake Macquarie Field Archers Inc. Where no such evidence is included, or provided within 30 days of the application being received by the association, the application will not be considered.

3.4 Upon receiving a valid application for membership, the secretary must refer the application to the next committee meeting for determination.

3.5 As soon as practicable after that determination is made, the secretary must:

(a) notify the applicant in writing of the determination, and

(b) if the application is approved, request the applicant to pay, within the period of 28 days of the date of notification, all fees as determined by the committee to be appropriate.

3.6 The secretary must, on payment by the applicant of the amounts determined in accordance with sub-clause 3.4 (b) and within the period referred to in that provision, enter, or cause to be entered, the applicant's name and other required details, in the register of members. On the name being so entered, the applicant becomes a member of the association.

### 4. Membership renewal.

4.1 Membership renewal with the association must be in writing and lodged with the treasurer of the association.

4.2 The Membership renewal shall be made on the prescribed form in accordance with the association's Operating Procedures.

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4.3 Membership renewal shall also include evidence that the applicant is a current financial member of the 3D Archery Association of Australia and that membership shall be maintained during the renewal period. Where no such evidence is included, or provided within 30 days, the renewal shall lapse.

4.4 Where a member has not paid his/her fees and/or levies within one (1) month of the due date, the member shall be deemed unfinancial and will not receive any of the rights and privileges of membership.

## **5. Cessation of membership.**

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

- (a) dies or,
- (b) resigns membership, or
- (c) is expelled from the association, or
- (d) fails to pay all fees and levies within three (3) months after the due date, and an entry into the Register of Members shall be made to that effect, or
- (e) ceases to be a financial member of the 3D Archery Association of Australia.

## **6. Membership entitlements are 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 the cessation of the person's membership.

## **7. Resignation of membership.**

7.1 A member of the association is not entitled to resign that membership except in accordance with this rule.

7.2 A member of the association who has paid all amounts payable by the member to the association in respect of the member's membership may resign from membership of the association by giving a written notice of resignation to the secretary.

The resignation takes effect on:

- (a) the date and the time the notice is received by the secretary; or
- (b) if a later date is stated in the notice, the later date.

7.3 If a member of the association ceases to be a member under clause 7.2 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.

7.4 Money for fees, subscriptions or dues paid by the resigning member shall not be refunded.

7.5 Upon submitting his/her resignation the member shall return keys and such other property of the association that he/she has acquired through membership of the association.

## **8. Register of members.**

8.1 The secretary of the association must establish and maintain a register of members of the association specifying the name and address of each person who is a member of the association together with the date on which the person became a member and ceased to be a member.

8.2 The register of members must be kept at the principal place of administration of the association and must be open for inspection, free of charge, by any member of the association at any reasonable hour.

8.3 A member of the association may obtain a copy of any part of the register on payment of a fee of \$1 for each page copied or, if some other amount is determined by the committee, that other amount.

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## 9. Fees and subscriptions.

9.1 A member of the association must, on admission to membership, pay to the association a fee of \$5 or, if some other amount is determined by the committee, that other amount.

9.2 In addition to any amount payable by the member under clause 9.1, a member of the association must pay to the association an annual membership fee of \$25 or, if some other amount is determined by the committee, that other amount.

9.3 The annual membership fee is payable:

- (a) 12 months from the date of the start of the membership period.

## 10. Members' liabilities.

The liability of a member of the association 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 9.

## 11. Resolution of internal disputes.

11.1 Disputes between members (in their capacity as members) of the association, and disputes between members and the association, are to be referred to a community justice centre for mediation in accordance with the *Community Justice Centres Act 1983*.

11.2 At least 7 days before a mediation session is to commence, the parties are to exchange statements of the issues that are in dispute between them and supply copies to the mediator.

## 12. Disciplining of members.

12.1 Where the committee or a member of the association is of the opinion that a member of the association:

(a) has persistently refused or neglected to comply with a provision or provisions of this constitution, the Operating Procedures, or any other rules the association may adopt from time to time;

Or

(b) has persistently and willfully acted in a manner prejudicial to the interests of the association, the committee;

(i) must cause notice of the complaint to be served on the member concerned, and

(ii) must give the member 14 days from the time the notice is served within which to make submissions to the committee in connection with the complaint,

and

(iii) must take into consideration any submissions made by the member in connection with the complaint.

12.2 The committee may then by resolution:

(a) expel the member from the association; or

(b) suspend the member from membership of the association for a specified period not exceeding three (3) months.

12.3 Where the committee passes a resolution under sub-clauses 12.2 (a) or (b), the secretary shall, as soon as practical, and not exceeding 7 days, 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;

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- (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 the meeting;
- (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 representation relating to the resolution.

12.4 At a meeting of the committee held as referred to in sub-clause 12.3, (b) and (c) the committee shall:

- (a) give to the member an opportunity to make oral representations;
- (b) give due consideration to any written representations submitted to the committee by the member at or prior to the meeting; and
- (c) by resolution determined whether to confirm or to revoke the resolution.

12.5 Where the committee confirms a resolution under clause 12.4, the secretary shall, within 7 days after that confirmation, by notice in writing inform the member of the fact and of the member's right of appeal under rule 13.

12.6 A resolution confirmed by the committee under clause 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 association confirms the resolution pursuant to clause 13.5.

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

13.1 A member may appeal to the association in general meeting against a resolution of the committee under rule 12, 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 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.

13.3 On receipt of a notice from a member under clause 13.1, the secretary must notify the committee which is to convene a meeting of the association to be held within 28 days after the date on which the secretary received the notice.

13.4 At a general meeting of the association convened under clause 13.3:

- (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.

13.5 If at the meeting called in accordance with clause 13.3, the resolution is supported by the majority of those present and voting, then the resolution is confirmed.

## **PART 3 - THE COMMITTEE.**

### **14. Powers of the committee.**

The committee is to be called the committee of management of the association and, subject to the Act, the Regulation and this constitution **and to any resolution passed by the members of the association in any 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 a general meeting of members of the association, and

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(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 is to consist of:

- (a) the office-bearers of the association, and
- (b) no less than 2 ordinary members, each of whom is to be elected at the annual general meeting of the association under rule 16.

15.2 The office-bearers of the association are to be the President, Vice President, Secretary and Treasurer, all of whom shall be members of the association.

15.3 Each member of the committee is, subject to these rules, 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.

15.4 In the event of a casual vacancy occurring in the membership of the committee, the committee may appoint a member of the association to fill the vacancy and the member so appointed is to hold office, subject to these rules, until the conclusion of the annual general meeting next following the date of the appointment.

## **16. Election of members to the committee.**

16.1 Nominations of candidates for the election as office-bearers of the association or as ordinary members of the committee:

- (a) shall be a financial member of the association;
- (b) shall be accepted by the secretary of the association by hand or by post up to the time of the elections at the Annual General Meeting.

16.2 If insufficient nominations are received in accordance with sub-clause 16.1(b) to fill all vacancies on the committee, the candidates nominated are taken to be elected and further nominations are to be received during the annual general meeting.

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

16.4 If the number of nominations received in accordance with sub-clause 16.1(b) is equal to the number of vacancies to be filled, the persons nominated are taken to be elected.

16.5 If the number of nominations received in accordance with sub-clause 16.1(b) exceeds the number of vacancies to be filled, a ballot is to be held.

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

## **17. Secretary.**

17.1 The secretary of the association must, as soon as practicable after being appointed as secretary, lodge notice with the association of his or her address.

17.2 It is the duty of the secretary to keep minutes of:

- (a) all appointments of office-bearers and members of the committee,
- (b) the names of members of the committee present at a committee meeting or any other meeting of the association, and
- (c) all proceedings at all association meetings.

17.3 Minutes of proceedings at a meeting must be signed by the chairperson of the meeting or by the chairperson of the next succeeding meeting.

## **18. Treasurer.**

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

- (a) that all money due to the association is collected and received and that all payments



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authorised by the association are made, and

(b) that correct books and accounts are kept showing the financial affairs of the association, including full details of all receipts and expenditure connected with the activities of the association.

## **19. Casual vacancies on the committee.**

For the purpose of this constitution, 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 association, or

(c) becomes bankrupt, applies to take benefit of any law for the relief of bankrupt or an insolvent debtors, compounds with his or her creditors, or makes an assignment of his or her remuneration for their benefit 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 rule 20, or

(f) becomes a mentally incapacitated person, or becomes a temporary patient, a continued treatment patient, a protected person or an incapable person within the meaning of the Mental Health Act 1958 or a person under detention under Part 7 of that Act, or

(g) is absent without the consent of the committee from all meetings of the committee held during a period of 6 months.

## **20. Removal of committee member.**

20.1 The association 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.

20.2 A member may be removed from office at a general meeting of the association if a majority of the members present and voting at a meeting vote in favour of removing the member.

20.3 A member has no right of appeal against a member's removal from office under this section.

## **21. Meetings and quorum of the committee.**

21.1 The committee must meet at least 3 times in each period of 12 months at such place and time as the committee may determine.

21.2 Additional meetings of the committee may be convened by the president or by any member of the committee.

21.3 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.

21.4 Notice of a meeting given under clause 21.3 must specify the general nature of the business to be transacted.

21.5 A quorum of members for the committee of the association shall be three (3) members of the association present in person and entitled to vote as committee members.

21.6 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 at the same hour of the same day in the following week.

21.7 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.

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21.8 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.

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

22.1 The committee may, by instrument in writing, delegate to one or more sub-committees (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 duty imposed on the committee by the Act or by any other law.

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

22.3 A delegation under this section 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.

22.4 Despite any delegation under this rule, the committee may continue to exercise any function delegated.

22.5 Any act or thing done or suffered by a sub-committee 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.

22.6 The committee may, by instrument in writing, revoke wholly or in part any delegation under this rule.

22.7 A sub-committee may meet and adjourn, as it thinks proper.

22.8 A sub-committee shall have no control whatsoever of any of the association's funds.

### **23. Voting and decisions of the committee.**

23.1 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.

23.2 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.

23.3 Subject to clause 21.5, the committee may act despite any vacancy on the committee.

23.4 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.

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## **PART 4 - MEETINGS OF THE ASSOCIATION.**

### **24. General Meetings – calling and holding of**

The committee shall convene such number of general meetings as the committee sees fit.

### **25. Annual General Meeting – holding of**

25.1 The association must convene an annual general meeting of its members once in each calendar year and within the period of 6 months after the expiration of each financial year of the association.

25.2 Clause 25.1 has effect subject to any extension or permission granted by the Commissioner under section 26 (3) of the Act.

### **26. Annual General Meetings – calling of and business at**

26.1 The annual general meeting of the association is, subject to the Act and to rule 25, to be convened on such date and at such place and time as the committee thinks fit.

26.2 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 association during the last preceding financial year,
- (c) to elect office-bearers of the association and ordinary members of the committee,
- (d) election of Returning Officer and Assistant Returning Officer,
- (e) to receive and consider the statement which is required to be submitted to members under section 26 (6) of the Act.
- (f) to receive and consider any nomination(s) for life membership of the association.

26.3 An annual general meeting must be specified as such in the notice.

### **27. Special General Meetings – calling of**

27.1 The committee may, whenever it thinks fit, convene a special general meeting of the association.

27.2 The committee must, on the requisition in writing of at least 5 percent of the total number of members, convene a special general meeting of the association.

27.3 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.

27.4 If the committee fails to convene a special general meeting to be held within 1 month 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.

27.5 A special general meeting convened by a member or members as referred to in clause 27.4 must be convened as nearly as is practicable in the same manner as general meetings are convened by the committee and any member who consequently incurs expenses is entitled to be reimbursed by the association for any expense so incurred.

### **28. Notice of meetings**

28.1 Except if the nature of the business proposed to be dealt with at a general meeting

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requires a special resolution of the association, the secretary must, at least 14 days before the date fixed for the holding of the 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.

28.2 If the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the association, the secretary must, at least 21 days before the date fixed for the holding of the general meeting, cause notice to be given to each member specifying, in addition to the matter required under clause 28.1, the intention to propose the resolution as a special resolution.

28.3 No business other than that specified in the notice convening a 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 26.2.

28.4 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.

### **29. Quorum for meetings.**

29.1 No item of business is to be transacted at a general meeting, annual general meeting or special general meeting unless a quorum of members entitled under these rules to vote is present during the time the meeting is considering that item.

29.2 For meetings described under clause 29.1, five members, one of whom must be an office bearer (being members entitled under these rules to vote at a general meeting) shall constitute a quorum for the transaction of business.

29.3 If within half an hour after the appointed time for the commencement of a 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.

29.4 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 3) is to constitute a quorum.

### **30. Presiding member.**

30.1 The president or, in the president's absence, the vice-president, is to preside as chairperson at each meeting of the association.

30.2 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.

### **31. Adjournment.**

31.1 The chairperson of any 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.

31.2 If a 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 association stating the place, date and time of the meeting and the nature of the business to be transacted at the meeting.

31.3 Except as provided in clauses 31.1 and 31.2, notice of an adjournment of a meeting or of the business to be transacted at an adjourned meeting is not required to be given.

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## **32. Making of decisions at all meetings.**

32.1 A question arising at any meeting of the association is to 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 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 association, is evidence of the fact without proof of the number or proportion of the votes recorded in favour of or against that resolution.

32.2 At all meetings of the association, a poll may be demanded by the chairperson or by at least 3 members present in person at the meeting.

32.3 If a poll is demanded at any meeting, the poll must be taken:

- (a) immediately in the case of a poll which relates to the election of the chairperson of 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 chairperson directs, and the resolution of the poll on the matter is taken to be the resolution of the meeting on that matter.

## **33. Special resolution.**

A resolution of the association is a special resolution:

- (a) if it is passed by a majority which comprises at least three-quarters of such members of the association as, being entitled under these rules so to do, vote in person at a meeting of which at least 21 days written notice specifying the intention to propose the resolution as a special resolution was given in accordance with these rules, or
- (b) where it is made to appear to the Commissioner that it is not practicable for the resolution to be passed in the manner specified in clause 33 (a), if the resolution is passed in a manner specified by the Commissioner.

## **34. Voting at meetings.**

34.1 Except as provided in clause 34.3, on any question arising at any meeting of the association a member has one vote only.

34.2 On a show of hands a member has only one vote.

34.3 In the case of an equality of votes on a question at any meeting, the chairperson of the meeting is entitled to exercise a second or casting vote.

34.4 A member is not entitled to vote at any meeting of the association unless all money due and payable by the member has been paid, other than the amount of the annual subscription payable in respect of the then current year.

## **35. Proxy voting.**

Voting by proxy in any meeting of the association is not permitted.

# Constitution of Port Stephens Archers Incorporated

## PART 5 – MISCELLANEOUS.

### **36. Insurance.**

36.1 The association may effect and maintain appropriate insurances.

36.2 The association shall ensure that all members are appropriately insured as prescribed in the association's Operating Procedures.

### **37. Funds – source.**

37.1 The funds of the association are to be derived from entrance fees and annual subscriptions of members, donations and, subject to any resolution passed by the association in any meeting, such other sources as the committee determines.

37.2 All money received by the association must be deposited as soon as practicable and without deduction to the credit of the association's bank account.

37.3 An appropriate association receipt must be issued as soon as practicable after any money is received.

### **38. Funds – management.**

38.1 Subject to any resolution passed by the association in any meeting, the funds of the association are to be used in pursuance of the objects of the association in such manner as the committee determines.

38.2 All cheques and other negotiable instruments must be signed by any 2 members of the committee of the association, being members authorised to do so by the committee.

### **39. Alteration of objects and Constitution.**

The statement of objects and this constitution may be altered, rescinded or added to only by a special resolution of the association.

### **40. Common seal.**

40.1 The common seal of the association must be kept in the custody of the public officer.

40.2 The common seal must not be affixed to any instrument except by the authority of the committee and the affixing of the common seal must be attested by the signatures either of 2 members of the committee or of 1 member of the committee and the public officer or secretary.

### **41. Custody of books.**

41.1 Except as otherwise provided by this constitution, the secretary must keep in his or her custody or under his or her control all records, books and other documents relating to the association.

41.2 The treasurer shall be entitled to keep the books of account of the association under his or her control.

### **42. Inspection of books.**

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

### **43. Service of notices.**

43.1 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 the person for giving or serving the notice.

# Constitution of Port Stephens Archers Incorporated

43.2 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.

## 44. Statement of Association Objects

The statement of objects of the Port Stephens Archers Incorporated are:

- (a) To foster and promote archery in keeping with the rules and regulations of the relevant Australian and International bodies.
- (b) To encourage conservation awareness in members.
- (c) To ensure that all members who hunt do so in an ethical, safe and responsible manner.
- (d) To liaise with similar organisations, Government Departments and statutory bodies at all levels.
- (e) To encourage and foster friendship and co-operation amongst members.
- (f) To promote and conduct either alone or jointly with other persons, organisations, associations or clubs, social functions and events, outings, rallies, meetings, conferences, expeditions and to assist community services in furtherance of the interests of the association and its members.
- (g) To do all such other lawful things as may appear to be incidental or conducive to the attainment of the above objects or any of them.
- (h) To encourage all members while participating in association activities to act in an environmentally and socially responsible manner and in accordance with the law.
- (i) To strongly encourage those members who hunt to undertake and complete “adequate training” as defined by the Game Council of NSW (see Operating Procedures).

## 45. Special provisions applicable to members of the association involved in hunting. 45.1

Members of the association who hunt shall be required to abide by the Game Council of NSW “Code of Practice” for ethical, safe and responsible hunting as specified in the Operating Procedures.

45.2 Members who are members as a result of the association becoming an Approved Hunting Organization within the meaning of the Game and Feral Animal Control Act 2002, or use the association for holding an R-licence, shall be required to indicate their acceptance of the Game Council’s Code of Conduct. This shall be on the prescribed form in accordance with the association’s Operating Procedures.

45.3 Any member who is deemed to have breached:

- (a) the Game Council’s Code of Practice; or
  - (b) the Game and Feral Animal Control Act, its Regulation and associated legislation, including the Prevention of Cruelty to Animals Act, and the Firearms Act,
- shall be disciplined in accord with rule 12.

## 46. Fiscal year

The financial year of the association shall commence on 1<sup>st</sup> December in one year and conclude on 30<sup>th</sup> November the following year unless otherwise determined at a general meeting of the association.

# **Constitution of Port Stephens Archers Incorporated**

## **47. Surplus property**

47.1 In the event of the association being dissolved the amount which remains after such dissolution and the satisfaction of all debts and liabilities shall be paid and applied by the association, in accordance with its powers, to any incorporated association or charitable organisation which has a similar constitution and objects, prohibiting the distribution of its assets and income to its members.

47.2 The incorporated association so named shall be one which fulfils the requirements specified in section 53 (2) (a) to (c) of the Act.

## **48. Rules of Shoot and Safety**

48.1 The 3D Archery Association of Australia “Rules of Shoot” (and amendments thereto), as promulgated by the national body from time to time shall be used to control the 3D archery shoots held by the association. The “Rules of Shoot” are as prescribed in the Operating Procedures.

48.2 All members of the association shall be required to abide by the “Range Safety Rules and Conduct” of the association as prescribed in the association’s Operating Procedures.

## **49. Precedence**

The Act, the Regulations and this constitution shall, in that order, take precedence over the association’s Operating Procedures.