

HORSHAM DOG OBEDIENCE CLUB INC.
MODEL RULES
2012

CONTENTS

SUBJECT	PAGE N°	CLAUSE N°
STATEMENT OF PURPOSES	1	
A QUESTION ARISING	8	18
ADJOURNMENT OF MEETING	7	14
ALTERATION OF RULES AND STATEMENT OF PURPOSES	13	43
ANNUAL GENERAL MEETING	6	10
APPLICATION FOR MEMBERSHIP	3	3
AUDIT AND AUDITOR	12	33
BANKING ACCOUNT	12	32
BY-LAWS	13	44
CLASSIFICATION OF MEMBERS	4	6
COMMITTEE OF MANAGEMENT	9	22
CUSTODY OF RECORDS	13	39
DISPUTES AND MEDIATION	5	9
DUTIES OF SECRETARY AND/OR PUBLIC OFFICER	11	29
DUTIES OF TREASURER	11	30
ELECTION OF COMMITTEE OF MANAGEMENT AND VACANCY	9	25
ENTRANCE FEE AND ANNUAL SUBSCRIPTION	3	4
FINANCIAL YEAR	13	42
FUNDS	13	40
INTERPRETATION	2	2
IRREGULARITY	13	45
MEETINGS OF COMMITTEE	10	28
NOTICE OF ANNUAL GENERAL MEETING	6	11
NOTICE OF SPECIAL GENERAL MEETING	7	13
NOTICES	12	26
PRIVILEGES OF MEMBERSHIP	4	7
PROCEEDINGS AT ALL MEETINGS OF MEMBERS	8	15
PROPERTY	13	41
REGISTER OF MEMBERS	4	5
REMOVAL OF MEMBER OF COMMITTEE OR PUBLIC OFFICER	12	31
RESIGNATION AND EXPULSION OF MEMBERSHIP	4	8
SEAL	12	38
SPECIAL GENERAL MEETING	7	12
THE CHAIRPERSON	8	17
THE PRESIDENT	8	16
VOTING OF MEMBERS	10	27
WINDING UP OR CANCELLATION	12	37

HORSHAM DOG OBEDIENCE CLUB INC.

STATEMENT OF PURPOSES

1. The name of the proposed incorporated association is Horsham Dog Obedience Club Incorporated.
2. The purposes for which the proposed incorporated Club is established are:
 - (a) to promote and encourage obedience training for dogs.
 - (b) to promote the holding of Exhibitions under the V.C.A. Inc. Rules and Regulations and to conduct Exhibitions, Obedience Trials, Tracking Tests, Field Trials and other activities as the Club considers may be conveniently carried on in connection with the Club's purposes herein set out.
 - (c) to foster, promote and protect the interest of exhibitors of dogs at exhibitions.
 - (d) to collect, verify and publish information relating to dogs and the training and trialling of dogs;
 - (e) to educate and encourage members and judges to abide by the requirements and standards approved by the Victorian Canine Association Inc. for the conduct of Obedience activities.
 - (f) to promote good fellowship and sportsmanship amongst members and those participating dog related activities.
 - (g) to inform members of and make known to them the Laws and Regulations of the State relating to the ownership and care of dogs, and the responsibility of owners for the conduct and actions of their dogs:
 - (h) to hold functions and lectures relating to dogs and to the purpose of the Club generally;
 - (j) to provide awards and donate prizes for competition at Exhibitions and for competition by handlers and exhibitors of dogs;
 - (k) to foster relations with other Clubs and bodies having similar aims:
 - (l) to promote and assist worthy causes, as agreed at a General Meeting of the members of the club;
 - (m) to invest the funds of the Club not immediately required in such a manner as the Committee shall determine.
 - (n) to acquire, take on lease, hold, exchange, dispose of, surrender, keep, develop, manage and maintain club grounds, premises and facilities.
 - (o) to acquire, take on lease, hold, exchange, dispose of, surrender, and deal in all kinds of real and personal property and the rights and privileges which the Club may deem fit for all or any of the purposes herein.
 - (p) to employ and remunerate any person or persons for all or any of the purposes herein.
 - (q) to undertake and execute any trusts and agencies in connection with all or any of the purposes herein.
 - (r) to do all such acts, matters and things deemed by the Club to be conducive to, incidental or conveniently done in connection with all or any of the purposes herein.
 - (s) to do all or any of the foregoing acts, matters or things either alone or in conjunction with any person, association, club or corporate bodies and with any duly constituted authority acting on behalf of the Crown.

HORSHAM DOG OBEDIENCE CLUB INC.

NAME

1. The name of the incorporated association is HORSHAM DOG OBEDIENCE CLUB INC. (in these rules called ("the club").

INTERPRETATION

2. In these Rules, unless the contrary intention appears:-
 - "**Act**" means the Associations Incorporation Act 1981 and any amendments thereto and, unless inconsistent with the context or subject matter, includes the Associations Incorporation Regulations 1983 and any amendments thereto.
 - "**Body**" means where the context reasonably admits, a Club, Society, Association, Company or group of persons.
 - "**By-Laws**" means the By-Laws in force for the time being of the Club as approved by the Victorian Canine Association Inc.
 - "**Committee**" means the Committee of Management of the Club and includes Officers of the Club and ordinary members of the Committee unless the Rules specifically provide otherwise.
 - "**Dual Members**" Means two members of the one family resident at the same address.
 - "**Exhibition**" includes a Canine Show, Canine Exhibition, Canine Parade, Gundog Trials, Non-Slip Retrieving Trials, Contest, Match or similar events.
 - "**Financial Member**" means a member of the Club who shall not be default of the payment of his/her annual subscription or any fees or other monies payable by her/him in accordance with the Rules.
 - "**Financial Year**" means the financial year of the Club as defined in Clause 42.
 - "**Honorary Member**" means a person who upon the recommendation of the Committee or upon written nomination signed by not less than five members is elected by a resolution passed in General meeting by a majority of not less than three fourths of the members voting in person thereat as an Honorary Member for such period as may be so determined and who in the opinion of such meeting has rendered outstanding services to the Canine Fancy or to the Club or for other good and sufficient reason and who need not comply to the provisions of Clause 3(1) and shall in addition have the rights and privileges of a financial member, but shall not be entitled to vote at General Meetings or to hold office, unless a majority of members otherwise decides.
 - "**Insolvent under administration**" in relation to a member of the Committee of Management has the same meaning as that given to those words by Section 5(1) of the Companies (Victoria) Code.
 - "**Junior Member**" means a person under the age of sixteen years who has been admitted as a member of the Club and who shall not be entitled to hold office or vote at a General meeting of the Club but shall otherwise be entitled to enjoy all other privileges of membership.
 - "**V.C.A. Inc.**" means the Victorian Canine Association Incorporated or its successor.
 - "**Life Member**" means a member who has been admitted to the Club as a member for life by resolution of a General meeting.
 - "**Member**" means a person who has been admitted as an ordinary or dual or life member of the Club and where the context so admits, shall mean and include persons who have been admitted to any category of membership.
 - "**Office Bearers**" means the President, the Vice President, Treasurer, Secretary and Public Officer.
 - "**Person**" where the context reasonably permits, includes an individual, a firm or partnership, a company or corporation, or any other legal entity.
 - "**Registered**" means breeds and breed varieties of dogs for which a separate register is kept by the Victorian Canine Association Inc.

"Regulations" means either the Associations Incorporation Regulations or the Regulations of the Victorian Canine Association Inc. as specifically referred to in either case in the Rules of the Club.

"Rules" means the Rules for the time being of the Club and includes where the context permits its By-Laws.

"Secretary" means the Honorary Secretary or Secretary of the Club and, where the context reasonably permits includes the assistant Secretary and any other persons for the time being appointed by the Committee to exercise the functions of the Secretary.

"Words importing", the female gender shall, where the context reasonably permits, include the male and neuter genders and vice-versa and the singular number shall include the plural number and vice-versa.

"Writing" includes printing, photocopy and roneo and any other like recognised means of communication or reproduction of words in the visible form. Words or expressions contained in these Rules shall be interpreted in accordance with the provisions of the Act Interpretation Act 1958 and the Act as in force from time to time.

APPLICATION FOR MEMBERSHIP

3. (1) Any person owning a dog or who is interested in any of the activities referred to in Statement of Purposes of the Club who is nominated and approved for membership as provided in these Rules is eligible to be a member of the Club.
- (2) A member who is not a member of the Club at the time of the incorporation of the Club (or who was such a member at that time but has ceased to be a member) shall not be admitted to membership.-
 - (a) Unless such person is nominated as provided in sub-clause (3), and
 - (b) such person's admission as a member is approved by the Committee.
- (3) An application for membership shall be in writing and in such form as the Committee may from time to time prescribe (if any) and shall be signed by the applicant (and the nominee where the form so provides) and lodged with the Secretary of the Club and if required by the Committee accompanied by the fees prescribed pursuant to Clause 4 :
- (4) The Secretary shall submit such application to the next meeting of the Committee for approval.
- (5) Upon a nomination being referred to the Committee, the Committee shall determine whether to approve or reject the nomination.
- (6) Upon a nomination being approved by the Committee, the Secretary shall enter the nominee's name in the register of members kept by the Secretary and upon being the name being so entered, the nominee becomes a member of the club.
- (7) A right, privilege or obligation of a person by reason of such person's membership of the Club is not capable of being transferred or transmitted to another person.
- (8) A member may after the end of the Club's financial year, make application to the Club for re-admission as a member to such person's category of membership and upon payment of such person's annual subscription shall be deemed to have made such application and for all purposes to have been re-admitted as such member.
- (9) A member, upon election to a category of membership, shall strictly observe and act in conformity with and not otherwise than in accordance with the Act and the Rules and By-Laws of the Club and will uphold the honour of, and use her/his best endeavours to further the objects of the Club.

ENTRANCE FEE AND ANNUAL SUBSCRIPTION

- 4 (1) There shall be no entrance fee unless and until the Committee otherwise determines.
- (2) Save as herein otherwise provided all members shall pay the annual subscription (if any) prescribed by the Committee from time to time within the time prescribed by the Committee for the payment thereof.

REGISTER OF MEMBERS

- 5 The Secretary shall keep and maintain a register of members in which shall be entered the full name, address, and date of entry of each member and the register shall be available for inspection by members.

CLASSIFICATION OF MEMBERS

- 6 Membership of the Club may be divided into the following categories:-
- (1) Member (Ordinary)
 - (2) Dual Member
 - (3) Life member
 - (4) Honorary Member
 - (5) Junior Member
 - (6) Any other class of member

PRIVILEGES OF MEMBERSHIP

- 7 (1) Subject to the restrictions and limitations prescribed by or pursuant to the Act, Rules and By-Laws of the Club the privileges of a member shall be:
- (a) upon application and payment of the prescribed fee, (if any) to the Secretary to receive a copy of the Rules and any By-Laws of the Club.
 - (b) the right to attend and vote at all General Meetings of the Club; subject to the conditions of Clause 27(2) and 27(3).
 - (c) to submit herself/himself as a candidate for any Office of the Club and/or Committee subject to the conditions of Clause 27(2) and 27(3).
 - (d) to receive any publication issued by the Club, upon payment of the prescribed fee, (if any).
 - (e) to compete for prizes (including trophies), available for members of the Club when exhibiting or competing at any exhibition conducted by the Club.
- (2) A junior member shall be entitled to take part in the proceedings of a General Meeting but shall not be eligible to vote and shall not be eligible to hold office as an Office Bearer or an ordinary member of the Committee, but shall be entitled exercise all other privileges of membership.

RESIGNATION AND EXPULSION OF MEMBERSHIP

- 8 (1) A member shall cease ipso facto to be a member of the Club:-
- (a) upon termination of such person's period of membership, (whether by effluxion of time or otherwise), unless such person shall be re-admitted pursuant to Clause 3(8) as a member of the Club for a further period of membership.
 - (b) if she/he resigns by notice in writing addressed to the Secretary pursuant to Sub-Clause (3)
 - (c) if she/he shall die.
 - (d) if her/his annual subscription for the forthcoming financial year has not been paid in accordance with Clause 3(8).
 - (e) if pursuant to the Rules she/he shall be expelled from the Club.
- (2) Should any member cease to be a member of the Club for any reason whatsoever, such person shall not be entitled to the return of her/his membership fee or any part thereof.
- (3) A member of the Club who has paid all monies due and payable by her/him to the club may resign from the club by giving notice in writing to the Secretary of her/his resignation.
- (4) Upon receipt of a notice given under Sub-Clause (3), the Secretary shall make in the register of members an entry recording the date on which the member by whom the notice was given, ceased to be a member.
- (5) Subject to these Rules, the Committee may by resolution:
- (a) expel a member from the Club;
 - (b) suspend a member from membership of the Club for a specified period, or

(c) fine a member in accordance with the Regulations.

If the Committee is of the opinion that a member:

- (1) has refused or neglected to comply with these Rules or
 - (2) has been guilty of conduct unbecoming a member or prejudicial to the interests of the Club
- (6) A resolution of the Committee under Sub-Clause (1):
- (a) does not take effect unless the Committee, at a meeting held not earlier than 14 days and not later than 28 days after service on a member of a notice under Sub-Clause (3) confirms the resolution in accordance with this Clause; and
 - (b) where the member exercises a right to appeal to the Club under this Clause does not take effect unless the Club confirms the resolution in accordance with this Clause.
- (7) Where the Committee passes a resolution under Sub-Clause (1), the Secretary shall, as soon as practicable, cause to be served on the member a notice in writing:
- (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;
 - (d) informing the member that she/he may do one or more of the following:
 - (1) attend the meeting;
 - (2) give the Committee before the date of that meeting a written statement seeking revocation of the resolution.
 - (3) not later than 7 days before the date of the meeting lodge with the Secretary a notice to the effect that she/he wishes to appeal to the Club in general meeting against the resolution.
- (8) At a meeting of the Committee held in accordance with Sub-Clause (2), the Committee:
- (a) shall give the member the opportunity to be heard;
 - (b) shall give due consideration to any written statement submitted by the member; and
 - (c) shall by resolution determine whether to confirm or to revoke the resolution.
- (9) Where the Secretary receives a notice under Sub-Clause (3)(d)(3) the Secretary shall notify the Committee and the Committee shall convene a general meeting of the Club to be held within 21 days after the date on which the Secretary received the notice.
- (10) At a general meeting of the Club convened under Sub-Clause (5):
- (a) no business other than the question of the appeal shall be transacted;
 - (b) the Committee may place before the meeting details of the grounds for the resolution and the reasons for the passing of the resolution.,
 - (c) the member shall be given the opportunity to be heard; and
 - (d) the members present shall vote by secret ballot on the question whether the resolution should be confirmed or revoked.
- (11) If at the general meeting:-
- (a) two-thirds of the members vote in favour of the confirmation of the resolution, the resolution is confirmed; and
 - (b) in any other case the resolution is revoked.

DISPUTES AND MEDIATION

9. (1) The grievance procedure set out in this rule applies to disputes under these rules between -
- (a) a member and another member; or
 - (b) a member and the association.
- (2) The parties to the dispute must meet and discuss the matter in dispute, and, if possible, resolve the dispute within 14 days after the dispute comes to the attention of all parties.
- (3) If the parties are unable to resolve the dispute at the meeting, or if a party fails to attend that meeting, then the parties must, within 10 days, hold a meeting in the presence of a mediator.
- (4) The mediator must be -
- (a) a person chosen by agreement - or
 - (b) in the absence of agreement -

- (1) in the case of a dispute between a member and another member, a person appointed by the committee of the association; or
 - (2) in the case of a dispute between a member and the association, a person who is a mediator appointed or employed by the Dispute Settlement Centre of Victoria (Department of Justice).
- (5) A member of the association can be a mediator.
 - (6) The mediator cannot be a member who is a party to the dispute.
 - (7) The parties to the dispute must, in good faith, attempt to settle the dispute by mediation.
 - (8) The mediator, in conducting the mediation must -
 - (a) give the parties to the mediation process every opportunity to be heard; and
 - (b) allow due consideration by all parties of any written statement submitted by any party; and
 - (c) ensure that natural justice is accorded to the parties to the dispute throughout the mediation process.
 - (9) The mediator must not determine the dispute.
 - (10) If the mediation process does not result in the dispute being resolved, the parties may seek to resolve the dispute in accordance with the Act otherwise at law.

ANNUAL GENERAL MEETING

- 10 (1) The Club shall in each calendar year convene an annual general meeting of its members.
- (2) The annual general meeting shall be held on such date and time, and at such venue, as the Committee determines.
- (3) The annual general meeting shall be specified as such in the notice convening it.
- (4) The ordinary business of the annual general meeting shall be;
 - (a) to confirm minutes of the last preceding annual general meeting and of any general meeting held since that meeting.
 - (b) to appoint a Returning Officer and scrutineers if necessary pursuant to Clause 2(5)
 - (c) to receive from the Committee reports upon the transactions and activities of the, Club during the last preceding financial year.
 - (d) to elect officers of the Club and ordinary members of the Committee.
 - (e) to receive and consider the statement submitted by the Club in accordance with section 30(3) of the Act; and
 - (f) to appoint an Auditor pursuant to Clauses 33, 34 and 35.
- (5) The annual general meeting may transact special business of which notice is given in accordance with these Rules.
- (6) The annual general meeting shall be in addition to any other general meetings that may be held in the same year.

NOTICE OF ANNUAL GENERAL MEETINGS

11. (1) The notice convening the annual general meeting shall be given to each member not less than twenty eight days before the date of the meeting and may be accompanied by a form of nomination for the Committee of Management.
- (2) The signature to the notice convening the annual general meeting may be written, stamped, impressed, typed or printed.
- (3) Notice of an annual general meeting shall be deemed to have been given to each member if notice is published in, or enclosed with the Club's newsletter or journal or such other publication as the Club may circulate to its members provided that such publication is dispatched to each member not less than twenty eight days prior to the date of that meeting addressed to each member at an address shown in the Register of Members. A notice sent to one of a dual membership shall be deemed for all purposes to have been given to each such members.
- (4) A notice sent by post to a member shall be deemed to been received by such member at the time at which the notice would have been delivered in the ordinary course of post.
- (5) The accidental omission to give notice to a member, or if the member shall fail to receive a notice sent in accordance with Sub-Clause (3), shall not invalidate an annual general meeting.

SPECIAL GENERAL MEETING

- 12 All general meetings other than the annual general meeting shall be called special general meetings.
- (1) The Committee may, whenever it thinks fit, convene a special general meeting of the Club where, but for this Sub-Clause more than 15 months would elapse between annual general meetings shall convene a special general meeting before the expiration of that period.
 - (2) The Committee Shall, on the requisition in writing of not less than 5 members convene a special general meeting of the Club.
 - (3) The requisition for a special general meeting shall state the objects of the meeting and shall be signed by the members making the requisition and be sent to the address of the Secretary and may consist of several documents in a like form, each signed by one or more of the members making the requisition.
 - (4) If the Committee does not cause a special general meeting to be held within one month after the date on which the requisition is sent to the address of the Secretary, the members making the requisition, or any of them, may convene a special general meeting to be held not later than 3 months after that date, and the Secretary shall for that purpose, if requested by such members, furnish to them or otherwise make available a list of names and addresses of all members entitled to attend a special general meeting.
 - (5) A special general meeting convened by members in pursuance of these Rules shall be convened in the same manner as nearly as possible as that in which those meetings are convened by the Committee and all reasonable expenses incurred in convening the meeting shall be refunded by the Club to the persons incurring the expenses.

NOTICE OF SPECIAL GENERAL MEETINGS

- 13
- (1) Every special general meeting convened by the Committee shall be convened by notice given by the Secretary to each member of the Club specifying the date, time and venue of such meeting as prescribed in Sub-Clause (2). The signature to any such notice may be written, stamped, impressed, typed or printed.
 - (2) Notice of a special general meeting shall be deemed to have been given to each member if it is published in the Club's newsletter or journal or such other publication, provided that such publication is made and dispatched to members not later than twenty one days prior to the date of the meeting or if it is served personally or if it is sent through the post addressed to such member at the address shown in the Register of Members. A notice sent to one of a dual membership shall be deemed for all purposes to have been notice given to each of such members.
 - (3) The accidental omission to give notice to a member or if a member shall fail to receive a notice sent pursuant to Sub-Clause 3 shall not invalidate a special general meeting.
 - (4) A notice sent by post to a member shall be deemed to have been received by such member at the time at which the notice would have been delivered in the ordinary course of post.

ADJOURNMENT OF MEETING

- 14
- (1) If at a special general meeting or at a Committee or Sub-Committee meetings quorum not be present after the expiration of thirty minutes from the appointed time thereof, the meeting shall be adjourned in accordance with Clause 15(5).
 - (2) A special general meeting of members or a meeting of members of a Committee or of a Sub-Committee shall have the power to adjourn its proceedings from time to time for any period not exceeding at any one time, one month.

PROCEEDINGS AT ALL MEETINGS OF MEMBERS

- 15 (1) All business that is transacted at a special general meeting and all business that is

transacted at the annual general meeting with the exception of that specifically referred to in Clause 10 (4) as being the ordinary business of the annual general meeting shall be deemed to be special general business.

- (2) Representation by proxy including voting by proxy is expressly precluded.
 - (3) 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 when the meeting is considering that item.
 - (4) Four (4) members personally present (being entitled under these Rules to vote at a general meeting) constitute a quorum for the transaction of the business of a general meeting.
 - (5) 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 under Clauses 12 (4) and (5) shall be dissolved and in any other case shall stand adjourned to the same day in the next week at the same time and place (unless another place is specified by the Chairperson at the time of the adjournment or by written notice to members given before the day to which the meeting is adjourned) at the same place and 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 not less than three (3)) shall be a quorum.
- 16 (1) **The President**, or in her/his absence, the Vice President, shall preside as Chairperson at each general meeting of the Club.
- (2) If the President and the Vice-President are absent from the general meeting, the members shall elect from one of their number to preside as Chairperson at the meeting.
- 17 (1) **The Chairperson** of a general meeting at which a quorum is present may, with the consent of 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 meeting is adjourned for 14 days or more, a like notice of the adjourned meeting shall be given as in the case of a general meeting.
- (3) Except as provided in Sub-Clause (1) and (2), it is not necessary to give notice of an adjournment or of the business to be transacted at an adjourned meeting.
- 18 **A question arising** at a general meeting of the Club 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 Chairperson that the resolution has, on a show of hands been carried or carried unanimously or carried by a particular majority or lost, and an entry to that effect in the Minute Book of the Club is evidence of the fact, without proof of a number or proportion of the vote recorded in favour of, or against that resolution.
- 19 (1) Save as otherwise herein provided upon any question arising at a general meeting of the Club, a member has only one vote.
- (2) Save as otherwise provided in these Rules all votes shall be given personally.
- (3) In the case of an equality of voting on a question, the Chairperson of the meeting is entitled to exercise a second or casting vote.
- 20 (1) If at a meeting a poll on any question is demanded by not less than three members, it shall be taken at that meeting in such manner as the Chairperson shall direct.
- (2) A poll that is demanded on the election of a Chairperson or on a question of adjournment shall be taken forthwith and a poll that is demanded on any other question shall be taken at such time before the closing of the meeting as the Chairperson may direct.
- 21 A member is not entitled to vote at any general meeting unless all monies due and payable by such member to the Club have been paid including the amount of annual subscription payable in respect of the current financial year.

COMMITTEE OF MANAGEMENT

- 22 (1) The affairs of the Club shall be managed by a Committee of Management constituted

as provided in Clause 24(1).

(2) The Committee:

- (a) shall control and manage the business and affairs of the Club.
- (b) may, subject to these Rules, the Regulations and the Act, exercise all such powers and functions as may be exercised by the Club other than those powers and functions that are required by these Rules to be exercised by general meetings of the members of the club; and
- (c) subject to these Rules, the Regulations of the Associations Incorporation Act, and the Act, has power to perform all such acts and things as appear to the Committee to be essential for the proper management of the business and affairs of the Club.

23 (1) **The Officers of the Club shall be:-**

- (a) a President;
- (b) a Vice- President;
- (c) a Treasurer;
- (d) a Secretary;
- (e) The Public Officer;
- (f) such other Officer/s as the Club in general meeting may appoint and except for the position of Public Officer, a member may not hold more than one office, a member may not hold more than one office.

- (2) The provisions of Clause 24 so far as they are applicable and with the necessary modifications apply to and in relation to the election of persons to any of the offices mentioned in Sub Clause (1).
- (3) Each Officer of the Club shall hold office until the annual general meeting next after the date of her/his election but is eligible for re- election.
- (4) In the event of a casual vacancy in any office referred to in Sub-Clause (1), the Committee may appoint one of its members to the vacant office and the member appointed shall hold office, subject to these Rules, until the next annual general meeting following the date of appointment.

24 (1) **The Committee shall consist of:-**

- (a) The Officers of the Club; and
- (b) Up to 6 ordinary members and shall be elected at an annual general meeting of the Club in each year.

- (2) Each ordinary member of Committee shall, subject to these Rules, hold office until the annual general meeting next after the date of her/his election but is eligible for re-election.
- (3) In the event of a casual vacancy occurring in the office of an ordinary member of the Committee, the Committee may appoint a member of the Club to fill the vacancy and the members so appointed shall hold office, subject to these rules, until the next annual general meeting next following the date of her/his appointment.

ELECTION OF COMMITTEE OF MANAGEMENT AND VACANCY

- 25 (1) Nomination of candidates for election as Office Bearers or as ordinary members of the Committee
 - (a) shall be made in writing in such form as the Committee shall prescribe, signed by one member of the Club and accompanied by written consent of the candidate (which may be endorsed on the form of nomination); and
 - (b) shall be delivered to the Secretary of the Club prior to the holding of the annual general meeting.
- (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 subject to each nominee consenting to such nomination.
- (3) If the number of nominations received is equal to the number of vacancies to be filled, the persons nominated shall be deemed to be elected.
- (4) If the number of nominations exceeds the number of vacancies to be filled, a ballot shall be held.
- (5) For the purposes of a ballot a Returning Officer and not less than two scrutineers shall be appointed by the members at the Annual General Meeting.
- (6) Each member wishing to participate in the ballot shall strike out from the ballot paper, all names in excess of the number of positions vacant and ballot papers containing a greater or lesser number of candidates to be elected shall be invalid.

- (7) If any question shall arise as to the validity or invalidity of a ballot paper, or whether any particular member has or has not been elected to any particular Office, a statement by the Returning Officer that the relevant voting paper is or is not valid or that a particular member has or has not been elected to a particular Office shall be conclusive.
- (8) Postal voting, in a form approved by the Committee shall be permitted for elections.
- 26 For the purposes of these Rules, the office of an Officer of the Club or an ordinary member of the Committee becomes vacant if the Officer or member:-
- (a) Ceases to be a member of the Club;
 - (b) becomes insolvent under administration within the meaning of the Companies (Victoria) Code;
 - (c) resigns her/his office by notice in writing given to the Secretary;
 - (d) absents herself/himself from three consecutive Committee meetings without leave of the Committee.
 - (e) if as a member of the V.C.A. Inc. she/he is disqualified or suspended by the V.C.A. Inc. whilst the Club remains an affiliate of the V.C.A. Inc.

VOTING OF MEMBERS

- 27 (1) At meetings of members of the Committee or of a Sub-Committee the mode of voting shall be in the first instance be by a show of hands, or if required by two members by an actual division or by ballot and the Chairperson shall have an ordinary vote and in the case of an equality also a casting vote and all questions shall be decided by the majority of votes of the members voting in person at any such meeting provided that on a resolution relating to the election of the Office Bearers or of members of the Committee or relating to the expulsion of members, the foregoing shall not apply and in lieu thereof votes shall be taken in accordance with the relevant Clauses of the Rules.
- (2) Every member who was a financial member of the Club for not less than three months of the financial year preceding the Annual General Meeting and is currently a financial member shall be entitled to vote at the Annual General Meeting and shall be entitled to nominate or be nominated as an Office Bearer or member of the Committee.
- (3) No person becoming a member between the closing date of the financial year preceding the Annual General Meeting, shall be entitled to vote at the Annual General Meeting, nominate or be nominated as an Office Bearer or member of the Committee.
- (4) In all matters not covered by these Rules the Rules of common debate shall apply provided always that the best interests of the general members of the Club be served and general members have the right to vote in favour or against any Committee decision.

MEETINGS OF THE COMMITTEE

- 28 (1) Meetings of the Committee shall be held at such place and at such time as the Committee from time to time determines.
- (2) The Secretary or her/his representative shall attend all meetings of the Committee. The minutes of such meetings signed by the Chairperson thereof or by the Chairperson of a confirmatory meeting shall be accepted as sufficient evidence of the proceedings of such meeting.
- (3) The quorum for a Committee meeting shall be not less than three (3) members present in person.
- (4) The Secretary shall call a meeting of the Committee whenever requested to do so by the President or by three members of the Committee.
- (5) The President, or in her/his absence, a Vice President or if both President and Vice President are absent then a member of the Committee elected by the members thereof present in person shall be the Chairperson of a meeting of the Committee.
- (6) A member of the Committee shall not vote in respect of any contract or proposed contract with the Club in which she/he is interested in respect of any matter arising thereout and if she/he be Chairperson of a meeting of the Committee.
- (7) All acts done by any meeting of the Committee or of a Sub-Committee thereof or of a Sub-Committee appointed by the members or by any person acting as a member of that Committee or of a Sub-Committee notwithstanding that it is afterwards discovered that

there

was some defect in the appointment of the Committee or of a Sub-Committee or of any person acting as aforesaid, or that the members of the Committee or any of them or of a Sub-Committee were disqualified shall be valid as if any such person had been validly appointed and was qualified to be a member of the Committee or of such Sub-Committee.

- (8) A resolution in writing signed by all members of the Committee for the time being, being entitled to receive notice of a meeting of the Committee shall be as valid and effectual as if it has been passed at a meeting of the Committee duly held and convened. Any such resolution may consist of several documents in like form each signed by one or more members of the Committee.

DUTIES OF SECRETARY AND/OR PUBLIC OFFICER

- 29 (1) The Secretary shall exercise and perform all the usual secretarial functions and generally attend to the secretarial work of the Club and in particular shall keep and maintain:
- (a) the Register of Members;
 - (b) Minutes of all proceedings of meetings of the Committee, and of the Club.
 - (c) all necessary records of the affairs of the Club;
 - (d) a complete record of awards made at all exhibitions and shows conducted by the Club where necessary;
- (2) The Public Officer shall:
- (a) notify the Registrar of her/his appointment within fourteen days - s. 28(1);
 - (b) notify her/his change of address within fourteen days - s. 22 (2);
 - (c) notify alterations to the statement of purposes or rules within one month s.22(2);
 - (d) make application for approval of a change of name, if any, within the prescribed time - s.13;
 - (e) lodge with the Registrar the documents required by s.30(4) in respect of the Annual General Meeting within one month of the date of the meeting or such further period as the Registrar may allow - s.30(4);
 - (f) produce any book to the Registrar or to her/his authorised Officer on being required to do so s.47(5);
 - (g) tell the Registrar or his authorised Officer where a book is at the time a request is made - s.47(6)
 - (h) not hinder or obstruct the Registrar or her/his authorised Officer whilst she/he is exercising powers of inspection; and
 - (i) ensure that the incorporated Club complies with its obligation to lodge with the Registrar particulars of Trusts within fourteen days of becoming a trustee of that Trust.

DUTIES OF TREASURER

- 30 The Treasurer shall:-
- (1) Receive all monies paid to the Club and cause the same to be paid into the banking account of the Club kept for such purposes within fourteen days of the receipt thereof;
 - (2) Keep all necessary books of account and financial statements as shall be required by the Auditors, the Victorian Canine Association Inc., and the Act;
 - (3) Prepare the annual accounts and accompanying reports.
 - (4) Submit financial statements to all constituted meetings of the Committee and of the Club;
 - (5) Produce in General Meeting the cash book and the bank passbook when requested to do so;
 - (6) Keep vouchers for payments authorised by the Club and the Committee; and
 - (7) Keep a true and correct inventory of all property of the Club.

REMOVAL OF MEMBER OF COMMITTEE OR PUBLIC OFFICER

- 31 (1) The Club in general meeting may by resolution remove any member of the Committee before

expiration of such member's term of office and appoint another member within fourteen days in such member's stead to hold office until expiration of the term of the first mentioned member; however

- (2) Where the member to whom a proposed resolution referred in Sub-Clause (1) makes representations in writing to the Secretary or President of the Club (not exceeding a reasonable length) and requests that they be notified to the members of the Club, the Secretary or the President may send a copy of the representations to each member of the Club or, if they are not sent, the member may require that they are read out at the meeting.

BANKING ACCOUNT

- 32 (1) The Committee shall cause a banking account to be opened with a recognised bank and be kept in the name of the Club.
- (2) A cheques payable to the Club shall be deposited to the credit of the Club's banking account.
- (3) All monies payable on behalf of the Club amounting to \$20.00 or upwards with the exception of prize money shall be paid by cheque drawn upon the Club's bankers which shall be signed by the Treasurer or in her/his absence any one of the Office Bearers authorised to sign on behalf of the Club. Notice of every such authority or change thereof shall be given to the Club's bankers forthwith whenever the need shall arise. Where an amount less than \$20.00 is paid in cash, the Treasurer, or her/his authorised deputy, shall ensure a receipt is obtained at the time of the transaction.

AUDIT AND AUDITOR

- 33 Subject to any Regulation that may be made under Section 54(2)(b) of the Associations Incorporation Act the members at the Annual General meeting shall appoint each year a person with accounting knowledge to be the Auditor of the Club and a person so appointed shall hold that office until the next Annual General Meeting. A casual vacancy occurring in the position of Auditor shall be filled by the Committee.
- 34 Notice of the nomination of any person other than a retiring Auditor for appointment shall be given to the members not less than fourteen days before the Annual General Meeting at which the appointment of Auditor is made.
- 35 A person shall not be appointed or act as Auditor of the Club if such person is an Office Bearer or an ordinary member of the Committee or an employee of the Club.

NOTICES

- 36 (1) A notice may be served on behalf of the Club upon any member either personally or by sending it by post to the member at her/his last known address shown in the Register of Members.
- (2) Where a document is properly addressed pre-paid and posted to a person as a letter, that document shall, unless the contrary is proven, be deemed to have been given to the person at the time at which the letter would have been delivered in the ordinary course of post.

WINDING UP OR CANCELLATION

- 37 in the event of the winding up or cancellation of the incorporation of the Club, the assets of the Club shall be disposed of in accordance with the provisions of the Act and Clause 41 of these Rules.

SEAL

- 38 (1) The Common Seal of the Club 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 two members of the Committee or of one member of the Committee and of the Public Officer of the Club.