

RULES OF THE CANBERRA ANGLERS ASSOCIATION INCORPORATED

**Established 15th October 1945
Version 1.2**

Change History

Version	Date	Section	Description of Change
1.0	10 Sep 03	12 (1)	Changed from 2 to 1 Vice Presidents and 8 to 4 elected members
		15 (2)	Updated actions if quorum not achieved for AGM.
		15 (4a)	Changed quorum from 12 to 6.
		15 (4b)	Additional clarification if quorum not achieved.
		15 (5aii)	Changed 'senior vice president' to 'vice president'.
1.1	14 Aug 13	15 (1c)	Replaced term 'Association' with 'Council'.
		21 (1)(2)	Added "The treasurer, with prior email endorsement from one other council member, may process electronic bank transfer payments."
1.2	10 Sep 25	23a	New paragraph to include NFP compliance statement for distribution of assets
		6(5)	Amended definition of Honorary Membership.
		15(3) (c)(d)	Update to general meeting provisions.

* Version numbers started from constitution of 10 Sep 2003.

* Changes underlined or struck through only for latest version changes.

Interpretation

1. (1) In these rules, unless the contrary intention appears –

"the Act" means the Associations Incorporation Act 1991 and the regulations made under the Associations Incorporation Act 1991

"the Association" means "the Canberra Anglers Association Inc."

"Council" shall have an equivalent meaning to the word "committee" as defined in the Act

"financial year" means the year ending on 30 June

"member" means a member of the Association

"rules" means "rules of the Canberra Anglers Association Incorporated"

"secretary" means the person holding office under these rules as the secretary of the Association, or where no such person holds that office, the public officer of the Association;

- (2) The Council shall be the sole authority for the interpretation of these rules and of the by-laws made thereunder, and the decision of the Council on any question of interpretation or upon any matter affecting the Association and not provided for by these rules or by the by-laws made thereunder shall be binding and final on the member.

Name

2. The Association shall be called "Canberra Anglers Association Inc".

Constitution

3. The Association shall consist of a Council appointed as provided in the rules of the Association, and all members accepted in accordance with the said rules.

Objects

4. The objects of the Association shall be:
 - (1) the protection of trout and other fish;
 - (2) the care of trout streams and other waters;
 - (3) the encouragement of angling in all its best aspects;
 - (4) the promotion of social intercourse amongst anglers including the conduct of competitions;
 - (5) the encouragement of juniors to learn sportsmanship and watercraft through angling.

Powers

5. In furtherance of the objects the Association shall have power to:
 - (1) Raise or expend money, purchase, lease or otherwise acquire any real or personal property or any interest therein.
 - (2) Co-operate and liaise with government departments and other bodies or persons public or private or any Associations or societies having similar objects.

Membership

6. The members of the Association shall be:
 - (1) The foundation members, being those persons who attend the inaugural meeting of the Association on 15 October 1945 and paid their membership fee at that meeting;
 - (2) Members, being persons 18 years of age or over;
 - (3) Junior members, being persons under 18 years of age at the date of the annual general meeting;
 - (4) Life members;
 - (5) Honorary members, being any person temporarily resident in the Australian Capital Territory for a period not exceeding three months, or providing support for or participating in a specific activity, as appointed by the Council.

Entrance Fee and Subscriptions

7. (1) There shall be no entrance fee.
- (2) The annual subscription fee shall be that determined at the Annual General Meeting in each year.
- (3) Subscriptions are due at the Annual General Meeting in each year except for new members who shall include payment of their first annual subscription with their application for membership.
- (4) Applications for membership shall disclose the applicant's name and address.

Members Liability

8. The liability of a member to contribute towards the payment of the debts and liabilities of the Association or the costs, charges and expenses of the winding up of the Association is limited to the amount if any, unpaid by the member in respect of the Association as required by Rule 7.

Disciplining of Members

9. (1) Where the Council is of the opinion that a member –
 - (a) has refused or neglected to comply with the rules;
 - (b) has acted in an unworthy or unsportsmanlike manner;the Council may by resolution of two thirds of the Council –
 - (c) expel the member from the Association;
 - (d) suspend the member from such rights and privileges of membership of the Association as the Council may determine for a specific period.
- (2) A resolution of the Council under sub-rule (1) is of no effect unless the Council confirms the decision at a meeting of Council not earlier than 14 days and not later than 28 days after the service on the member of a notice under subrule (3).
- (3) Where a member is expelled or suspended, the Secretary shall within 7 days by notice in writing inform the member:
 - (a) of the Council's decision;
 - (b) that the member may address the Council orally or by written representation or both;
 - (c) the date, time, and place at which the member may address the Council.

- (4) At a meeting of the Council as mentioned in sub rule (2), the Council shall –
 - (a) give to the member an opportunity to make oral and written representations;
 - (b) give due consideration to any oral or written representations submitted to the Council by the member at or prior to the meeting;
 - (c) by resolution determine whether to confirm or revoke the resolution of the Council under subrule (1);
- (5) A resolution confirmed under subrule (3) shall not take effect until the appeal period expires or, where the member exercises the right of appeal, the Association confirms the resolution under subrule 10.
- (6) Where a member is expelled under these rules the member shall forfeit all rights and claims upon the Association and its property.

Right of Appeal of Disciplined Member

- 10. (1) A member may appeal to the Association in general meeting against a resolution of the Council by lodging with the Secretary a notice to that effect.
- (2) Upon receipt of a notice under sub rule (1), the secretary shall notify the Council which shall convene a general meeting of the Association to be held within 21 days after the date on which the secretary received the notice or as soon as possible after that date.
- (3) Subject to section 50 of the Act, at a general meeting of the Association convened under sub rule (2) -
 - (a) no business other than the question of appeal shall be transacted;
 - (b) the Council 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 9(4) should be confirmed or revoked or amended.
 - (d) If the meeting passes a special resolution in favour of the confirmation of the resolution made under sub rule 9(4), that special resolution is confirmed.

Powers of the Council

11. (1) The Council, subject to the Act, the regulations and any resolution passed by the Association in general meeting, shall control and manage the affairs of the Association.
- (2) The Council may exercise all the powers and functions as may be exercised by the Association other than those functions that are required to be exercised by the Association in general meeting;
- (3) The council has the power to do all things necessary or desirable for the proper management of the affairs of the Association, including the making of by-laws.

Constitution of the Council

12. (1) The Council shall consist of –
 - (a) the president;
 - (b) the treasurer;
 - (c) 1 vice presidents;
 - (d) the secretary;
 - (e) the assistant secretary;
 - (f) 4 elected members;
 - (g) the public officer.
- (2) Each member of the Council shall hold office until their successors are appointed at the annual general meeting next following their appointment.
- (3) Where any member of the Council is absent for more than 2 consecutive meetings of the Council, if the Council resolves (upon which resolution the member absenting himself shall not be entitled to vote) that the absences are without satisfactory explanation, the member shall cease to be a member of Council.
- (4) In the event of a casual vacancy in the membership of the Council, the Council may appoint a member of the Association to fill the vacancy and the member appointed shall hold office as though elected at the previous annual general meeting.

- (5) A vacancy occurs in the office of a member of Council if the member:
 - (a) dies;
 - (b) ceases to be a member of the Association;
 - (c) resigns the office;
 - (d) is removed from office pursuant to subrule (6);
 - (e) ceases to be a member of the Council pursuant to sub rule (3);
 - (f) suffers from mental or physical incapacity;
 - (g) is disqualified under section 63 of the Act.
- (6) The Association in general meeting may by resolution, subject to section 50 of the Act, remove any member of the Council from the office of member of the Council before the expiration of the member's term of office.

Election of Council Members

- 13. (1) The members of the Council shall be nominated and be elected by ballot at the Annual General Meeting of the Association in such manner as the Council may direct.
- (2) Retiring members shall be eligible for re-election without nomination.

Meetings of the Council

- 14. (1) Meetings of Council shall be held at least once in each calendar month, unless otherwise determined by a resolution of a previous meeting;
- (2) Any five members of the Council, one being the President or, in his absence, a Vice-President, shall constitute a quorum for the transaction of the business of the Council meeting;
- (3) The following shall be the order of business at meetings of the Council:
 - (a) read and confirm the minutes of the previous meeting;
 - (b) discuss business arising out of the minutes;
 - (c) correspondence;
 - (d) reports;
 - (e) new members;
 - (f) Treasurer's monthly statement of accounts;
 - (g) general business;

unless a majority of members present resolve to suspend any one or more of the above items of business.

- (4) Meetings of the Council shall be chaired by the president or in the absence of the president a vice-president as chosen by a majority of the members present.
- (5) Questions arising at a meeting of Council shall be determined by a majority of the votes of members present at the meeting.
- (6) Each member of the council present at the meeting shall have one vote, but the president or vice-president in the chair shall have, in the event of an equal division of votes, a second or casting vote.

Meeting of the Association

15. (1) Annual General Meeting

The annual general meeting of the Association shall be held in every year between the first and fifteenth day of August to transact the following business:

- (a) to receive and, if approved, to adopt and receive the annual report and statement of the Association's accounts to the end of the preceding financial year;
 - (b) to elect the officers and other members of the Council;
 - (c) to appoint an auditor, who shall not be a member of the Council;
 - (d) to deal with any special matter which the Council desires to bring before the members, and to receive suggestions from the members for consideration by the Council;
 - (e) to present trophies won by members at competitions held by the Association during the preceding year.
- (2) In the event of a failure to achieve a quorum the annual general meeting shall be deferred to a date between the first and fifteenth day of September.

(3) General Meetings

- (a) A general meeting of the Association shall be held at least once every 3 months or whenever the president or Council considers it necessary.
- (b) Where not less than 12 members lodge with the secretary a requisition in writing seeking a special general meeting and specifying the object of the meeting, the president or the Council shall convene a special general meeting within 21 days from the date the requisition was lodged with the secretary.
- (c) Not less than 7 days before the date fixed for the holding of the general meeting notice of the convening of a general meeting shall be given by a member of the committee to financial members via email (or telephone or letter for those without email).
- (d) Where the nature of business proposed for the general meeting requires a special resolution of the Association, an email to the financial members (or telephone or letter for those without email) shall specify the intention to propose the resolution as a special resolution.

(4) Quorum

- (a) At a general meeting 6 members present in person shall constitute a quorum.
- (b) Where an annual general meeting is deferred under section 15(2) and a quorum is not achieved the quorum shall be 3 members present in person.
- (c) No item of business shall be transacted unless a quorum of members entitled to vote is present.

(5) Procedure

- (a) The following persons shall preside at a general meeting:
 - (i) The president; or in the president's absence;
 - (ii) The vice-president present, or if none is present;
 - (iii) Any member of Council as elected by the members.

(6) Voting

- (a) The person presiding at the meeting shall ascertain decisions of the meeting by assessing a show of hands or by taking a division of members or in such other manner as he or she deems convenient.
- (b) Any members who have paid an annual subscription fee (whether individually or by family subscription fee), foundation members and life members are entitled to 1 vote on any question arising at a general meeting.
- (c) All votes shall be given personally or by proxy but no members shall hold more than 5 proxies.
- (d) In the event of an even voting on a question before a general meeting, the person presiding is entitled to exercise a second or casting vote.

Competitions

16. The Council shall endeavour to arrange not less than seven angling competitions during each year at such times and under such conditions as it deems fit. All members may participate in the angling competitions but are not entitled to be awarded a trophy unless they have paid their annual subscription fee as required by rule 7.

Secretary

17. (1) The Secretary shall:
- (a) maintain a register of members;
 - (b) maintain minute books recording all the proceedings of every meeting of the Association;
 - (c) maintain a register of assets;
 - (d) maintain any other books or records or documents as the Council from time to time directs;
 - (e) issue notices convening meetings;
 - (f) receive correspondence of the club and present the correspondence to Council at its next meeting;
 - (g) prepare an annual report for presentation to the members at the Annual General Meeting.
 - (h) The annual report shall include particulars of the activities of the Association during the year, a record of attendances at meetings of the Council and an audited statement of the Association's accounts as required by the Act.

Public Officer

18. (1) The Association shall have a public officer.
- (2) The public officer shall be a member of the Association as defined in subrule 6(1), (2) or (4) of the rules and shall be a resident of the Australian Capital Territory.
- (3) The public officer may hold any other office in the Association.
- (4) Where the office of public officer becomes vacant the Council shall, within 14 days after the vacancy occurred, appoint a person to fill the vacancy.
- (5) The person who is appointed to be the public officer shall not later than 1 month after being appointed lodge with the Registrar a notice of the appointment in the approved form.
- (6) If the public officer changes his or her address the public officer shall, within 1 month after the change, lodge with registrar a notice of the change in the approved form.

Treasurer

19. The treasurer of the Association shall:
- (1) collect and receive all monies due to the Association and make all payments authorised by the Association; and
- (2) keep and maintain correct accounts and books showing the financial affairs of the Association and such other records or statements as directed by the Council; and
- (3) present for the inclusion in the Annual Report an audited statement of the Association's accounts for the financial year as required by the Act.

Source of Funds

20. (1) The funds of the Association shall be derived from entrance fees and annual subscriptions of members, donations and, subject to any resolution passed by the Association in general meeting and subject to section 114 of the Act, such other sources as the Council determines.
- (2) All money received by the Association shall be deposited as soon as practicable and without deduction to the credit of the Associations bank account.
- (3) The Association shall, as soon as practicable after receiving any money, issue an appropriate receipt.

Management of Funds

21. (1) The council shall have the power to spend the Associations funds in such manner as it thinks fit in accordance with these rules and the objects of the Association.
- (2) Subject to subrule (3) all cheques, drafts, bills of exchange, promissory notes or other negotiable instruments shall be signed by any two members of the Council or employees of the Association, being members of the committee or employees authorised to do so by the Council. The treasurer, with prior email endorsement from one other council member, may process electronic bank transfer payments.
- (3) The president may, without the prior approval of the Council, expend an amount of the Association's funds not exceeding an amount fixed by the Council and may sign cheques or other documents, in the manner prescribed by the Council, to effect that expenditure.

Audit of Accounts

22. (1) The Council shall take all reasonable steps to ensure the Association's accounts are audited in accordance with the requirements of the Act.
- (2) The Council shall present to the Annual General Meeting the audited statement of the Associations accounts and any other reports as are required by the Act.
- (3) The Council shall within the period of 6 months beginning at the end of each financial year lodge an audited statement of accounts and such other statements, documents and reports as required under the Act.

Members Using the Association for Profit

23. No member shall, except for professional services rendered at the request of the Council, on any pretence or in any manner receive any profit, salary or emolument from the funds or transactions of the Association.
- 23a. The Association prohibits the distribution of income or assets to members, while it is operating and winding up.

Winding Up of the Association

24. Winding up of the Association shall be conducted in accordance with the procedures specified in the Act.

Inspection of the Association's Books by a Member

25. The books of the Association and a copy of the last annual statement of receipts and payments with the auditor's report shall be open to inspection at the place where they are kept, by any member of the Association at all reasonable hours.

Custody of Books

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

Life Member

27. Any General Meeting of members shall have power to elect as a Life Member any person in recognition of services rendered to the Association. Such person shall have the full privileges of membership. All nominations for such membership to be dealt with at the annual general meeting following nominations. Not more than one (1) Life Member may be elected during each year.

Alteration of Objects and Rules

28. The objects of the Association and these rules shall be altered only in accordance with the procedures specified in the Act.

Seal of the Association

29. (1) The seal of the Association shall be in the form of a rubber stamp inscribed with the name of the Association encircling the word "Seal".
- (2) The seal of the Association shall not be affixed to any instrument except by the authority of the Council and the affixing thereof shall be attested by either of two members of the Council or of one member of Council or of one member of the Council and of the public officer of the Association or such other person as the Council may appoint for that purpose, and that attestation is sufficient for all purposes that the seal was affixed by the authority of the Council.
- (3) The seal shall remain in the custody of the public officer.