**Constitution of**

**Canberra International Clay Target Club Inc**

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**Part 1.1 Preliminary**

**1 Definitions for model rules**

In these rules:

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

***Association*** *or* ***association*** means or is the Canberra International Clay Target Club Inc.

***financial year*** means the year ending on 31 January.

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

***ordinary committee member*** means a member of the committee

who is not an office-bearer of the association as mentioned in

section 12 (1) (a).

***secretary*** means the person holding office under these rules as

secretary of the association or, if no such person holds that office,

the public officer of the association.

***membership officer*** means the person holding office under these rules as membership officer of the association.

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

***the regulation*** means the *Associations Incorporation Regulation*

*1991*.

**1A Application of Legislation Act 2001**

The *Legislation Act 2001* applies to these rules in the same way as it

 would if they were an instrument made under the Act.

**1B The objects of the Association are:**

(a) To promote develop and encourage in all its forms the sport of clay target shooting and to provide for members facilities for clay target shooting including a club house and other such buildings, plant, equipment or works as may necessary or convenient for the club purpose;

(b) To promote the sport of shooting in general to all members of the public, specifically including game hunting;

(c) To promote wildlife conservation projects, game management projects, the development of game hunting facilities and the conservation and wise use of natural resources; and

(d) In addition to the basic objects of the Association the objects and purposes of the Association shall be deemed to include -

(i) the purchase, taking on lease or in exchange and the hiring or otherwise acquiring of any real or personal property that may be deemed necessary or convenient for any of the objects or purposes of the Association;

(ii) the buying selling and supplying of and dealing in goods of all kinds;

(iii) the construction maintenance and alteration of building or works necessary or convenient for any of the objects or purposes of the Association;

(iv) the accepting of any gift whether subject to a special trust or not for any one or more of the objects or purposes of the Association;

(v) the taking of such steps from time to time as the committee or the members in general meeting may deem expedient for the purpose of procuring contributions to the funds of the Association whether by way of donations subscriptions or otherwise;

(vi) the printing and publishing of such newspapers periodicals books leaflets or other documents as the committee or the members in general meeting may think desirable for the promotion of the objects and purposes of the Association;

(vii) the borrowing and raising of money in such manner and on such terms as the committee may think fit or a may be approved or directed by resolution passed at a general meeting and securing the repayment of money so raise or borrowed or the payment of a debt or liability of the Association by giving mortgages charges or securities upon or over all or any of the seal or personal property of the Association; and

(viii) the doing of all such other lawful things as are incidental or conducive to the attainment of the basic objects of the Association or of any of the objects and purposes specified in the foregoing clauses and sub-clauses.

**1C Affiliations:**

(a) Australian Clay Target Association(ACTA) is recognised by the Association as the peak body and final arbiter in Australia for those clay target disciplines it recognises and regulates. These disciplines can be found in the ACTA Rules Book.

**Part 1.2 Membership**

**2 Membership qualifications**

A person is qualified to be a member if—

(a) the person is a person mentioned in the Act, section 21 (2) (a)

or (b) and has not ceased to be a member of the association at

any time after incorporation of the association under the Act;

or

(b) the person has been approved for membership of the association by

 the committee of the association.

**3 Nomination for membership**

(1) A nomination of a person for membership of the association—

(a) must be made in using a membership form current at that time; and

(b) must be lodged with the membership officer of the association.

(2) As soon as is practicable after receiving a nomination for

membership, the membership officer must refer the nomination to the

committee which must decide whether to approve or to reject the

nomination.

(3) If the committee decides to approve a nomination for membership,

the membership officer must, on payment by the nominee of the applicable fee, enter the nominee’s name in the register of members and, on the name being so entered, the nominee becomes a member

of the association.

**4 Membership entitlements not transferable**

A right, privilege or obligation that a person has because of being a

member of the association—

(a) cannot be transferred or transmitted to another person; and

(b) terminates on cessation of the person’s membership.

**5 Cessation of membership**

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

(a) dies; or

(b) resigns from membership of the association; or

(c) is expelled from the association; or

(d) fails to renew membership of the association.

**6 Resignation of membership**

(1) A member is not entitled to resign from membership of the

association except in accordance with this section.

(2) A member who has paid all amounts payable by the member to the

association may resign from membership of the association by first

giving notice (of not less than 1 month or, if the committee has

determined a shorter period, that shorter period) in writing to the

secretary of the member’s intention to resign and, at the end of the

period of notice, the member ceases to be a member.

(3) If a person ceases to be a member, the membership officer must make an appropriate entry in the register of members recording the date the member ceased to be a member.

**7 Fee, subscriptions etc**

(1) The annual membership fees and categories of membership of the association are determined from time to time by resolution of the committee.

(2) The annual membership fee is payable before 31 January in each

 calendar year.

**8 Members’ liabilities**

The liability of a member to contribute towards the payment of the

debts and liabilities of the association or the costs, charges and

expenses of the winding up of the association is limited to the

amount (if any) unpaid by the member in relation to membership of

the association as required by section 7.

**9 Disciplining of members**

(1) If the committee is of the opinion that a member—

(a) has persistently refused or neglected to comply with a

provision of these rules; or

(b) has persistently and wilfully acted in a manner prejudicial to

the interests of the association;

the committee may, by resolution—

(c) expel the member from the association; or

(d) suspend the member from the rights and privileges of

membership of the association that the committee may decide

for a specified period.

(2) A resolution of the committee under subsection (1) is of no effect

unless the committee, at a meeting held not earlier than 14 days and

not later than 28 days after service on the member of a notice under

subsection (3), confirms the resolution in accordance with this

section.

(3) If the committee passes a resolution under subsection (1), the

secretary must, as soon as practicable, serve a written notice on the

member—

(a) setting out the resolution of the committee and the grounds on

which it is based; and

(b) stating that the member may address the committee at a

meeting to be held not earlier than 14 days and not later than

28 days after service of the notice; and

(c) stating the date, place and time of that meeting; and

(d) informing the member that the member may do either or both

of the following:

(i) attend and speak at that meeting;

(ii) submit to the committee at or before the date of that

meeting written representations relating to the resolution.

(4) Subject to the Act, section 50, at a meeting of the committee

mentioned in subsection (2), the committee must—

(a) give to the member mentioned in subsection (1) an opportunity

to make oral representations; and

(b) give due consideration to any written representations submitted

to the committee by that member at or before the meeting; and

(c) by resolution decide whether to confirm or to revoke the

resolution of the committee made under subsection (1).

(5) If the committee confirms a resolution under subsection (4), the

secretary must, within 7 days after that confirmation, by written

notice inform the member of that confirmation and of the member’s

right of appeal under section 10.

(6) A resolution confirmed by the committee under subsection (4) does

not take effect—

(a) until the end of the period within which the member is entitled

to appeal against the resolution if the member does not exercise

the right of appeal within that period; or

(b) if within that period the member exercises the right of

appeal—unless and until the association confirms the

resolution in accordance with section 10 (4).

**10 Right of appeal of disciplined member**

(1) A member may appeal to the association in general meeting against

a resolution of the committee that is confirmed under section 9 (4),

within 7 days after notice of the resolution is served on the member,

by lodging with the secretary a notice to that effect.

(2) On receipt of a notice under subsection (1), the secretary must notify

the committee which must call a general meeting of the association

to be held within 21 days after the date when the secretary received

the notice or as soon as possible after that date.

(3) Subject to the Act, section 50, at a general meeting of the

association called under subsection (2)—

(a) no business other than the question of the appeal may be

transacted; and

(b) the committee and the member must be given the opportunity

to make representations in relation to the appeal orally or in

writing, or both; and

(c) the members present must vote by secret ballot on the question

of whether the resolution made under section 9 (4) should be

confirmed or revoked.

(4) If the meeting passes a special resolution in favour of the

confirmation of the resolution made under section 9 (4), that

resolution is confirmed.

**Part 1.3 Committee**

**11 Powers of committee**

The committee, subject to the Act, the regulation, these rules, and to

any resolution passed by the association in general meeting—

(a) controls and manages the affairs of the association; and

(b) may exercise all functions that may be exercised by the

association other than those functions that are required by these

rules to be exercised by the association in general meeting; and

(c) has power to perform all acts and do all things that appear to

the committee to be necessary or desirable for the proper

management of the affairs of the association.

**12 Constitution and membership**

(1) The committee consists of—

(a) the office-bearers of the association; and

(b) 4 ordinary committee members;

each of whom must be elected under section 13 or appointed in

accordance with subsection (4).

(2) The office-bearers of the association are—

(a) the president; and

(b) two vice-presidents; and

(c) the treasurer; and

(d) the secretary.

(3) Each member of the committee holds office, subject to these rules,

until the conclusion of the annual general meeting following the

date of the member’s election, but is eligible for re-election.

(4) If there is a vacancy in the membership of the committee, the

committee may appoint a member of the association to fill the

vacancy and the member so appointed holds office, subject to these

rules, until the conclusion of the next annual general meeting after

the date of the appointment.

**13 Election of committee members**

(1) Nominations of candidates for election as office-bearers of the

association or as ordinary committee members—

(a) must be made in writing, signed by 2 members of the

association and accompanied by the written consent of the

candidate (which may be endorsed on the nomination form);

and

(b) must be given to the secretary of the association not less than 7

days before the date fixed for the annual general meeting at

which the election is to take place.

(2) If insufficient nominations are received to fill all vacancies on the

committee, the candidates nominated are taken to be elected and

further nominations may be received at the annual general meeting.

(3) If insufficient further nominations are received, any vacant positions

remaining on the committee are taken to be vacancies.

(4) If the number of nominations received is equal to the number of

vacancies to be filled, the people nominated are taken to be elected.

(5) If the number of nominations received exceeds the number of

vacancies to be filled, a ballot must be held.

(6) The ballot for the election of office-bearers and ordinary committee

members must be conducted at the annual general meeting in the

way the committee may direct.

(7) A person is not eligible to simultaneously hold more than 1 position

on the committee.

**14 Secretary**

(1) The secretary of the association must, as soon as practicable after

being appointed as secretary, notify the association of his or her

address.

(2) The secretary must keep minutes of—

(a) all elections and appointments of office-bearers and ordinary

committee members; and

(b) the names of members of the committee present at a committee

meeting or a general meeting; and

(c) all proceedings at committee meetings and general meetings.

(3) Minutes of proceedings at a meeting must be approved by at the next

succeeding meeting.

**15 Treasurer**

(1) The treasurer of the association must—

(a) collect and receive all amounts owing to the association and

make all payments authorised by the association; and

(b) keep correct accounts and books showing the financial affairs

of the association with full details of all receipts and

expenditure connected with the activities of the association.

**16 Vacancies**

For these rules, a vacancy in the office of a member of the

committee happens if the member—

(a) dies; or

(b) ceases to be a member of the association; or

(c) resigns the office; or

(d) is removed from office under section 17 (Removal of

committee members); or

(e) becomes bankrupt or personally insolvent; or

(f) suffers from mental or physical incapacity; or

(g) is disqualified from office under the Act, section 63 (1); or

(h) is absent without the consent of the committee from all

meetings of the committee held during a period of 6 months.

**17 Removal of committee members**

The association in general meeting may by resolution, subject to the

Act, section 50, remove any member of the committee from the

office of member of the committee before the end of the member’s

term of office.

**18 Committee meetings and quorum**

(1) The committee must meet at least 3 times in each calendar year at

the place and time that the committee may decide.

(2) Additional meetings of the committee may be called by any member

of the committee.

(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 any other period that may be unanimously agreed on by the

members of the committee) before the time appointed for the

holding of the meeting.

(4) Notice of a meeting given under subsection (3) must specify the

general nature of the business to be transacted at the meeting and no

business other than that business may be transacted at the meeting,

except business that the committee members present at the meeting

unanimously agree to treat as urgent business.

(5) Any 6 members of the committee constitute a quorum for the

transaction of the business of a meeting of the committee.

(6) No business may be transacted by the committee unless a quorum is

present and, if within half an hour after the time appointed for the

meeting a quorum is not present, the meeting stands adjourned to

the same place and at the same hour of the same day in the

following week.

(7) If at the adjourned meeting a quorum is not present within half an

hour after the time appointed for the meeting, the meeting is

dissolved.

(8) At meetings of the committee—

(a) the president or, in the absence of the president, the vice president presides; or

(b) if the president and the vice-president are absent—1 of the

remaining members of the committee may be chosen by the

members present to preside.

**19 Delegation by committee to subcommittee**

(1) The committee may, in writing, delegate to 1 or more

subcommittees (consisting of the member or members of the

association that the committee considers appropriate) the exercise of

the functions of the committee that are specified in the instrument,

other than—

(a) this power of delegation; and

(b) a function that is a function imposed on the committee by the

Act, by any other Territory law, or by resolution of the

association in general meeting.

(2) A function, the exercise of which has been delegated to a

subcommittee under this section may, while the delegation remains

unrevoked, be exercised from time to time by the subcommittee in

accordance with the terms of the delegation.

(3) A delegation under this section may be made subject to any

conditions or limitations about the exercise of any function, or about

time or circumstances, that may be specified in the instrument of

delegation.

(4) Despite any delegation under this section, the committee may

continue to exercise any function delegated.

(5) Any act or thing done or suffered by a subcommittee acting in the

exercise of a delegation under this section has the same force and

effect as it would have if it had been done or suffered by the

committee.

(6) The committee may, in writing, revoke wholly or in part any

delegation under this section.

(7) A subcommittee may meet and adjourn as it considers appropriate.

**20 Voting and decisions**

(1) Questions arising at a meeting of the committee or of any

subcommittee appointed by the committee are decided by a majority

of the votes of members of the committee or subcommittee present

at the meeting.

(2) Each member present at a meeting of the committee or of any

subcommittee appointed by the committee (including the person

presiding at the meeting) is entitled to 1 vote but, if the votes on any

question are equal, the person presiding may exercise a second or

casting vote.

**Part 1.4 General meetings**

**21 Annual general meetings—holding of**

(1) The association must, at least once in each calendar year

and within 5 months after the end of each financial year of the

association, call an annual general meeting of its members.

(2) Subsection (1) has effect subject to the powers of the

registrar-general under the Act, section 120 in relation to extensions

of time.

**22 Annual general meetings—calling of and business at**

(1) The annual general meeting of the association must, subject to the

Act, be called on the date and at the place and time that the

committee considers appropriate.

(2) In addition to any other business that may be transacted at an annual

general meeting, the business of an annual general meeting is—

(a) to confirm the minutes of the last annual general meeting and

of any general meeting held since that meeting; and

(b) to receive from the committee reports on the activities of the

association during the last financial year; and

(c) to elect members of the committee, including office-bearers;

and

(d) to receive and consider the statement of accounts and the

reports that are required to be submitted to members under the

Act, section 73 (1).

(3) An annual general meeting must be specified as such in the notice

calling it in accordance with section 24 (Notice).

(4) An annual general meeting must be conducted in accordance with

the provisions of this part.

**23 General meetings—calling of**

(1) The committee may, whenever it considers appropriate, call a

general meeting of the association.

(2) The committee must, on the requisition in writing of not less than

5% of the total number of members, call a general meeting of the

association.

(3) A requisition of members for a 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 1 or more of the members making the requisition.

(4) If the committee fails to call a general meeting within 1 month after

the date when a requisition of members for the meeting is lodged

with the secretary, any 1 or more of the members who made the

requisition may call a general meeting to be held not later than 3

months after that date.

(5) A general meeting called by a member or members mentioned in

subsection (4) must be called as nearly as is practicable in the same

way as general meetings are called by the committee and any

member who thereby incurs expense is entitled to be reimbursed by

the association for any reasonable expense so incurred.

**24 Notice**

(1) Except 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 14 days before the date fixed for the holding

of the general meeting, communicate to the membership of the association by whatever means the Committee dictates specifying the place, day and time for the holding of the meeting and the nature of the business to be transacted thereat.

(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, send notice to each member in the way provided in

subsection (1) specifying, in addition to the matter required under

that subsection, the intention to propose the resolution as a special

resolution.

(3) No business other than that specified in the notice calling a general

meeting may be transacted at the meeting except, for an annual

general meeting, business that may be transacted under

section 22 (2).

(4) A member desiring to bring any business before a general meeting

may give written notice 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.

**25 General meetings—procedure and quorum**

(1) No item of business may be transacted at a general meeting unless a

quorum of members entitled under these rules to vote is present

during the time the meeting is considering that item.

(2) Fifteen members present in person (who are entitled under these rules

to vote at a general meeting) constitute a quorum for the transaction

of the business of a general meeting.

(3) If within 30 minutes after the appointed time for the start of a

general meeting a quorum is not present, the meeting if called on the

requisition of members is dissolved and in any other case stands

adjourned to the same day in the following week at the same time

and (unless another place is specified at the time of adjournment by

the person presiding at the meeting or communicated by written

notice to members given before the day to which the meeting is

adjourned) at the same place.

(4) If at the adjourned meeting a quorum is not present within

30 minutes after the time appointed for the start of the meeting, the

members present (being not less than 10) constitute a quorum.

**26 Presiding member**

(1) The president, or in the absence of the president, the vice-president,

presides at each general meeting of the association.

(2) If the president and the vice-president are absent from a general

meeting, the members present must elect 1 of their number to

preside at the meeting.

**27 Adjournment**

(1) The person presiding at a general meeting at which a quorum is

present may, with the consent of the majority of members present at

the meeting, adjourn the meeting from time to time and place to

place, but no business may be transacted at an adjourned meeting

other than the business left unfinished at the meeting at which the

adjournment took place.

(2) If a general 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.

(3) Except as provided in subsections (1) and (2), notice of an

adjournment of a general meeting or of the business to be transacted

at an adjourned meeting is not required to be given.

**28 Making of decisions**

(1) A question arising at a general meeting of the association is to be

decided on a show of hands and, unless before or on the declaration

of the show of hands a poll is demanded, a declaration by the person

presiding that a resolution has, on a show of hands, been carried or

carried unanimously or carried by a particular majority or lost, or an

entry to that effect in the minute book of the association, is evidence

of the fact without proof of the number or proportion of the votes

recorded in favour of or against that resolution.

(2) At a general meeting of the association, a poll may be demanded by

the person presiding or by not less than 3 members present in person

or by proxy at the meeting.

(3) If the poll is demanded at a general meeting, the poll must be

taken—

(a) immediately if the poll relates to the election of the person to

preside at the meeting or to the question of an adjournment; or

(b) in any other case—in the way and at the time before the close

of the meeting that the person presiding directs, and the

resolution of the poll on the matter is taken to be the resolution

of the meeting on that matter.

**29 Voting**

(1) Subject to subsection (3), on any question arising at a general

meeting of the association a member has 1 vote only.

(2) All votes must be given personally or by proxy but no member may

hold more than 5 proxies.

(3) If the votes on a question at a general meeting are equal, the person

presiding is entitled to exercise a second or casting vote.

(4) A member or proxy is not entitled to vote at any general meeting of

the association unless all money due and payable by the member or

proxy to the association has been paid, other than the amount of the

annual subscription payable for the then current year.

**30 Appointment of proxies**

(1) Each member is entitled to appoint another member as proxy by

notice given to the secretary no later than 24 hours before the time

of the meeting for which the proxy is appointed.

(2) The notice appointing the proxy must be in the form set out in

appendix 1.

**Part 1.5 Miscellaneous**

**31 Funds—source**

(1) The funds of the association must be derived from annual subscriptions of members, donations, ordinary operations of the club (e.g. shooting) and, subject to any resolution passed by the association in general meeting and subject to the Act, section 114, any other sources that the committee decides.

(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.

(3) The association must, as soon as practicable after receiving any

money issue an appropriate receipt.

**32 Funds—management**

(1) Subject to any resolution passed by the association in general

meeting, the funds of the association must be used for the objects of

the association in the way that the committee decides.

(2) All cheques, drafts, bills of exchange, promissory notes, other

negotiable instruments and electronic transactions must be signed or authorised as appropriate, by 2 members of the committee, being members of the committee authorised to do so by the committee.

(3) Except authorised by the committee, no payment shall be made from the funds of the Association.

(4) The Association shall not –

 (a) appoint a person who is a member of the committee to any office in the gift of the Association to the holder of which there is payable any remuneration by way of salary fees or allowances, or

 (b) pay to any such person any remuneration or other benefit in money or money's worth other than the repayment of out-of-pocket expenses.

 (c) Nothing in the foregoing provisions of this rule prevents the payment in good faith to a servant or member of the Association of remuneration in return for services actually rendered to the Association by the servant or member or for goods supplied to the Association by the servant or member in the ordinary course of business.

**33 Alteration of objects and rules**

Neither the objects of the association mentioned in the Act,

section 29 nor these rules may be altered except in accordance with

the Act.

**34 Common seal**

(1) The common seal of the association must be kept in the custody of

the secretary.

(2) The common seal must not be attached to any instrument except by

the authority of the committee and the attaching 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 of the secretary.

**35 Custody of books**

Subject to the Act, the regulation and these rules, 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.

**36 Inspection of books**

The records, books and other documents of the association must be

open to inspection at a place in the Australian Capital Territory, free of charge, by a member of the association at any reasonable hour.

**37 Service of notice**

For these rules, the association may serve a notice on a member by

sending it by post to the member at the member’s address shown in

the register of members.

*Note* For how documents may be served, see the Legislation Act, pt 19.5.

**Appendix 1**

(see s 30 (2))

**Form of appointment of proxy**

I,

..................................................................................................................

(full name)

of

..................................................................................................................

(address)

a member of

..................................................................................................................

(name of incorporated association)

appoint

..................................................................................................................

(full name of proxy)

of

..................................................................................................................

(address)

a member of that incorporated association, as my proxy to vote for me on my

behalf at the general meeting of the association (annual general meeting or

other general meeting, as the case may be) to be held on

..................................................................................................................

And at any adjournment of that meeting.

\*My proxy is authorised to vote in favour of/against (delete as appropriate)

the resolution (insert details).

.......................................

(Signature of member appointing proxy)

(\*To be inserted if desired.)

Date ................................

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

association.