

CONSTITUTION of the AUSTRALIAN CAPITAL TERRITORY CANINE ASSOCIATION INCORPORATED

Governing Canine Body for the Australian Capital Territory

Table of Contents

Contents		Page
Part 1 Preliminary		
1.	Name	3
2.	Interpretation	3
3.	Aims and Objectives	4
Part 2 Membership		
4.	Membership	5
5.	Honorary Life Membership	5
6.	Nomination for Membership	5
7.	Membership entitlements not transferable	5
8.	Cessation of membership	6
9.	Resignation of membership	6
10.	Fee, subscriptions etc	6
11.	Members' liabilities	6
12.	Disciplining of members	7
13.	Right of appeal of disciplined member	8

Part 3 Council

14.	Powers of Council	9
15.	Constitution and membership	9
16.	Election of Council members	9
17.	Administrator and other Employees	10
18.	Treasurer	10
19.	Vacancies	11
20.	Removal of Council members	11
21.	Council meetings and quorum	11
22.	Delegation by council to subcommittee	12
23.	Voting and decisions	12

Part 4 General Meetings

24.	Annual General Meetings – holding of	13
25.	Annual General Meetings – calling of and business at	13
26.	General Meetings – calling of	13
27.	Notice	14
28.	General Meetings – procedure and quorum	14
29.	Presiding member	14
30.	Adjournment	15
31.	Making of decisions	15
32.	Voting	15

Part 5 Miscellaneous

33.	Funds – source	16
34.	Funds – management	16
35.	Alteration of objects and rules	16
36.	Common seal	16
37.	Custody of books	16
38.	Inspection of books	16
39.	Service of notice	17
40.	Winding up	17

Part 1 Preliminary

1 Name

- 1.1 The name of the Association shall be the Australian Capital Territory Canine Association Incorporated (hereinafter called the 'ACTCA').

2 Interpretation

In these rules, unless the contrary intention appears:

- 2.1 words importing the singular number only shall include the plural number and vice versa, and words importing the masculine gender shall include the feminine;
- 2.2 “**the Act**” means the Association Incorporation ACT 1991;
- 2.3 “**the Association**” means the ACTCA;
- 2.4 “**the Regulations**” means the Associations Incorporation Regulations;
- 2.5 a reference to a function includes a reference to a power, authority or duty, a reference to the exercise of the power or authority or the performance of the duty;
- 2.6 “**Special Resolution**” means a resolution the terms whereof, together with the notification of the time and place for holding the meeting at which the same is to be proposed, shall, not less than fourteen days before the day of such a meeting, have been published by such notice or advertisements or other methods as the Council shall think desirable for giving due publicity to the said meeting and which shall have been carried by a majority of not less than three quarters of the members present and voting at a meeting of the members specially called for that purpose;
- 2.7 In these rules expressions referring to writing shall, unless the contrary intention appears, be construed as including reference to printing, lithography, photography, and other modes of reproducing words in a visible form;
- 2.8 Words or expressions contained in these rules shall be interpreted in accordance with the provisions of the Australian Capital Territory's Interpretation Act 1967 and that Act as in force on the date on which these rules are adopted by the Association; and
- 2.9 Pure Bred registered dog means a dog with a Certificate of Registration and pedigree issued by the Australian National Kennel Council (ANKC).

3 Aims & Objectives

The aims and objectives of the Association are:

- 3.1 to be the governing canine body for the Australian Capital Territory (ACT);
- 3.2 to promote wide human interest in all ACTCA registered dogs and to secure proper appreciation and recognition of their place in human society and to promote responsible dog ownership;
- 3.3 to promote breed improvement and raise the standards of breeding, rearing, keeping and sale of pure bred dogs and the general welfare of all dogs;
- 3.4 to promote and encourage the regulation of breeding of purebred dogs and the registration of such dogs and their progeny with the ACTCA;
- 3.5 to promote and encourage the recreation, sport, exhibition and training of ACTCA registered dogs and to provide facilities for those purposes;
- 3.6 to promote and encourage membership of the ACTCA and to promote the advantages and privileges of membership;
- 3.7 to provide for affiliation with the ACTCA of canine bodies and canine service organizations whose objectives are compatible with the objectives of the ACTCA;
- 3.8 to educate members, affiliated bodies and the general public on canine matters and to inform members and affiliated bodies on all other matters of concern or interest to them;
- 3.9 to maintain membership with the ANKC for the purpose of achieving national and international uniformity in all canine matters so long as the objectives, decisions and rulings of international canine bodies and ANKC are compatible with the objectives and domestic rules, regulations and operations of the ACTCA;
- 3.10 to liaise, cooperate and reciprocate with other recognized state, territory and international canine controlling bodies in matters of common interest or concern and of mutual benefit;
- 3.11 to promote and assist and to make contributions to canine veterinary research, the preservation of canine records and artifacts of historical significance and to other worthy canine causes;
- 3.12 to obtain recognition of the ACTCA and its affiliates as expert authorities on canine matters, in particular the sport and recreation of exhibiting ACTCA registered dogs;
- 3.13 to make representations to, and to negotiate with all relevant Government authorities on matters relating to dogs;
- 3.14 to make Rules and Regulations for the administration and general management of the operations and affairs of the ACTCA and for the conduct of canine exhibitions by its affiliated bodies and for other ancillary matters; and
- 3.15 to publish an official Journal as determined by Council as a means of communications between the ACTCA and its members and affiliated bodies.

Part 2 Membership

4 Membership

A person is qualified to be a member if:

- 4.1 the person is a person referred to 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
- 4.2 the person:
 - 4.2.1 has nominated for membership in accordance with the Rules; and
 - 4.2.2 has been approved for membership of the Association by the Council of the Association.

5 Honorary Life Membership

- 5.1 The Association may on the nomination of the Council create Honorary Life Members of the Association as a mark of appreciation for service or other sufficient cause, but not more than one Honorary Life Membership shall be conferred in any one year.
- 5.2 Honorary Life Members shall enjoy all privileges and benefits of ordinary members of the Association but shall not be liable to pay Annual Membership subscription.

6 Nomination for Membership

- 6.1 A nomination of a person for membership of the Association:
 - 6.1.1 shall be made in writing on the appropriate form and on payment of the joining fee and the annual subscription in advance, and subject to approval by Council; and
 - 6.1.2 shall be lodged with the Administrator of the Association.
- 6.2 As soon as is practicable after receiving a nomination for membership, the Administrator shall refer the nomination to the Council which shall determine whether to approve or to reject the nomination.
- 6.3 Where the Council determines to approve a nomination for membership, the Administrator shall as soon as practicable after that determination notify the nominee of that approval.
- 6.4 The Administrator shall then enter the nominee's name in the register of members and, on the name being so entered, the nominee shall become a member of the Association.

7 Membership entitlements not transferable

- 7.1 Membership entitlements are a right, privilege or obligation which a person has by reason of being a member of the Association, and:
 - 7.1.1 is not capable of being transferred or transmitted to another person; and
 - 7.1.2 terminates on cessation of the person's membership.

8 Cessation of membership

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

- 8.1 dies or, in the case of a body corporate, is wound up;
- 8.2 resigns from membership of the Association;
- 8.3 is expelled from the Association or any other ANKC member body; or
- 8.4 fails to renew membership of the Association.

9 Resignation of membership

- 9.1 A member is not entitled to resign from membership of the association except in accordance with this rule.
- 9.2 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 (being not less than 1 month or, if the council has determined a shorter period, that shorter period) in writing to the Administrator of the member's intention to resign and, on the expiration of the period of notice, the member ceases to be a member.
- 9.3 Where a person ceases to be a member, the Administrator shall make an appropriate entry in the register of members recording the date on which the member ceased to be a member.

10 Fee, subscriptions etc

- 10.1 The Council shall determine the entrance fee to the Association.
- 10.2 The Council shall determine the annual membership fee of the Association.
- 10.3 The annual membership fee is payable before the first of July; except where a person becomes a member on or after the first of January, then the payable fee is due on the anniversary of their membership.

11 Members' liabilities

- 11.1 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 membership of the Association as required by Rule 10.

12 Disciplining of members

- 12.1 Members shall strictly observe and act in conformity with and not otherwise than in accordance with the Constitution, Rules and Regulations and Code of Ethics of the Association and shall not conduct themselves in such a manner as to bring the Association into disrepute or to bring themselves as a breeder, owner, exhibitor, handler, show official, judge or as a member into discredit.
- 12.2 A member shall not knowingly enter a dog in, or exhibit, officiate or judge at, or in any way support or patronise an exhibition or any canine activity which:
- 12.2.1 is not conducted under and in accordance with the Rules and Regulations of the Association, or in accordance with the Aims and Objectives, or of another recognised controlling body; or
- 12.2.2 has previously been declared “unrecognised” by the Council of the Association.
- 12.3 Where the Council is of the opinion that a member:
- 12.3.1 has persistently refused or neglected to comply with a provision of these rules; or
- 12.3.2 has persistently and willfully acted in a manner prejudicial to the interests of the Association;
- the Council may, by resolution:
- 12.3.3 expel the member from the Association; or
- 12.3.4 suspend the member from such rights and privileges of membership of the Association as the Council may determine for a specified period.
- 12.4 A resolution of the Council under sub rule 12.3 is of no effect unless the Council, at a meeting held not earlier than 14 days and not later than 28 days after service on the member of a notice under sub rule 12.5, confirms the resolution in accordance with this rule.
- 12.5 Where the Council passes a resolution under sub rule 12.3, the Administrator shall, as soon as practicable, cause a notice in writing to be served on the member:
- 12.5.1 setting out the resolution of the Council and the grounds on which it is based;
- 12.5.2 stating that the member may address the Council at a meeting to be held not earlier than 14 days and not later than 28 days after service of the notice;
- 12.5.3 stating the date, place and time of that meeting; and
- 12.5.4 informing the member that the member may do either or both of the following:
- a) attend and speak at that meeting; or
- b) submit to the Council at or prior to the date of that meeting written representations relating to the resolution.

- 12.6 Subject to the *Act, Section 50*, at a meeting of the Council mentioned in sub rule 12.4, the Council shall:
- 12.6.1 give to the member mentioned in sub rule 12.3, an opportunity to make oral representations;
 - 12.6.2 give due consideration to any written representations submitted to the Council by that member at or prior to the meeting; and
 - 12.6.3 by resolution determine whether to confirm or to revoke the resolution of the committee made under sub rule 12.3.
- 12.7 Where the Council confirms a resolution under sub rule 12.6, the Administrator shall, within seven days after that confirmation by notice in writing, inform the member of that confirmation and of the member's right of appeal under rule 13.
- 12.8 A resolution confirmed by the Council under sub rule 12.6 does not take effect:
- 12.8.1 until the expiration of the period within which the member is entitled to appeal against the resolution where the member does not exercise the right of appeal within that period; or
 - 12.8.2 where within that period the member exercises the right of appeal, unless and until the Association confirms the resolution in accordance with rule 13.4.

13 Right of appeal of disciplined member

- 13.1 A member may appeal to the Association in General Meeting against a resolution of the Council, which is confirmed under rule 12.7, within seven days after notice of the resolution is served on the member, by lodging a notice to that effect to the Administrator.
- 13.2 On receipt of a notice under sub rule 13.1, the Administrator 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 Administrator received the notice, or as soon as possible after that date.
- 13.3 Subject to the *Act, section 50*, at a General Meeting of the Association convened under sub rule 13.2:
- 13.3.1 no business other than the question of the appeal shall be transacted;
 - 13.3.2 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
 - 13.3.3 the members present shall vote by secret ballot on the question of whether the resolution made under rule 12.7 should be confirmed or revoked.
- 13.4 If the meeting passes a special resolution in favour of the confirmation of the resolution made under sub rule 12.7, that resolution is confirmed.

Part 3 Council

14 Powers of Council

- 14.1 The Council, subject to the Act, the Rules and Regulations, the Constitution, and to any resolution passed by the Association in General Meeting:
- 14.1.1 shall control and manage the affairs of the Association;
 - 14.1.2 may exercise all such functions as may be exercised by the Association other than those functions that are required by these rules to be exercised by the Association in General Meeting; and
 - 14.1.3 has power to perform all such acts and do all such things as appear to the Council to be necessary or desirable for the proper management of the affairs of the Association.

15 Constitution and membership

- 15.1 The Council shall consist of:
- 15.1.1 the office-bearers of the Association; and
 - 15.1.2 eight ordinary Council members each of whom shall be elected under rule 16 or appointed in accordance with sub rule 15.4.
- 15.2 The office-bearers of the Association shall be:
- 15.2.1 the President;
 - 15.2.2 the Senior Vice-President;
 - 15.2.3 the Junior Vice-President; and
 - 15.2.4 the Treasurer who shall be the Public Officer.
- 15.3 Each member of the Council shall, subject to these rules, hold office until the conclusion of the Annual General Meeting (AGM) two years following the date of the member's election, but be eligible for re-election.
- 15.4 In the event of a vacancy in the membership of the Council, the Council may appoint a member of the Association to fill the vacancy and the member so appointed shall hold office, subject to these rules, until the conclusion of the next AGM following the date of the appointment.

16 Election of Council Members

- 16.1 Nominations of candidates for election as Council members of the Association:
- 16.1.1 must be made in writing, signed by two financial members of the Association and accompanied by the written consent of the candidate (which may be endorsed on the nomination form); and
 - 16.1.2 must be delivered to the Administrator of the Association not less than seven days before the date fixed for the AGM at which the election is to take place.

- 16.2 All candidates shall be financial members of the Association and resident in the Australian Capital Territory prior to nomination.
- 16.3 If insufficient nominations are received to fill all vacancies on the Council, the candidates nominated shall be deemed to be elected and further nominations shall be received at the AGM.
- 16.4 If insufficient further nominations are received, any vacant positions remaining on the Council shall be deemed to be vacancies.
- 16.5 If the number of nominations received is equal to the number of vacancies to be filled, the persons nominated shall be taken to be elected.
- 16.6 If the number of nominations received exceeds the number of vacancies to be filled, a ballot shall be held.
- 16.7 The ballot for the election of Council shall be conducted at the AGM in such manner as the Council may direct.
- 16.8 A person is not eligible to simultaneously hold more than one position on Council.

17 Administrator

- 17.1 There shall be an Administrator and such other employees as employed by the Association and responsible to the President and Council and who shall manage the daily affairs of the Association and administrative functions.
- 17.2 The Administrator shall keep minutes of:
 - 17.2.1 all elections and appointments of office-bearers and Council members;
 - 17.2.2 the names of members of the Council present at a Council meetings or a General Meeting; and
 - 17.2.3 all proceedings at Council meetings and General Meetings.
- 17.3 The Administrator shall keep all records of registrations, transfers, notifications of litters, breeders prefixes and any such other matters as shall be decided by Council at meetings as needed.
- 17.4 The Administrator shall keep or cause to be kept all records of all proceedings of the affairs of the Association, conduct the correspondence, and convene meetings of the Council, committees and sub-committees as required by the President and carry out the instructions of the Council, subject to the Rules.

18 Treasurer

- 18.1 The Treasurer of the Association shall, with the Administrator
 - 18.1.1 collect or cause to be collected and receive all moneys due to the Association and make all payments authorised by the Association; and
 - 18.1.2 keep correct accounts and books or cause correct accounts and books to be kept showing the financial affairs of the Association with full details of all receipts and expenditure connected with the activities of the Association.

19 Vacancies

- 19.1 For these rules, a vacancy in the office of a member of the Council occurs if the member:
- 19.1.1 dies;
 - 19.1.2 ceases to be a member of the Association;
 - 19.1.3 resigns the office;
 - 19.1.4 ceases to be resident in the Territory
 - 19.1.5 is removed from office under rule 20;
 - 19.1.6 becomes an insolvent under administration within the meaning of the Corporations Act;
 - 19.1.7 is unable to remain in office due to mental or physical incapacity;
 - 19.1.8. is disqualified from office under the Act, section 63 (1); or
 - 19.1.9 is absent without the consent of the Council from all meetings of the Council held during a period of 3 months.

20 Removal of Council members

- 20.1 The Association in General Meeting may by resolution, subject to the Act, section 50, remove any member of the Council from the office of member of the council before the expiration of the member's term of office.

21 Council meetings and quorum

- 21.1 The Council shall meet at least eleven times in each annual period at such place and time as the Council may determine.
- 21.2 Additional meetings of the Council may be convened by any member of the Council.
- 21.3 Oral or written notice of a meeting of the Council shall be given by the Administrator to each member of the Council at least 48 hours (or such other period as may be unanimously agreed on by the members of the Council) before the time appointed for the holding of the meeting.
- 21.4 Notice of a meeting given under sub rule 21.3 shall specify the general nature of the business to be transacted at the meeting and no business other than that business shall be transacted at the meeting, except business which the Council members present at the meeting unanimously agree to treat as urgent business.
- 21.5 Any six members of the Council constitute a quorum for the transaction of the business of a meeting of the Council.
- 21.6 No business shall be transacted by the Council, 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.
- 21.7 If at the adjourned meeting a quorum is not present within half an hour after the time appointed for the meeting, the meeting shall be dissolved.

21.8 At meetings of the Council:

21.8.1 the President or, in the absence of the President, the Senior Vice-President, or in his absence a the Junior Vice-President shall preside; or

21.8.2 if the President and the vice-Presidents are absent, one of the remaining members of the Council may be chosen by the members present to preside.

22 Delegation by Council to subcommittee

22.1 The Council may, by instrument in writing, delegate to one or more subcommittees (consisting of such member or members of the Association as the Council thinks fit) the exercise of such of the functions of the Council as are specified in the instrument, other than:

22.1.1 this power of delegation; and

22.1.2 a function which is a function imposed on the Council by the Act, by any other Territory law, or by resolution of the Association in General Meeting.

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

22.3 A delegation under this rule may be made subject to such conditions or limitations as to the exercise of any function, or as to time or circumstances, as may be specified in the instrument of delegation.

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

22.5 Any act or thing done or suffered by a subcommittee acting in the exercise of a delegation under this rule has the same force and effect as it would have if it had been done or suffered by the Council.

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

22.7 A subcommittee may meet and adjourn as it thinks proper.

22.8 The Office-bearers constitute an executive committee which may act or issue instruction to the employees of the Association in matters of urgency during the intervals between meetings of the Council, and shall report thereon to the next meeting of the Council.

23 Voting and decisions

23.1 Questions arising at a meeting of the Council or of any subcommittee appointed by the Council shall be determined by a majority of the votes of members of the Council or subcommittee present at the meeting.

23.2 Each member present at a meeting of the Council or of any subcommittee appointed by the Council (including the person presiding at the meeting) is entitled to 1 vote but, in the event of an equality of votes on any question, the person presiding may exercise a second or casting vote.

23.3 Subject to rule 21.5, the Council may act despite any vacancy on the Council.

23.4 Any act or thing done or suffered, or purporting to have been done or suffered, by the Council or by a subcommittee appointed by the Council, is valid and effectual despite any defect that may afterwards be discovered in the appointment or qualification of any member of the Council or subcommittee.

Part 4 General Meetings

24 Annual General Meetings – holding of

24.1 The Association must, at least once in each calendar year and within three months after the end of each financial year of the Association, call an Annual General Meeting (AGM) of its members.

24.2 The financial year of the Association shall commence on 1 July and end on 30 June in the following calendar year.

25 Annual General Meetings – calling of and business at

25.1 The AGM of the Association shall, subject to the Act, be convened on such date and at such place and time as the Council thinks fit.

25.2 In addition to any other business which may be transacted at an AGM, the business of an AGM shall be:

25.2.1 to confirm the minutes of the last preceding AGM and of any General Meeting held since that meeting;

25.2.2 to receive from the Council, reports on the activities of the Association during the last preceding financial year;

25.2.3 to elect members of the Council, and

25.2.4 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).

25.3 An AGM shall be specified as such in the notice convening it in accordance with rule 27.

25.4 An AGM shall be conducted in accordance with the provisions of this part.

25.5 Notice of Agenda items for AGMs must be submitted at least 60 days before the determined date of Meeting

26 General Meetings – calling of

26.1 The Council may, whenever it thinks fit, convene a General Meeting of the Association.

26.2 The Council shall, on the requisition in writing of not less than 50 members, convene a General Meeting of the Association.

26.3 A requisition of members for a General Meeting:

26.3.1 shall state the purpose or purposes of the meeting;

- 26.3.2 shall be signed by the members making the requisition;
 - 26.3.3 shall be lodged with the Administrator ; and
 - 26.3.4 may consist of several documents in a similar form, each signed by one or more of the members making the requisition.
- 26.4 If the Council fails to convene a General Meeting within one month after the date on which a requisition of members for the meeting is lodged with the Administrator, any one or more of the members who made the requisition may convene a General Meeting to be held not later than three months after that date.
- 26.5 A General Meeting convened by a member or members referred to in sub rule 26.4 shall be convened as nearly as is practicable in the same manner as General Meetings are convened by the Council and any member who thereby incurs expense is entitled to be reimbursed by the Association for any reasonable expense so incurred.
- 26.6 No other business other than that notified in the notice of the meeting shall be transacted at such a meeting.

27 Notice

- 27.1 Notice of an Annual General Meeting: In the case of proposed business for the Meeting and any Special Resolutions of the Association the Administrator shall give notice of the time, date and the nature of the business and any Special Resolution(s) proposed to be transacted at the AGM in the Journal due to be published directly before the date determined for the AGM but in any case not less than 21 days before the determined date of the AGM. Other business may be transacted under Rule 25.2.
- 27.2 Notice of a General Meeting: In the case of General Meetings as covered under rule 26 the Administrator shall notify all financial members at least 21 days before the determined date of the Meeting notifying the date, time and place and the business to be transacted at the Meeting. No other business shall be transacted other than that notified.
- 27.3 No business other than that specified in the notice convening a General Meeting shall be transacted at the meeting except, in the case of an AGM, business which may be transacted under rule 25.2.
- 27.4 A member desiring to bring any business before a General Meeting may give notice in writing of that business to the Administrator who shall include that business in the next notice calling a General Meeting given after receipt of the notice from the member.

28 General Meetings – procedure and quorum

- 28.1 No item of business shall be transacted at a General Meeting unless a quorum of members entitled under these rules to vote is present during the time the meeting is considering that item.
- 28.2 Twenty-five financial members present in person (being members entitled under these rules to vote at a General Meeting) constitute a quorum for the transaction of the business of a General Meeting.
- 28.3 If within 30 minutes after the appointed time for the commencement of a General Meeting a quorum is not present, the meeting if convened on the requisition of members shall be dissolved and in any other case shall stand 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.

- 28.4 If at the adjourned meeting a quorum is not present within 30 minutes after the time appointed for the commencement of the meeting, the members present (being not less than three) shall constitute a quorum.

29 Presiding member

- 29.1 The President, or in the absence of the President, one of the vice-Presidents, shall preside at each General Meeting of the Association.
- 29.2 If the President and the vice-Presidents are absent from a General Meeting, the members present shall elect one of their number to preside at the meeting.

30 Adjournment

- 30.1 The person presiding at a General Meeting at which a quorum is present may, with the consent of the majority of members present at the meeting, adjourn the meeting from time to time and place to place, but no business shall be transacted at an adjourned meeting other than the business left unfinished at the meeting at which the adjournment took place.
- 30.2 Where a General Meeting is adjourned for 14 days or more, the Administrator shall give written or oral notice of the adjourned meeting to each member of the Association stating the place, date and time of the meeting and the nature of the business to be transacted at the meeting.
- 30.3 Except as provided in sub rules 30.1 and 30.2, 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.

31 Making of decisions

- 31.1 A question arising at a General Meeting of the Association shall be determined on a show of hands and, unless before or on the declaration of the show of hands a poll is demanded, a declaration by the person presiding that a resolution has, on a show of hands, been carried or carried unanimously or carried by a particular majority or lost, or an entry to that effect in the minute book of the Association, is evidence of the fact without proof of the number or proportion of the votes recorded in favour of or against that resolution.
- 31.2 At a General Meeting of the Association, a poll may be demanded by the person presiding or by not less than three members present in person.
- 31.3 Where the poll is demanded at a General Meeting, the poll shall be taken:
- 31.3.1 immediately in the case of a poll which relates to the election of the person to preside at the meeting or to the question of an adjournment; or
 - 31.3.2 in any other case, in such manner and at such time before the close of the meeting as the person presiding directs, and the resolution of the poll on the matter shall be deemed to be the resolution of the meeting on that matter.

32 Voting

- 32.1 Subject to sub rule 32.3, on any question arising at a General Meeting of the Association a member has one vote only.

- 32.2 All votes shall be given personally and no voting by proxy will be allowed.
- 32.3 In the case of an equality of votes on a question at a General Meeting, the person presiding is entitled to exercise a second or casting vote.
- 32.4 A member is not entitled to vote at any General Meeting of the Association unless all money due and payable by the member to the Association has been paid.

Part 5 Miscellaneous

33 Funds – source

- 33.1 The funds of the Association shall be derived from entrance fees and annual subscriptions of members, transactions, donations and, subject to any resolution passed by the Association in General Meeting and subject to the Act, section 114, such other sources as the Council determines.
- 33.2 All money received by the Association shall be deposited as soon as practicable and without deduction to the credit of the Association's bank account.

34 Funds – management

- 34.1 Subject to any resolution passed by the Association in General Meeting, the funds of the Association shall be used solely for the objects of the Association in such manner as the Council determines.
- 34.2 All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments shall be signed by any two of the following: the President, the Treasurer, the Senior Vice President and the Administrator of the Association

35 Alteration of objects and rules

- 35.1 Neither the objects of the Association referred to in the Act, section 29 nor these rules shall be altered except in accordance with the Act.

36 Common seal

- 36.1 The common seal of the Association shall be kept in the custody of the Administrator.
- 36.2 The common seal shall not be affixed to any instrument except by the authority of the Council and the affixing of the common seal shall be attested by the signatures either of two members of the Council or of one member of the Council and of the Administrator.

37 Custody of books

- 37.1 Subject to the Act, the regulations and these rules, the Administrator shall keep in his or her custody or under his or her control all records, books, and other documents relating to the Association.

38 Inspection of books

- 38.1 The records, books and other documents of the Association shall be open to inspection at a place in the ACT, free of charge, by a member of the Association at any reasonable hour.

39 Service of notice

- 39.1 For these rules, a notice may be served by or on behalf of the Association on any member either personally or by sending it by post to the member at the member's address shown in the register of members.
- 39.2 Where a document is sent to a person by properly addressing, prepaying and posting to the person a letter containing the document, the document shall, unless the contrary is proved, be deemed for these rules to have been served on the person at the time at which the letter would have been delivered in the ordinary course of post.

40 Winding up

- 40.1 The Association may dissolve at a General Meeting called for that purpose by a resolution passed by a majority of three quarters of the members present and voting thereon.
- 40.2 If upon the winding up or dissolution of the Association there remains, after satisfaction of all its debts and liabilities, any property whatsoever, the same shall not be paid to or distributed among the members of the Association but shall be given or transferred to some other association having similar objects to the Association which fulfils the requirements specified in the Act, section 92(2).