

Rules

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Dogs ACT Incorporated

ABN 11 150 955 611

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Rules of Dogs ACT Incorporated

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Part 1 Preliminary

1. Rules of the Association

- 1.1 These rules (**Rules**) are the rules of Dogs ACT Incorporated ABN 11 150 955 611 (**the Association**).

Note: The Association may, by special resolution, at any time, decide to adopt rules other than these model rules (see [Act](#), s 33). However, if a rule is inconsistent with the Act or another law in force in the ACT, the rule has no effect (see [Act](#), s 34). Also, if the model rules make provision for a matter not provided for in the Association's rules, the Association's rules are taken to include the provision of the model rules in relation to that matter (see [Act](#), s 31 (2)).

2. Objects

The objects of the Association are:

- (a) to be the governing canine body for the Australian Capital Territory;
- (b) to promote wide human interest in all the Association's registered dogs and to secure proper appreciation and recognition of their place in human society and to promote responsible dog ownership;
- (c) to promote breed improvement and raise the standards of breeding, rearing, keeping and sale of Pure Bred Registered Dogs and the general welfare of all dogs;
- (d) to promote and encourage the regulation of breeding of purebred dogs and the registration of such dogs and their progeny with the Association;
- (e) to promote and encourage the training of dogs of breeds not eligible to be entered on the Pure Bred Register;
- (f) to promote and encourage the recreation, sport, exhibition and training of the Association's registered dogs and to provide facilities for those purposes;
- (g) to promote and encourage membership of the Association and to promote the advantages and privileges of membership;
- (h) to provide for affiliation with canine bodies and canine service organizations whose objectives are compatible with the objectives of the Association;
- (i) 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;
- (j) 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 Association;
- (k) 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;
- (l) 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;
- (m) to obtain recognition of the Association and its affiliates as expert authorities on canine matters, in particular the sport and recreation of exhibiting the Association's registered dogs;
- (n) to make representations to, and to negotiate with all relevant government authorities on matters relating to dogs; and

- (o) to make regulations for the administration and general management of the operations and affairs of the Association and for the conduct of canine exhibitions by its affiliated bodies and for other ancillary matters.

Note The objects of the Association are the objects appearing in the statement of the Association's objects lodged with the registrar (see [Act](#), s 29). The Association may alter its objects by special resolution (see [Act](#), s 30).

3. Application of certain Acts, interpretation and defined terms

3.1 The following Acts apply to the Rules as if the Rules were an instrument made under the Act:

- (a) the *Electronic Transactions Act 2001* (ACT); and
- (b) the *Legislation Act 2001* (ACT).

Note 1 Under the [Electronic Transactions Act 2001](#), s 8, information required to be given in writing may be given electronically. For example, applications for membership may be given by email.

Note 2 The [Legislation Act](#) contains definitions and other provisions relevant to the Association's rules.

3.2 In these Rules:

- (a) **Act** means the *Associations Incorporation Act 1991* (ACT).
- (b) **Accessible Records** means:
 - (i) a current statement of the objects of the Association;
 - (ii) the rules of the Association currently in force;
 - (iii) the deeds of any trust relevant to the Association; and
 - (iv) a summary of the minutes of a meeting of the Council.
- (c) **Administrator** means the person appointed as Administrator of the Association under Rule 47.
- (d) **ANKC** means the Australian National Kennel Council ABN 77 151 544 679.
- (e) **ANKC member body** means a canine controlling body of a State or Territory admitted to membership of the ANKC.
- (f) **Associate Member** means a Member in the class of membership described at Rule 4.11.
- (g) **Association** means Dogs ACT Association Incorporated ABN 11 150 955 611.
- (h) **Association's Regulations** means the regulations made by the Association from time to time in accordance with Rule 77.1.
- (i) **Concessional Member** means a Member in the class of membership described at Rule 4.9.
- (j) **Council** means the Council of the Association constituted in accordance with Rule 40.
- (k) **Dual Member** means a Member in the class of membership as described at Rule 4.7.
- (l) **Existing Members** means the Members of the Association as at the date of adoption of this Constitution.
- (m) **Financial Year** means the year ending on 30 June.
- (n) **Honorary Life Member** means a Member in the class of membership as described at Rule 4.8.
- (o) **Junior Member** means a Member in the class of membership as described at Rule 4.10.
- (p) **Member** means all members of the Association irrespective of membership class and however described.

- (q) **Ordinary Council Member** means a person appointed to the Council in accordance with Rule 40.1.
- (r) **Ordinary Member** means a Member in the class of membership as described at Rule 4.4.
- (s) **Personal Information** has the meaning given to that term in the *Privacy Act 1988* (Cth).
- (t) **Public Officer** means the Public Officer of the Association appointed in accordance with section 57 of the Act.
- (u) **Pure Bred Registered Dog** means a dog with a certificate of registration and pedigree issued by the ANKC.
- (v) **Pure Bred Register** means the canine register kept for the purpose of recording dogs of a breed recognised by the ANKC as eligible for exhibition and/or breeding purposes.
- (w) **Register of Members** means the Association's register of Members kept and maintained in accordance with the Act, section 67.
- (x) **Special Resolution** has the meaning given to that term in section 70 of the Act.
- (y) **Voting Member** means a Member from one of the following membership classes:
 - (i) Ordinary Members;
 - (ii) Dual Members;
 - (iii) Honorary Life Members; and
 - (iv) Concessional Members.
- (z) **Website** means the Association's website page available to Members.

Part 2 Membership

4. Membership qualifications and classes

4.1 A person is qualified to be a Member if:

- (a) the person is a person mentioned in the Act under 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; or
- (b) the person:—
 - (i) has applied for membership in accordance with Rule 5; and
 - (ii) meets the criteria specified in the Rules for the respective class of membership; and
 - (iii) has been approved for membership of the Association by the Council of the Association.

4.2 Membership consists of the following classes:

- (a) Ordinary Members;
- (b) Dual Members;
- (c) Honorary Life Members;
- (d) Concessional Members;
- (e) Junior Members; and
- (f) Associate Members.

4.3 For the avoidance of doubt all Existing Members, will continue to be Members in their respective membership class specified in Rule 4.2 provided that they continue to meet the relevant eligibility criteria.

- 4.4 Only Ordinary Members, Dual Members, Concessional Members and Associate Members are required to pay the annual membership fee and joining fee in accordance with Rule 8.
- 4.5 Only Ordinary Members, Dual Members, Concessional Members and Honorary Life Members are entitled to vote.
- 4.6 Ordinary Membership:
- (a) A person is qualified to be an Ordinary Member if the person:
 - (i) resides in the Australian Capital Territory; and
 - (ii) is eighteen years of age or over.
- 4.7 Dual Membership:
- (a) Two people are qualified to become Dual Members if they both:
 - (i) reside in the same household in the Australian Capital Territory; and
 - (ii) are eighteen years of age or over.
 - (b) Each Member of Dual Members will be a Voting Member.
 - (c) The Association may apply a discount to the annual membership fee and joining fee for Dual Members as determined by the Council.
- 4.8 Honorary Life Membership:
- (a) 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 will be conferred in any one year.
 - (b) Honorary Life Members will enjoy all privileges and benefits of Ordinary Members, including being Voting Members, of the Association but will not be liable to pay annual membership fees.
- 4.9 Concessional Membership:
- (a) A person is qualified to be a Concessional Member if the person:
 - (i) meets all of the requirements of an Ordinary Member as set out in Rule 4.6; and
 - (ii) holds one or more of the following:
 - (A) a pension concession card issued by Centrelink;
 - (B) a concession card issued by the Department of Veterans Affairs; or
 - (C) a Commonwealth Seniors card issued by Centrelink.
 - (b) The Association may apply a discount to the annual membership fee and joining fee for Concessional Members as determined by the Council.
- 4.10 Junior Membership:
- (a) A person is qualified to be a Junior Member if the person:
 - (i) resides in the Australian Capital Territory; and
 - (ii) is between twelve and seventeen years of age, inclusive.
 - (b) On turning eighteen years of age, a person's Junior Membership expires. Upon expiry of the Junior Membership, the person is no longer a Member of the Association. The person may at that time apply to be an Ordinary Member of the Association in accordance Rule 4.6.
- 4.11 Associate Membership:
- (a) A person is qualified to be an Associate Member if the person:
 - (i) is eighteen years of age or over;
 - (ii) does not reside in the Australian Capital Territory; and
 - (i) is also a member of another ANKC member body.

5. Membership—application

- 5.1 A person may apply to the Council to become a Member of the Association.
- 5.2 The application must—
- (a) be in writing; and
 - (b) include—
 - (i) the applicant's name and contact details;
 - (ii) a statement that the applicant supports the Association's objects and agrees to comply with the Act and the Rules;
 - (iii) a Member's nomination of the applicant for membership;
 - (iv) the class of membership which is being applied for; and
 - (v) details as to how the applicant meets the relevant eligibility criteria; and
 - (c) be signed by the applicant and the Member nominating the applicant.
- 5.3 The Council may require the application to be in a form decided by the Council.

6. Membership—decision

- 6.1 The Council must consider each application for membership and decide whether to accept or reject the application.
- 6.2 The Council may reject an application if—
- (a) the application does not comply with Rule 5.2; or
 - (b) if the Council requires an application to be in a particular form under Rule 5.3 and the application is not in the required form; or
 - (c) the Council is not satisfied that the applicant will support the Association's objects and comply with the Act and the Rules; or
 - (d) the applicant does not meet the criteria for the class of Membership applied for.
- 6.3 As soon as practicable after deciding the application, the Council must give the applicant written notice of the decision.
- 6.4 If the Council accepts the application, the Council must—
- (a) ask the applicant to pay the joining fee; and
 - (b) after the applicant pays the fee, record the information required by the Act, section 67(2) in the Register of Members.

Note 1 The information required to be recorded in the register includes the person's name and contact details and the date the person became a member (see [Act](#), s 67 (2)).

Note 2 A member may apply to the Council to restrict access to the member's personal information on the register (see [Act](#), s 67B).

7. Membership—when membership begins

A person's membership begins on:

- (a) if the joining fee is \$0, the day the Council accepts the person's application for membership; or
- (b) in any other case, the later of the following:
 - (i) the day the Council accepts the person's application for membership; and
 - (ii) the day the person pays the joining fee.

8. Membership—joining fee and annual membership fee

- 8.1 The Council will determine:
- (a) the fee to join the Association (the joining fee) for each Membership class; and
 - (b) the annual fee for membership of the Association (the annual membership fee) for each Membership class.
- 8.2 To remove any doubt, a joining fee or annual membership fee may be \$0.
- 8.3 The annual membership fee is payable annually on the date on which the person's membership began.

9. Membership—when membership ends

- 9.1 A person's membership ends if—
- (a) the person resigns under Rule 10; or
 - (b) the person no longer meets the requirements of the person's respective class of membership; or
 - (c) the person has not paid their annual membership fee within 30 days after the due date; or
 - (d) the person's membership is cancelled as a result of disciplinary action taken under Rules 26 to 39; or
 - (e) the person is expelled from any ANKC member body; or
 - (f) if the Member is an individual—the individual—
 - (i) dies; or
 - (ii) is not physically or mentally fit to exercise the functions of membership; or
 - (g) in the case of Junior Members, they turn eighteen (18) years of age; or
 - (h) the incorporation of the Association is cancelled under—
 - (i) the Act, section 83 (Cancellation where continued incorporation inappropriate); or
 - (ii) the Act, section 85 (Cancellation of incorporation following voluntary transfer); or
 - (iii) the Act, section 93 (Cancellation of incorporation); or
 - (i) the Association is wound up under—
 - (i) the Act, section 88 (Voluntary winding up); or
 - (ii) the Act, section 90 (Winding-up by the court).

10. Membership—resigning

- 10.1 A Member may resign their membership of the Association by giving written notice to the Council.
- 10.2 The resignation takes effect—
- (a) on the day the Council receives the notice; or
 - (b) if another day is stated in the notice—on that day.
- 10.3 Despite subrule 10.2, a person who resigns their membership remains liable for any annual membership fee the person owes the Association when the resignation takes effect.
- Note: An amount owing under a law may be recovered as a debt in a court of competent jurisdiction or the ACAT (see [Legislation Act](#), s 177).*
- 10.4 The Council must remove information about the Member from the Register of Members as soon as practicable after the Member's resignation takes effect.

11. Membership—notification

A Member must notify the Association within 30 days if they no longer meet the requirements of the Member's class of membership.

12. Membership—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.

13. Membership – dual membership

With respect to Dual Membership, if the Dual Membership ends due to one of the Members of the Dual Membership falling into categories of Rule 9.1(a), 9.1(b), 9.1(d), 9.1(e), 9.1(f) above the other Member of the Dual Membership may elect to continue as a Member of the Association as an Ordinary Member by electing to take up Ordinary Membership within 90 days of the Dual Membership ending, if they fail to do so they also cease to be a Member (the Association may increase this timeframe in certain circumstances set out in the Regulations).

14. 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 required by Rule 8.

15. Members' behaviour

- 15.1 Members must strictly observe and act in conformity with and not otherwise than in accordance with the Rules, the Association's Regulations and the Association's code of ethics.
- 15.2 Members must 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 Member into discredit.
- 15.3 Prefixes issued by the Association must be linked to either a Voting or non-Voting Membership.
- 15.4 Judges qualifications issued by the Association must be linked to a Voting Membership. Where a Judges qualification is renewed following a period of the linked Member not being a Voting Member any annual fees must be paid in full before the Judges qualifications is renewed

Part 3 Dispute resolution and disciplinary procedure

16. Application

Rules 16 to 24 set out the dispute resolution procedure for dealing with a dispute under the Act or the Rules between—

- (a) a Member and another Member; or
- (b) a Member and the Council.

Examples—disputes under the Act or the Association's rules

- 1 a dispute about when the annual membership fee for membership is due
- 2 a dispute about when an annual general meeting must be held

- 3 a dispute arising out of a refusal of a request under the [Act](#), s 67B by a member to restrict access to personal information about the member recorded in the Register of Members
- 4 a dispute about whether the Association is acting in accordance with its objects
- 5 a dispute about whether a member is acting in accordance with the Association's objects

Note 1 There are further requirements for dispute resolution procedures in the [Act](#), s 65B.

Note 2 On application by the Association, a court may direct a person to comply with the Association's rules and may declare and enforce the rights or obligations of members or the Association (see [Act](#), s 53).

17. Meaning of party to a dispute

17.1 In Rules 18 to 24:

party, to a dispute, means—

- (a) if the dispute is between Members—the members; or
- (b) if the dispute is between a Member and the Council—the Member and the Council.

Note A member may appoint someone to act on their behalf in the dispute resolution procedure (see [Act](#), s 65B (2)).

18. Resolving dispute by agreement

18.1 The parties to a dispute must attempt to resolve the dispute by agreement between themselves.

18.2 A party to the dispute may ask the Council to help the parties resolve the dispute by agreement if—

- (a) the Council is not a party to the dispute; and
- (b) the parties are unable to resolve the dispute between themselves.

19. Dispute resolution procedure—starting the procedure

19.1 If the parties to a dispute do not resolve the dispute by agreement under Rule 18, any party to the dispute may start the dispute resolution procedure by giving written notice to the Council.

Note A member who is the subject of a disciplinary procedure must not start a dispute resolution procedure in relation to the same matter until the disciplinary procedure (including any appeal) is complete (see [Act](#), s 65C (4)).

19.2 The notice must—

- (a) include the names and contact details of the parties to the dispute; and
- (b) give a brief summary of the matters in dispute (a dispute summary) including the relevant provisions of the Act and the Rules (if known); and
- (c) briefly state the steps the parties have taken to resolve the dispute.

20. Dispute resolution procedure—appointing decision-maker

20.1 As soon as practicable after receiving a notice under Rule 19, the Council must appoint a decision maker to decide the outcome of the dispute.

Note For laws about appointments, see the [Legislation Act](#), pt 19.3.

20.2 The Council must ensure that the decision maker—

- (a) is unbiased; and

- (b) has, or can quickly acquire, knowledge of the following:
 - (i) the Act;
 - (ii) the Rules;
 - (iii) the Association's objects; or
 - (iv) the management and operation of the Association; and
- (c) does not have a conflict of interest.

20.3 The Council must give the decision maker a copy of the notice.

21. Dispute resolution procedure—notice to parties about decision-maker

21.1 As soon as practicable after a decision maker is appointed under Rule 20, the Administrator must give written notice to each party to the dispute that the dispute resolution procedure has started.

21.2 However, if the Council is a party to the dispute, the Administrator is not required to give the Council notice under subrule 21.1.

21.3 The notice must include—

- (a) a copy of the dispute summary for the dispute; and
- (b) the name and contact details of the decision maker; and
- (c) information about the dispute resolution procedure.

22. Dispute resolution procedure—opportunity to be heard

22.1 Before deciding the outcome of a dispute, the decision maker must invite each party to make a written or oral submission (or both) about the dispute.

22.2 The invitation must state—

- (a) if the decision maker invites the parties to make a written submission—a period of not less than 14 days in which a party may make a written submission (the submission period); and
- (b) if the decision maker invites the parties to make oral submissions—the day and time (within the submission period) when the party can make their oral submissions.

22.3 The decision maker may also attempt to resolve the dispute with the agreement of the parties to the dispute.

23. Dispute resolution procedure—outcome

As soon as practicable after the submission period has ended, the decision maker must—

- (a) consider any submissions received by the decision maker during the submission period; and
- (b) decide the outcome of the dispute (the dispute decision); and
- (c) give the parties to the dispute a written notice stating—
 - (i) the dispute decision; and
 - (ii) the reasons for the dispute decision; and
 - (iii) that a party to the dispute may appeal the dispute decision under Rules 35 to 39; and
- (d) if the Council is not a party to the dispute—give the Council a copy of the notice mentioned in paragraph (c).

Note For what must be included in a statement of reasons, see the [Legislation Act](#), s 179.

24. Dispute resolution procedure—ending dispute by agreement

- 24.1 The parties to a dispute may agree to end the dispute at any time before the decision maker decides the outcome of the dispute.
- 24.2 If the parties agree to end the dispute, they must give written notice to the following people:
- (a) if the Council is not a party to the dispute—the Council;
 - (b) if a decision maker has been appointed for the dispute—the decision maker.
- 24.3 The notice must state—
- (a) that the parties have agreed to end the dispute; and
 - (b) the terms of the agreement.

25. Definitions

In this division:

disciplinary action, against a Member of the Association in relation to the Member's status as Member of the Association, includes any of the following:

- (a) demoting the Member to a level of membership with fewer rights and privileges;
- (b) suspending the Member's entitlement to exercise some or all of the Member's rights and privileges as a Member for a stated period;
- (c) suspending the Member's membership for a stated period;
- (d) cancelling the Member's membership and disqualifying the Member from applying for membership for a stated period.

ground for disciplinary action—see Rule 27.

26. Application

Rules 26 to 39 set out the disciplinary procedure the Association must use if it proposes to take disciplinary action against a Member.

Note 1 There are further requirements for disciplinary procedures in the [Act](#), s 65C.

Note 2 A court may direct a person to comply with the Association's rules and may declare and enforce the rights or obligations of members or the Association (see [Act](#), s 53).

Note 3 The Association may (but need not) also use the disciplinary procedure set out in this division if it proposes to take other disciplinary action against a member.

27. Disciplinary procedure—grounds for disciplinary action

Each of the following is a ground for disciplinary action against a Member of the Association:

- (a) the Member has failed to comply with the Act or the Rules; and/or
- (b) the Member has acted in a way that is likely to be harmful to the Association.

28. Disciplinary procedure—proposed disciplinary action

- 28.1 If the Council is satisfied that a ground for disciplinary action exists in relation to a Member of the Association, the Council may, by resolution, propose to take disciplinary action (the **proposed disciplinary action**) against the Member in relation to the Member's status as a Member.

29. Disciplinary procedure—appointing decision-maker

- 29.1 If the Council passes a resolution under Rule 28, the Council must appoint a decision maker to decide whether to take the proposed disciplinary action.

- 29.2 The Council must ensure that the decision maker—
- (a) is unbiased; and
 - (b) has, or can quickly acquire, knowledge of the following:
 - (i) the Act;
 - (ii) the Rules;
 - (iii) the Association's objects; or
 - (iv) the management and operation of the Association; and
 - (c) does not have a conflict of interest.
- 29.3 The Council must give the decision maker the following information in writing:
- (a) the name and contact details of the Member who is the subject of the proposed disciplinary action;
 - (b) details about the proposed disciplinary action; and
 - (c) the grounds for the proposed disciplinary action.

30. Disciplinary procedure—notice to Member about proposed disciplinary action

- 30.1 As soon as practicable after appointing a decision maker under Rule 29, the Council must give the Member written notice telling the Member that the disciplinary procedure has started.
- 30.2 The notice must include—
- (a) details about the proposed disciplinary action; and
 - (b) the grounds for the proposed disciplinary action; and
 - (c) the name and contact details of the decision maker; and
 - (d) information about the disciplinary procedure.

31. Disciplinary procedure—opportunity to be heard

- 31.1 Before deciding whether to take the proposed disciplinary action, the decision maker must invite the Member to make a written or oral submission (or both) about—
- (a) the proposed disciplinary action; and
 - (b) the grounds for the proposed disciplinary action.
- 31.2 The invitation must state—
- (a) if the decision maker invites the Member to make a written submission—a period of not less than 14 days in which the Member may make a written submission (the submission period); and
 - (b) if the decision maker invites the Member to make oral submissions—the day and time (within the submission period) when the Member can make their oral submissions.

32. Disciplinary procedure—outcome

- 32.1 As soon as practicable after the submission period has ended, the decision maker must—
- (a) consider any submissions received by the decision maker during the submission period; and
 - (b) decide whether to take the proposed disciplinary action, another disciplinary action, or no disciplinary action against the Member (the disciplinary action decision); and
 - (c) give the Member and the Council written notice stating—
 - (i) the disciplinary action decision; and

- (ii) the reasons for the disciplinary action decision; and
- (iii) if the decision maker decides to take disciplinary action—the day the disciplinary action takes effect; and
- (iv) that the Member or the Council may appeal the disciplinary action decision under Rules 35 to 39 (Appealing decisions).

- 32.2 If the decision maker decides to take disciplinary action against a Member, the Council must—
- (a) if the Member's membership is cancelled—remove information about the Member from the Register of Members; or
 - (b) in any other case—record the details of the disciplinary action in the Register of Members.
- 32.3 If the decision maker decides to suspend the Member's membership for a stated period—
- (a) the person is taken not be a Member of the Association during the period of suspension; and
 - (b) the period of suspension does not affect the suspended Member's liability to pay the annual membership fee.

33. Disciplinary procedure—stopping

- 33.1 The Council may, by resolution, decide to stop a disciplinary procedure against a Member at any time before the decision maker makes a disciplinary action decision.
- 33.2 If the Council decides to stop the disciplinary procedure, the Council must give written notice to—
- (a) the Member; and
 - (b) the decision maker.
- 33.3 The notice must state—
- (a) that the Council has decided to stop the disciplinary procedure for proposed disciplinary action against a Member; and
 - (b) the reasons for the Council's decision to stop the disciplinary procedure.

34. Disciplinary procedure—no further action by Council

If a decision-maker makes a disciplinary action decision in relation to a Member, no further disciplinary action may be proposed or taken against the Member in relation to the conduct making up the grounds for disciplinary action set out in the written notice given to the Member under Rule 33.

35. Appeal outcome—setting aside decision-maker's decision

A dispute decision or disciplinary action decision may be set aside only by Special Resolution of the Association.

Note 1 A special resolution requires at least 21 days notice and needs to be passed with at least $\frac{3}{4}$ of the votes (see [Act](#), s 70).

Note 2 If a decision of the Association deprives a member of a right provided by the Association's rules, the member may apply to the court for an order to vary or set aside the decision (see [Act](#), s 49).

36. Who can appeal a decision?

- 36.1 A party to a dispute may appeal the dispute decision.
- 36.2 The following people may appeal a disciplinary action decision:
- (a) the Member who is the subject of the disciplinary action decision; and/or
 - (b) the Council.

37. Appeal notices

A person appealing a decision must, within 7 business days after being given notice of the decision, give the Administrator written notice of the appeal (an appeal notice) stating the grounds for the appeal.

38. Withdrawing an appeal

A person appealing a decision may, at any time before the appeal is decided, withdraw the appeal by giving written notice to the Administrator.

39. General meeting to decide appeal

39.1 As soon as practicable after the Administrator receives an appeal notice—

- (a) the Administrator must give the parties to the appeal a copy of the appeal notice; and
- (b) the Council must call a general meeting to consider a Special Resolution about the appeal.

Note A special resolution requires at least 21 days notice and needs to be passed with at least $\frac{3}{4}$ of the votes (see [Act](#), s 70).

39.2 The chair of the general meeting must ensure that—

- (a) the Special Resolution is the only item of business at the general meeting called under Rule 39.1(b); and
- (b) the parties to the appeal are given the opportunity to be heard about the Special Resolution; and
- (c) the members vote on the Special Resolution by a secret ballot.

39.3 The parties to the appeal must not vote on the Special Resolution.

39.4 In this section:

39.5 **party** to the appeal, means—

- (a) if the appeal is against a dispute decision—the parties to the dispute; and
- (b) if the appeal is against a disciplinary action decision—
 - (i) the Member who is the subject of the disciplinary procedure; and
 - (ii) the Council.

Part 4 Council

40. Council—members

40.1 The Council consists of:

- (a) the following office-bearers for the Association:
 - (i) the president;
 - (ii) the senior vice president;
 - (iii) the junior vice president;
 - (iv) the treasurer (who will also serve as Public Officer); and
- (b) eight Ordinary Council Members elected under Rule 51 or appointed in accordance with Rule 54.

- 40.2 A member of the Council must not hold more than 1 position on the Council at the same time.
Note Council members have duties of care and diligence, good faith and proper purpose and duties about the use of their position and the use of information obtained because of their position (see [Act](#), div 4.2 and dict, def officer).

41. Council—powers and functions

- 41.1 The Council, subject to the Act, these Rules, the Regulations and to any resolution passed by the Association in general meeting:
- (a) controls and manages the affairs of the Association;
 - (b) may exercise the Association's functions under the Act and the Rules, other than conducting the Association's business mentioned in—
 - (i) Rule 65 (Annual general meetings—notice and business); and
 - (ii) Rule 66 (Other general meetings—notice and business); and
 - (c) has power to perform all acts and do all things that appear to the Council to be necessary or desirable for the proper management of the affairs of the Association.

Note 1 The Council has the management of the Association (see [Act](#), s 60 (2)).

Note 2 A provision of a law that gives an entity a function also gives the entity powers necessary and convenient to exercise the function (see [Legislation Act](#), s 196).

42. Council—delegating functions to an employee or a committee

- 42.1 The Council may delegate a function of the Council under the Rules to 1 or more employee of the Association, any other person or a committee.
- 42.2 However, the Council must not delegate a function given to the Council—
- (a) under the Act or another territory law; or
 - (b) by resolution of the members at a general meeting.
- 42.3 If the Council delegates a function to a committee, the committee may, subject to any limitation or condition in the delegation—
- (a) meet on the dates and at the times and places agreed by the committee; and
 - (b) decide its own procedures.
- 42.4 The office-bearers of the Association constitute an executive committee which may act or issue instructions to the employees of the Association in matters of urgency during the intervals between meetings of the Council, and will report thereon to the next meeting of the Council.

43. Council—functions of president

- 43.1 The functions of the president include—
- (a) chairing Council meetings and general meetings (including annual general meetings); and
 - (b) exercising any other function given to the president—
 - (i) under the Act or the Rules; or
 - (ii) by the Council or the members to achieve the Association's objects.

44. Council—functions of senior vice president

The functions of the senior vice president include—

- (a) exercising the functions of the president if the president is unavailable to exercise those functions for any reason; and

- (b) exercising any other function given to the vice president—
 - (i) under the Act or the Rules; or
 - (ii) by the Council or the members to achieve the Association's objects.

45. Council—functions of junior vice president

The functions of the junior vice president include to support and advise the president and senior vice president.

46. Council—functions of treasurer

46.1 The functions of the treasurer include—

- (a) keeping the accounting records mentioned in the Act, section 71 (Accounting records); and
- (b) preparing the statement of accounts mentioned in the Act, section 72 (Annual statement of accounts); and
- (c) presenting the documents mentioned in the Act, section 73 (Presentation of statement to members) at the annual general meeting; and
- (d) lodging with the registrar-general the documents mentioned in the Act, section 79 (Annual returns); and
- (e) exercising any other function given to the treasurer—
 - (i) under the Act or the Rules; or
 - (ii) by the Council or the members to achieve the Association's objects.
- (f) the treasurer will also serve as the Association's Public Officer.

46.2 The treasurer may engage the Administrator to assist with carrying out the treasurer's functions as set out in Rule 46.1. But, the treasurer remains responsible for fulfilling these functions.

47. Administrator

47.1 The Council may appoint an Administrator employed by the Association and responsible to the president and reporting to the Council.

47.2 Subject to the direction and delegation of the Council, the Administrator will manage the daily affairs of the Association and administrative functions.

47.3 The functions of the Administrator include—

- (a) keeping minutes of Council meetings and general meetings (including annual general meetings);
- (b) exercising any other function given to the Administrator—
 - (i) under the Act or the Rules; or
 - (ii) by the Council or the members to achieve the Association's objects;
- (c) lodging the notice mentioned in the Act, section 62 (1) (Notice of changes in Council);
- (d) keeping all records of dog and breeder registrations, transfers, notifications of litters, breeders prefixes and any such other matters as will be decided by Council at meetings as needed, and receipt all monies related to these activities; and
- (e) keeping or causing to be kept all records of all proceedings of the affairs of the Association, conduct the correspondence, and convene meetings of the Council, and sub-Councils as required by the President and carry out the instructions of the Council, subject to these Rules.

48. Council—delegating functions of Council members

- 48.1 A relevant Council member may delegate their functions under the Rules to any other Council member.
- 48.2 However, a relevant Council member must not delegate a function given to the Council member—
- (a) under the Act or another territory law; or
 - (b) by resolution of the members at a general meeting.
- 48.3 In this section:
- relevant council member** means the following Council members:
- (a) the president;
 - (b) the senior vice president;
 - (c) the junior vice president; and
 - (d) the treasurer.

49. Council—membership

A Voting Member of the Association becomes a Council member if the Voting Member—

- (a) is elected to the Council at an annual general meeting under Rule 51; or
- (b) is appointed by the Council to fill a casual vacancy on the Council under Rule 54.

50. Council— opening of nominations and nominating members for election

- 50.1 The following Council member positions will open to nominations of candidates for election or re-election, 28 days before the first annual general meeting after the annual general meeting at which these Rules are adopted:
- (a) the president;
 - (b) the treasurer; and
 - (c) the first four of eight Ordinary Council Member positions under subrule 40.1(b), which are to be the positions held by the four Ordinary Council Members who have served on the Council the longest as at the date that nominations for these Council Member positions open.
- 50.2 The following Council member positions will open to nominations of candidates for election or re-election, 28 days before the second annual general meeting after the annual general meeting at which these Rules are adopted:
- (a) the senior vice president;
 - (b) the junior vice president; and
 - (c) the second four of eight Ordinary Council Member positions under subrule 40.1(b).
- 50.3 Starting with the opening of nominations of candidates in accordance with subrule 50.1, the respective Council member positions in subrules 50.1 and 50.2, will only be open to nominations of candidates for election or re-election, in alternating years.
- 50.4 The Council members occupying the respective Council member positions in subrules 50.1 and 50.2 at the end of the annual general meeting at which these Rules are adopted, will continue to serve in those positions until the annual general meetings at which those positions first open to nominations for election or re-election, in accordance with subrules 50.1 and 50.2.
- 50.5 The Administrator must, at least 28 days before an annual general meeting, give written notice to the Voting Members of the Association calling for nominations of Voting Members for election to the Council, for all Council member positions which are open for nomination at that annual general meeting.
- 50.6 A nomination of a Voting Member must—
- (a) be in writing; and

- (b) be signed by 2 other Voting Members; and
- (c) include the written consent of the nominated Voting Member; and
- (d) specify the Council member position which the nomination is for; and
- (e) be given to the Administrator by not later than 14 days after the day the notice under subrule 50.1 is given.

50.7 The Council must not accept the nomination of a Member if—

- (a) the nomination is for a Council member position which is not open for nomination at that annual general meeting;
- (b) the Member is disqualified from election to the Council; or
- (c) the Member does not reside in the Australian Capital Territory; or
- (d) the Member is not a Voting Member of the Association.

Note: The practical effect of Subrules 50.1 to 50.4 is intended to be that:

- *the president, treasurer and first four ordinary council members under these Rules will be elected/re-elected at the first AGM after these Rules are adopted (ie, if the Rules are adopted at AGM 2024, these positions can be put to a vote at AGM 2025);*
- *the senior vice president, junior vice president and second four ordinary council members under these Rules will be elected/re-elected at the second AGM after these Rules are adopted (ie, if the Rules are adopted at AGM 2024, these positions can be put to a vote at AGM 2026);*
- *each of these cohorts of Council member positions will only be available for election in alternating years, starting with the election of the president, treasurer and first four ordinary council members at AGM 2025 (ie following the positions being filled at AGM 2025 and AGM 2026 as set out above, the positions of president, treasurer and first four ordinary council members will be open again for election in AGM 2027, and the positions of senior vice president, junior vice president and second four ordinary council members will be open again for election in AGM 2028, etc.);*
- *as a transitional arrangement, all Council members holding their positions at the AGM at which these Rules are adopted will continue to serve in those positions until the AGMs at which the positions first open for nominations of candidates under subrules 50.1 and 50.2. This means that the president, treasurer and first four ordinary council members under these Rules who hold those positions at the AGM at which these Rules are adopted, will continue to serve until AGM 2025, when those positions will open for election or re-election. Similarly, the senior vice president, junior vice president and second four ordinary council members under these Rules, who hold those positions at the AGM at which these Rules are adopted, will continue to serve until AGM 2026, when those positions will open for election or re-election.*

These clauses have the effect that only half of the Council member positions will be rotated in any given year, allowing new Council members to learn from existing Council members and retaining corporate memory.

50.8 Only Voting Members may be appointed to the Council.

51. Council—electing members

51.1 If more than 1 Voting Member is nominated for a particular Council member position, the Voting Members at the annual general meeting must vote to decide who is to be elected to the position.

51.2 If only 1 Voting Member is nominated for a particular Council member position, the nominated Voting Member is taken to be elected to the position at the annual general meeting.

51.3 If no Voting Member is nominated for a particular Council member position, at the annual general meeting, the chair must call for further nominations of Voting Members to fill the position.

- 51.4 If the chair calls for further nominations under Rule 51.3, the chair—
- (a) may accept the nomination of a Voting Member only if—
 - (i) the nomination is supported by 2 Voting Members; and
 - (ii) the nominated person consents to the nomination; and
 - (b) must not accept the nomination of a Member if—
 - (i) the Member is disqualified from election to the Council; or
 - (ii) disciplinary action has been taken against the Member under Rules 26 to 39 in the previous 2 years; or
 - (iii) the Member does not reside in the Australian Capital Territory; or
 - (iv) the Member is not a Voting Member of the Association.
- 51.5 If the chair calls for further nominations under Rule 51.3—
- (a) if more than 1 Voting Member is nominated for the position—the Voting Members at the meeting must vote to decide who is to be elected to the position; or
 - (b) if only 1 Voting Member is nominated for the position—the nominated Member is taken to be elected to the position; or
 - (c) if no Member is nominated for the position—the position is taken to be vacant.

52. Council—term of office

- 52.1 The term of office of a Council member begins—
- (a) for an elected Council member—at the end of the annual general meeting at which the Voting Member is elected; or
 - (b) for a Council member appointed to fill a casual vacancy under Rule 54—on the day the appointment commences.
- 52.2 The term of office of a Council member ends on the earliest of the following:
- (a) the end of the second annual general meeting held after the Council member's term of office begins;
 - (b) if the person resigns from office—the day the resignation takes effect;
 - (c) if the person's membership of the Association ends—the day the membership ends;
 - (d) if the person is disqualified from holding Council membership under—
 - (i) the Act, section 63 (Disqualification from office—convictions or bankruptcy)—the day the disqualification takes effect; or
 - (ii) the Act, section 63A (Disqualification from office—noncompliance with Act)—the day the disqualification takes effect; or
 - (iii) the Act, section 63B (Disqualification from office—disqualified under other legislation)—the day the disqualification takes effect;
 - (e) if the person is absent without the written approval of the chair of the Council, which may not be unreasonably withheld, from all meetings of the Council held during a period of 3 months; and
 - (f) if the person is removed from office under Rule 53—the day the removal takes effect.
- 52.3 Subject to Rule 58.1, the Council may act despite any vacancy on the Council.

53. Council—removal of Member from office

- 53.1 The Association may, by resolution passed at a general meeting, remove a Council member from the Council before the end of their term of office if the Council member—
- (a) does not exercise their functions or discharge their duties under the Act, section 66A (Duty of care and diligence); or
 - (b) does not exercise their functions or discharge their duties under the Act, section 66B (Duty of good faith and proper purpose); or
 - (c) contravenes—
 - (i) the Act, section 66C (Use of position); or
 - (ii) the Act, section 66D (Use of information); or
 - (d) fails to attend 2 consecutive Council meetings and does not have the agreement of the Council to be absent from 1 or both of the meetings; or
 - (e) does not exercise the functions of their office for a period of 3 months.
- 53.2 The Association may, by Special Resolution passed at a general meeting, remove a Council member from the Council before the end of their term of office.

54. Council—filling casual vacancies

- 54.1 The Council may appoint a Voting Member to fill a position on the Council that—
- (a) was not filled at the last annual general meeting; or
 - (b) becomes vacant because a person's Council membership ends for a reason mentioned in subrules 52.2(a) to 52.2(f).
- 54.2 Rule 52 will apply to the term of office of any Council member appointed under subrule 54.1
- 54.3 However, the Council must not appoint a Voting Member under this Rule 54 if disciplinary action has been taken against the Voting Member under Rules 26 to 39 in the previous 2 years.
- Note* A person may also be disqualified from appointment to the Council under the [Act](#), s 63, s 63A and s 63B.

55. Council meetings

- 55.1 The Council must meet (a Council meeting) at least 11 times in each calendar year.
- 55.2 Council meetings must be held on the dates and at the times and places decided by the Council.
- 55.3 The Council may, by resolution, decide to hold a Council meeting using a method of communication, or a combination of methods of communication, that allows a Council member taking part to hear or otherwise know what each other Council member taking part says without the members being in each other's presence.
- 55.4 A Council member who takes part in a Council meeting conducted under subrule 55.3 is taken, for all purposes, to be present at the meeting.

56. Council meetings—notice and business

- 56.1 The Administrator must give each Council member notice of a Council meeting (a Council meeting notice) at least—
- (a) 48 hours before the meeting; or
 - (b) if the Council unanimously agrees on another period—that period before the meeting.
- 56.2 The Council meeting notice must state—
- (a) the date, time and place of the meeting; and
 - (b) the general nature of the business to be conducted at the meeting.

- 56.3 The Council may conduct business at a Council meeting only if—
- (a) the business is mentioned in the Council meeting notice; or
 - (b) the majority of the Council members at the meeting agree that—
 - (i) the business is urgent; and
 - (ii) it is appropriate to conduct the business at the meeting.

57. Council meetings—chair

- 57.1 A Council meeting must be chaired by—
- (a) the president; or
 - (b) if the president is absent—the senior vice president; or
 - (c) if the president and senior vice president are absent—the junior vice present; or
 - (d) if the president, senior vice president and junior vice president are absent—a Council member elected to chair the meeting by the Council members at the meeting.

58. Council meetings—quorum

- 58.1 The Council may conduct business at a Council meeting only if there is a quorum of 6 Council members.
- 58.2 If there is not a quorum at the time stated in the Council meeting notice, the time of the meeting is taken to be postponed for 30 minutes.
- 58.3 If there is not a quorum after the 30 minute postponement, the meeting is ended.
- Note* If a quorum for a Council meeting is not reached because a Council member present at the meeting has a personal interest in a matter being considered, a general meeting may be called to pass a resolution to deal with the matter (see [Act](#), s 65A (3)).

59. Council meetings—voting

- 59.1 Each Council member—
- (a) has 1 vote on each question arising at the Council meeting; and
 - (b) must vote personally.
- Note* A Council member who has a material personal interest in a matter must not be present while the matter is being considered by the Council and must not vote on the matter (see [Act](#), s 65A).
- 59.2 A motion is carried if a majority of the Council members at the Council meeting vote in favour of the motion.
- 59.3 However, if the votes on a question are equal, the chair has a second or deciding vote.
- 59.4 The Council members at a Council meeting may vote on a question at the meeting orally, in writing or by a show of hands.
- 59.5 For this Rule 59 section, voting personally includes voting while taking part in a Council meeting conducted using a method of communication that allows a Council member taking part to hear or otherwise know what each other Council member taking part says without the members being in each other's presence.

60. Council meetings—minutes

- 60.1 The Council must ensure that minutes are taken and kept for each Council meeting.
- 60.2 The following must be recorded in the minutes:
- (a) the names of the Council members at the meeting;
 - (b) whether the Council agreed that the minutes of the previous meeting are correct;

- (c) a description of the business conducted at the meeting;
- (d) if a Council member makes a disclosure of a material personal interest as required by the Act, section 65 (1)—
 - (i) the nature and extent of the interest; and
 - (ii) the relation of the interest to the Association’s activities; and
- (e) any motion on which a vote is taken at the meeting and the outcome of the vote.

Note A summary of the minutes of Council meetings must be provided to members on request (see [Act](#), s 35). However, the Council may refuse access if satisfied that allowing access would be prejudicial to the Association’s interests (see [Act](#), s 35A).

61. Council meetings—records

The Council must keep the following records for each Council meeting:

- (a) Council meeting notices;
- (b) minutes of Council meetings; and
- (c) copies of documents considered at Council meetings.

Part 5 Annual and other general meetings

Note The provisions in this part apply to all general meetings, including annual general meetings, unless otherwise stated.

62. General meetings—called by Council

The Council may call a general meeting whenever it considers appropriate.

Note 1 The Association must hold its first annual general meeting within 18 months after it is incorporated (see [Act](#), s 68).

Note 2 The Association must hold an annual general meeting once each calendar year, within 5 months after the end of the Association’s financial year (see [Act](#), s 69).

Note 3 The Association’s incorporation may be cancelled if it has not convened an annual general meeting during the previous 3 years (see [Act](#), s 93 (1) (d)).

63. General meetings—called at request of members

63.1 The Council must call a general meeting (other than an annual general meeting) if—

- (a) at least 5% of the members of the Association ask for a meeting to be called (the requesting members); and
- (b) the request—
 - (i) is made in writing; and
 - (ii) is given to the Administrator; and
 - (iii) states the purpose of the meeting; and
 - (iv) is signed by the requesting members.

63.2 If the Council does not call a general meeting within 1 month after the date of the request, a requesting Voting Member may call a general meeting to be held not more than 3 months after the date of the request.

63.3 If a general meeting is called under subrule 63.2, the requesting Voting Members must give the general meeting notice required under subrule 65.2.

- 63.4 The Association must reimburse any reasonable expenses incurred by the requesting Voting Members in calling a general meeting under subrule 63.2.

64. General meetings—virtual attendance

- 64.1 A general meeting may be held using a method of communication, or a combination of methods of communication, that allows a Voting Member taking part to hear or otherwise know what each other Voting Member taking part says without the Voting Members being in each other's presence if—
- (a) the Council decides, by resolution, to hold the meeting using the method of communication; or
 - (b) for a meeting called by a requesting Voting Member under subrule 63.2—the requesting Voting Member decides to hold the meeting using the method of communication.
- 64.2 A Voting Member who takes part in a general meeting conducted under subrule 64.1 is taken, for all purposes, to be present at the meeting.

65. Annual general meetings—notice and business

- 65.1 The Association must, at least once in each calendar year and within three months after the end of the Financial Year, call an annual general meeting of its members.
- 65.2 The Council must give each Voting Member written notice of an annual general meeting at least 21 days before the meeting, by:
- (a) sending the notice by electronic mail to the Voting Member at the Voting Member's electronic mail address shown in the Register of Members; and
 - (b) publishing the notice on the Website.
- 65.3 The notice must—
- (a) state the date, time and place of the annual general meeting; and
 - (b) include the agenda for the annual general meeting; and
 - (c) attach minutes of the previous annual general meeting; and
 - (d) provide information and documents directly relevant to any matters to be decided, dealt with or done at the annual general meeting, including in relation to any Special Resolution proposed to be transacted at the annual general meeting.
- 65.4 The following must be done at an annual general meeting:
- (a) the minutes of the previous annual general meeting must be confirmed;
 - (b) the Council must be elected under Rule 51;
 - (c) the documents mentioned in the Act, section 73 (1) must be presented; and
 - (d) the documents the Association is required to lodge with the registrar-general under the Act, section 79 (1) must be dealt with.

Note The [Act](#), s 73 (1) requires the Council to present a statement of accounts, a reviewer's or auditor's report, and a report about the Council membership, principal activities and profit or loss.

66. Other general meetings—notice and business

- 66.1 The Council, or the requesting Voting Member for a meeting called under subrule 63.2, must give each Voting Member written notice of a general meeting (a general meeting notice)—
- (a) at least 14 days before the meeting; or
 - (b) if a Special Resolution is to be considered at the meeting—at least 21 days before the meeting.
- 66.2 A general meeting notice must—
- (a) state the date, time and place of the meeting; and

- (b) include the agenda for the meeting; and
 - (c) provide information and documents directly relevant to any matters to be decided at the meeting, including in relation to any Special Resolution proposed to be transacted at the annual general meeting.
- 66.3 A Voting Member may give the Administrator written notice about any business the Voting Member would like included in the agenda for a general meeting, at least 50 days before the general meeting.
- 66.4 If a Voting Member gives the Administrator written notice under subrule 66.3, the Administrator must include the business in the agenda for the next general meeting.
- 66.5 The chair of a general meeting must ensure that the only business conducted at the meeting is—
- (a) the business stated in the general meeting notice for the meeting; and
 - (b) decisions about the procedure of the meeting.

67. General meetings—chair

A general meeting must be chaired by—

- (a) the president; or
- (b) if the president is absent— the senior vice president; or
- (c) if the president and senior vice president are absent—the junior vice president; or
- (d) if the president, senior vice president and junior vice president are absent—a Voting Member elected to chair the meeting by members at the meeting.

68. General meetings—quorum

- 68.1 The members of the Association may conduct business at a general meeting only if there is a quorum of members present.
- 68.2 If a quorum of 20 Voting Members is not present at the time stated in the general meeting notice, the time of the meeting is taken to be postponed for 30 minutes.
- 68.3 If a quorum of 20 Voting Members is not present after the 30 minute postponement, the chair of the meeting may adjourn the meeting to another day and time that is not earlier than 7 days, and not later than 14 days, after the meeting that is being adjourned.
- 68.4 The Council must, within 48 hours after adjourning a meeting under Rule 68.3, give each Voting Member written notice stating—
- (a) that the meeting was adjourned under Rule 68.3; and
 - (b) the new date, time and place of the meeting.

69. General meetings—voting

- 69.1 Each Voting Member of the Association—
- (a) has 1 vote on each question arising at a general meeting; and
 - (b) may vote personally.
- 69.2 Voting by proxy is not permitted.
- 69.3 A motion is carried (except in the case of a Special Resolution) if a majority of the Voting Members present personally vote in favour of the motion.
- 69.4 However, if the votes on a question are equal, the chair has a second or deciding vote.
- 69.5 The Voting Members at a general meeting may vote on a question at the meeting orally, in writing or by a show of hands.

- 69.6 However, a vote on a question at a general meeting must be by ballot conducted at the meeting if—
- (a) the chair decides the vote is to be by ballot; or
 - (b) at least 3 members request the vote be by ballot.
- 69.7 For this Rule 69, voting personally includes voting while taking part in a general meeting conducted using a method of communication that allows a Voting Member taking part to hear or otherwise know what each other Voting Member taking part says without the members being in each other's presence.
- 69.8 A Voting Member is not entitled to vote at any general meeting of the Association unless all money due and payable by the Voting Member to the Association has been paid or the Member has received an extension in writing by the Council for the date of any amounts due and payable.
- 69.9 A Voting Member is not entitled to vote at any general meeting if the Voting Member arrives 30 minutes after the commencement time of the general meeting.

70. General meetings—minutes

- 70.1 The Administrator, or another person authorised by the Council, must take and keep minutes of each general meeting.
- 70.2 The following must be recorded in the minutes:
- (a) the names of the members present at the meeting;
 - (b) a description of the business conducted at the meeting; and
 - (c) if a vote is taken at the meeting—
 - (i) the motion on which the vote is taken;
 - (ii) the outcome of the vote; and
 - (iii) whether the vote was taken orally, in writing, by a show of hands or by ballot.
- 70.3 The chair must review the minutes and sign them if they are correct.
- 70.4 The outcome of a vote on a matter at a general meeting is taken to be the resolution of the general meeting of the members of the Association on the matter.

71. General meetings—adjournment

- 71.1 The chair of a general meeting may, at any time, adjourn the meeting if—
- (a) there is a quorum; and
 - (b) the majority of members vote to adjourn the meeting.
- 71.2 The only business that may be conducted on the resumption of an adjourned meeting is the business that remained unfinished when the meeting was adjourned.

Part 6 Financial matters

72. Funds—source

- 72.1 The Association's funds may only be made up of—
- (a) joining fees for the Association given under Rule 8; and
 - (b) annual membership fees of members given under Rule 8; and
 - (c) donations; and
 - (d) any other source that the Council decides, subject to—
 - (i) the Act, section 114 (Investment with associations); and

- (ii) a resolution passed by the Association at a general meeting; and
 - (e) any other source not included under Rules 72.1(a) to 72.1(d).
- 72.2 The Council must—
- (a) ensure that all money received by the Association is deposited into the Association's account with a deposit taking institution as soon as practicable after the money is received; and
 - (b) issue a receipt for any money received by the Association as soon as practicable after the money is received, unless it is impracticable to do so.

73. Funds—use and management

- 73.1 The Association must—
- (a) open and maintain an account with an authorised deposit taking institution; and
 - (b) pay all money received by the Association into the account; and
 - (c) pay all amounts spent by the Association out of the account.
- 73.2 The Association's funds may only be used—
- (a) for the Association's objects; and
 - (b) either—
 - (i) in the way the Council decides; or
 - (ii) if a general meeting passes a Special Resolution about the way the funds are to be used—in accordance with the resolution.
- 73.3 The Council may make payments on the Association's behalf.
- 73.4 The Council may delegate its functions under subrule 73.3 to—
- (a) a Council member; or
 - (b) anyone employed or engaged by the Association.
- 73.5 All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments must be signed by two of the following:
- (a) the president;
 - (b) the treasurer;
 - (c) the senior vice president.

Part 7 Miscellaneous

74. Records and other documents

- 74.1 The Administrator must keep all the Association's records and other documents, other than accounting records, in their custody or under their control.
- 74.2 The treasurer must keep the Association's accounting records in their custody or under their control.
- 74.3 At the written request of a Member, the Association must give the Member a copy of any of the Accessible Records, unless the Council is satisfied that allowing access to the Accessible Records requested would be prejudicial to the interests of the Association.
- 74.4 The Association may charge a fee, not exceeding the fee determined in accordance with the Act, section 125 (Determination of fees), for each copy of a record or document given to a Member under subrule 74.3.
- 74.5 A Member may apply to the Council to:
- (a) inspect the Register of Members in accordance with the Act, section 67A; and

- (b) restrict access to the personal information of the Member recorded on the Register of Members in accordance with the Act, section 67B.

74.6 A Member may also apply to the Council in writing to obtain a copy of any of the Association's records and documents, other than the Accessible Records or the Register of Members. The application must state the purpose for requiring a copy of the record or document.

74.7 The Council must allow or refuse an application under subrule 74.6, in its discretion, within 10 business days of receiving the application.

75. Service of notices

75.1 For these rules, the Association may serve a notice on a Member by sending it by prepaid post to the Member at the Member's address shown in the Register of Members, or via electronic communication, or by providing the notice to the Member personally.

75.2 A notice by prepaid post is taken to be served:

- (a) by properly addressing, prepaying and posting a letter containing the notice; and
- (b) on the day after the day on which it was posted.

75.3 A notice sent by electronic communication is taken to be served:

- (a) by properly transmitting it; and
- (b) on the day after its despatch.

76. Common seal

76.1 If the Association has a common seal, the Administrator must keep the common seal in their custody.

76.2 The common seal may only be attached to a document if its attachment is—

- (a) authorised by the Council; and
- (b) witnessed by 2 Council members.

Note The Association's documents may be authenticated or executed other than under a common seal (see [Act](#), s 55).

77. Income and Property

77.1 The income and property of the Association are applied solely towards the promotion of the objects of the Association set out at Rule 2 and the Association will not be carried on for the profit or gain of Members, neither while it is operating nor on a winding up.

77.2 No income, profits or assets (whether in money, property or other benefits) will be paid, distributed or transferred directly or indirectly to any Member of the Association or Council member except for payments to a Member or Council member as genuine compensation for services provided to, or reasonable expenses incurred on behalf of, the Association.

78. Winding up

78.1 The Association may dissolve at a General Meeting called for that purpose by a Special Resolution.

78.2 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).

79. The Association's Regulations

79.1 The Council may from time to time make Regulations and may from time to time amend the Regulations whether by deletion, addition or otherwise as it may think fit.

79.2 Without limiting the generality of subrule 79.1, the Council may make regulations regulating:

- (a) affiliation;
- (b) prefixes;
- (c) the register and registrations;
- (d) dog sports events;
- (e) point score rules;
- (f) judges;
- (g) stewards;
- (h) awards and titles;
- (i) the use of motorised vehicles and assistance to handlers with disabilities
- (j) inclement weather;
- (k) ethics; and
- (l) social media.

79.3 In the event of inconsistency between these Rules and the Association's Regulations, the Rules will prevail.