



CAPITAL COUNTRY CAVY CLUB **CAPITAL COUNTRY CAVY CLUB**
CLUB

Definitions

- 1) **Special general meeting** means a general meeting of the club other than a general meeting
- 2) **The Act** means the *Associations Incorporation Act 2009*
- 3) **The Regulation** means the Associations Incorporation Regulation 2010

1. **Name.** The name of the Club shall be “Capital Country Cavy Club”

2. **Aims.** The Aims of the Club shall be:

- To promote and improve the breeding of pedigree cavies according to the Australian National Cavy Council breed standards
- To educate the public in the proper care and handling of cavies and in the understanding of their nature
- To hold shows in southern NSW and the ACT for the benefit of the club, its members and any potential new members.
- To cooperate with any proper Organisation or body having similar objects

3. Membership

The Club shall consist of ordinary members, and family or partnership members (including junior members)

- a) Ordinary members shall be persons subscribing to all the objects of the club who have paid an annual fee.
- b) Family members shall consist of parents and children under 18 years only residing in the same household who have applied as such and paid the appropriate fee. Each adult member shall have full voting rights.
- c) Partnership members are those who share a stud prefix but reside at separate addresses.
- d) Upon joining members shall pay an annual fee as determined by the committee. Fees are due and payable annually.
- e) Members on joining shall receive and accept the constitution of the club and the authority of the elected committee on all matters relating to business and procedure.
- f) Members may attend any meeting of the club other than committee meetings and shall possess equal rights excepting as otherwise stated in this constitution.
- g) A person ceases to be a member if the person dies, resigns membership or is expelled from the club.
- h) Lapsed members are not entitled to vote on any Club business or hold any position in the Club. A lapsed member may have his or her

membership restored upon payment of the outstanding fee within six months of the due date.

4. Register of Members

The Secretary of the Club shall establish and maintain register of members of the Club specifying the name and address of each person who is a member of the Club. The register of members shall be held by the Secretary and shall be available for inspection free of charge by any member of the Club at any reasonable hour.

5. Liability of Members

The liability of a member of the Club to contribute towards the payment of the debts and liabilities of the Club or the cost, charges and expenses of the winding up of the Club is limited to the amount, if any, unpaid by the members in respect of membership of the Club as required by rule 3(d).

6. Internal Disputes

Disputes between members (in their capacity as members) of the Club and disputes between members and the Club which have not been able to be resolved within the forums of the Club, may be referred to a community justice centre for mediation in accordance with the Community Justice Centres Act, 1983.

7. Disciplining of Members

- i. A complaint may be made to the Committee by any person that a member of the Club
 - a. has persistently refused or neglected to comply with a provision or provisions of these rules, or
 - b. has persistently and wilfully acted in a manner prejudicial to the interests of the Club
- ii. On receiving such a complaint, the Committee:
 - a. must cause notice of the complaint to be served on the member concerned and
 - b. must give the member at least 14 days from the time the notice is served with which to make submissions to the Committee in connection with the complaint, and
 - c. must take into consideration any submissions made by the member in connection with the complaint
- iii. The Committee may, by resolution, expel the member from the Club or suspend the member from membership of the Club if, after considering the complaint and any submissions made in connection with the complaint, it is satisfied that the facts alleged in the complaint have been proved.
- iv. If the Committee expels or suspends a member, the Secretary must, within 7 days after the action is taken, cause written notice to be given to the

member of the action taken, of the reasons given by the Committee for having taken that action and of the member's right of appeal under rule 8.

- v. The expulsion or suspension does not take effect:
 - a. until the expiration of the period within which the member is entitled to appeal against the resolution concerned, or
 - b. if within that period the member exercises the right of appeal, unless and until the Club confirms the resolution under rule 8(5)

8. Right of appeal of disciplined member

- i. A member may appeal to the Club in general meeting against a resolution of the Committee under rule 7, within 7 days after notice of the resolution is served on the member, by lodging with the Secretary a notice to that effect.
- ii. The notice may, but need not, be accompanied by a statement of the grounds on which the member intends to rely for the purposes of the appeal.
- iii. On receipt of a notice from a member under clause (i) the Secretary must notify the Committee which is to convene a general meeting of the Club to be held within 28 days after the date which the Secretary received the notice.
- iv. At a general meeting of the Club convened under clause (iii):
 - a. no business other than the question of the appeal is to be transacted and
 - b. the Committee and the member must be given the opportunity to state their respective cases orally or in writing or both, and
 - c. the members present are to vote by secret ballot on the question of whether the resolution should be confirmed or revoked.
- v. If at the general meeting the Club passes a special resolution in favour of the confirmation of the resolution, the resolution is confirmed.

9. Committee

The Committee of the Club is to be called the committee of management and subject to the Act, the Regulation and these rules and to any resolution passed by the Club in general meeting, is to control and manage the affairs of the Club. It shall consist of:

- i. President
- ii. Vice-President
- iii. Secretary
- iv. Treasurer
- v. Show Secretaries for Canberra/Queanbeyan and any future region.
- vi. At least 2 ordinary committee members, each of whom is to be elected at the annual general meeting .

Each member of the Committee shall, subject to these rules, hold office until the conclusion of the Annual General Meeting following the date of the member's

election. Committee members are eligible for re-election. A person may hold more than one position in the Club, but no person may hold concurrently the positions of President, Secretary or Treasurer. In the event of a casual vacancy occurring, the Committee may appoint a member of the Club to fill the vacancy and the member so appointed is to hold office, subject to these rules, until the conclusion of the Annual General Meeting next following the date of the appointment.

Election of Committee Members

Nominations of candidates for elections as office-bearers of the Club shall be made in writing, signed by two members of the Club and accompanied by written consent of the candidate and delivered to the Secretary of the Club at least 7 days before the date fixed for the holding of the Annual General Meeting at which the election is to take place.

- a) If the number of nominations received is equal to the number of vacancies to be filled, the persons nominated are taken to be elected.
- b) If the number of nominations received exceeds the number of vacancies to be filled, a secret ballot is to be held.
- c) If insufficient nominations are received to fill all vacancies on the Committee, the candidates nominated are taken to be elected and further nominations are to be received at the Annual General Meeting.
- d) If insufficient further nominations are received, any vacant positions remaining on the Committee are taken to be casual vacancies.

10. Secretary

The Secretary of the Club shall, as soon as practicable after being appointed Secretary, lodge notice with the Club of his or her address.

It is the duty of the Secretary to keep record of:

- a) All appointments of persons to Club positions
- b) The names of members present at a Committee meeting or a general meeting
- c) All members of the club and their addresses
- d) The minutes of Committee and General Meetings
- e) All club correspondence

11. Treasurer

It is the duty of the Treasurer of the Club to:

1. Ensure that all money due to the Club is collected and received and that all payments authorised by the Club are made
2. Ensure that correct books and accounts are kept showing the financial affairs of the Club including full details of all receipts and expenditure connected with the activities of the Club

3. Present a financial statement at each meeting, including all accounts paid since the previous meeting, and an audited statement at the Annual General Meeting.
4. Lodge an annual summary of financial affairs to NSW Fair Trading, Sec 49 of the Act.

12. Casual Vacancies

For the purposes of these rules, a casual vacancy in a Club position occurs if the person:

- a) Dies, or
- b) Ceases to be a member of the Club, or
- c) Becomes insolvent under administration within the meaning of Corporations Law
- d) Resigns office by notice in writing given to the Secretary
- e) Is removed from the position under rule 13
- f) Becomes mentally incapacitated, or
- g) Is absent without the consent of the Committee from all meetings of the Committee held during a period of 6 months

13. Removal of a person from the Committee

The Club in a General Meeting may by resolution remove any person from the position the person holds before the expiration of the person's term of office and may by resolution appoint another person to hold office until the expiration of the term of office of the person so removed.

If a member of the Committee to whom a proposed resolution referred to above makes representation in writing to the Secretary or President and requests that the representation be notified to the members of the Club, the Secretary or the President may send a copy of the representation to each member of the Club or, if the representations are not so sent, the member is entitled to require that the representations be read out at the meeting at which the resolution is considered.

14. Meetings

- a) **Committee meetings** are to be held at least three times in each period of 12 months at such a place and time as the Committee may determine. Additional meetings of the Committee may be convened by the President or any member of the Committee. Members of the Committee must be given by the Secretary at least 48 hours notice. The quorum is three members of the Committee. No business is to be transacted by the Committee unless a quorum is present and if, within half an hour of the time appointed for the meeting, a quorum is not present, the meeting is to stand adjourned until the same place and same hour of the same day the following week. If at the adjourned meeting, a quorum is not present within half an hour of the time appointed, the meeting is to be dissolved.
- b) **General Meetings** shall be held at least 2 times a year inclusive of the Annual General Meeting. Prior notice in writing of at least fourteen days is required for a General Meeting. A member desiring to bring any business before a general meeting may give notice in writing of that business to the Secretary who must include that business in the next notice calling a general meeting

given after receipt of the notice from the member. The quorum for a General Meeting shall be five members. When a quorum has not been achieved within 30 minutes of the advertised time, the meeting shall be abandoned.

- c) **Annual General Meeting** shall be held in June each year or within 6 months after the expiration of each financial year. . Written notice of this meeting shall be given at least fourteen days prior to the meeting. The quorum is 7. In addition to any other business which may be transacted at an annual general meeting, the business of an annual general meeting is to include the following:
- i. to confirm the minutes of the last preceding annual general meeting and of any special general meeting held since that meeting
 - ii. to receive from the Committee reports on the activities of the Club during the last preceding financial year
 - iii. to elect office-bearers of the Club
 - iv. to receive and consider the statement which is to be submitted to members under section 48 of the Act.
- d) **Special General Meetings** may be called by the Committee whenever it thinks fit or when it receives a requisition in writing of at least 5 percent of the total number of members. A requisition of members for a special meeting must state the purpose of the meeting, be signed by the members making the requisition, be lodged with the Secretary and may consist of several documents in similar form, each signed by one or more of the members making the requisition. The quorum is 7. If the Committee fails to call a Special General Meeting within 1 month after the date on which a requisition is lodged with the Secretary, any one or more of the members who made the requisition may convene a Special General Meeting to be held not later than 3 months after that date. Members shall be given at least ten days notice in writing. No other business other than that specified in the notice convening a Special General Meeting is to be transacted at the meeting.

15. Presiding member

The President or in the President's absence, the Vice-president, is to preside as chairperson at each general meeting of the Club. If the President and the Vice-President are absent or unwilling to act, the members present must elect one of their number to preside as chairperson at the meeting. The President or presiding member may not vote except to cast a deciding vote.

16. Adjournment

The chairperson of 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. If a general meeting is adjourned for 14 days or more, the Secretary must give written or oral notice of the adjourned meeting to each member of the Club stating place, date and time of the meeting and the nature of the business to be transacted at the meeting.

17. Making of decisions

- a) All members have the right to vote on all matters. Each adult paying separate fees shall be entitled one vote. Each family paying fees shall be entitled to two votes. Each person must be financial. Voting at all meetings is by a show of hands except that a secret ballot will be conducted for the election of persons to Club positions or when directed by the presiding member of the meeting; or if requested by at least two members present at the meeting. Proxy voting is permitted. Proxies must be with the Secretary no later than 24 hours before the time of the meeting.
- b) In the case of an equality of votes on a question at a meeting, the presiding member of the meeting is entitled to exercise a casting vote.

18. Insurance

The Club shall effect and maintain public liability insurance.

19. Finance

The financial year of the Club shall be as determined by the Committee .

- a) The funds of the Club shall be derived from entrance fees and annual subscriptions of members, donations and, subject to any resolutions passed by the Club in general meeting, such other sources as the Committee determines.
- b) All money received by the Club shall be deposited as soon as practicable and without deduction to the credit of the Club's account.
- c) The Club shall, as soon as practicable after receiving any money, issue an appropriate receipt
- d) Subject to any resolution passed by the Club at a general meeting, the funds of the Club shall be used in pursuance of the objects of the Club in such manner as the Committee determines.
- e) All accounts will be paid by cheque or electronic transfer. All cheques, electronic transfers, drafts, bills of exchange, promissory notes and other negotiable instruments shall be signed by the Treasurer plus anyone of the following: President, Vice-President, Secretary, signatory elected at the AGM or appointed by the Committee.

*******20. Alteration of aims and rules**

The statement of aims and these rules may be altered, rescinded or added to only by a special resolution of the Club. Such amendments are to be in writing, signed by at least five financial members, submitted to the Secretary and voted on at a general meeting. There is to be fourteen days notice. Amendments need a two thirds majority to be passed.

21. Custody and inspection of books

Except as otherwise provided by these rules, the Secretary shall keep in his or her custody or under his or her control all records, books and other documents relating to the Club, except financial records which will be kept by the Treasurer. The record books and other documents of the Club shall be open to inspection, free of charge, by a member of the Club at any reasonable hour.

22. Service of notices

For the purposes of these rules, a notice may be served by or on behalf of the Club upon any member either personally, prepaying and posting to the person a letter containing the document or sending it by facsimile or some other form of electronic transmission to an address specified by the person for the giving or serving of notices. A notice is taken, unless to the contrary is proved, to have been given or served:

- a) In the case of a notice given or served personally, on the date on which it is received by the addressee
- b) In the case of a notice sent by pre-paid post, on the date when it would have been delivered in the ordinary course of post, and
- c) In the case of a notice sent by facsimile transmission or some other form of electronic transmission, on the date it was sent, or if the machine from which the transmission was sent produces a report indicating that the notice was sent on a later date, on that date.

23. Dissolution of the Club

The Club shall be dissolved if the membership is less than three or by unanimous decision of all financial members. Any debts that the Club may have at the time are to be paid by fund raising and sale of assets before dissolution. Any remaining assets of the Club which it may own after all debts and expenses have been settled shall be given to like club/s and /or other animal welfare bodies as agreed by the members.