

FREMANTLE AMATEUR ANGLING CLUB INC

CONSTITUTION

(1) NAME

The name of the Club shall be the Fremantle Amateur Angling Club Inc. and it shall hereafter be referred to as "the Club".

(2) OBJECTS

The objects of the Club shall be to provide the opportunity for members to fish on a regular basis, at a variety of locations, within a competitive and friendly structure.

(3) POWERS

The Club has the power to do all things as are necessary, incidental or conducive to the attainment of its objects.

(4) NON-PROFIT

The income and property of the Club however derived shall be applied solely towards the promotion of the objects of the Club. No portion of the income or property shall be paid, transferred or distributed directly or indirectly to the members of the Club, provided that nothing shall prevent the payment in good faith of remuneration to any officer of the Club or to any other person other than a member, in return for services rendered to the Club.

(5) MEMBERSHIP

(a) Family membership shall consist of up to two persons aged 18 years or over together with children in their care who are under the age of 18 years and are living at home. Family membership can include parents, grandparents or carers and junior members and also members aged 18 years and over who have been elected in accordance with clause 7(b) of this Constitution or who have graduated from junior ranks.

(b) Junior members shall be under the age of 18 and in the custody of a family member.

(c) Life membership may be conferred upon a family member aged 18 and over in recognition of exceptional and meritorious service to the Club.

(6) RECIPROCAL MEMBERSHIP

Reciprocal membership may be offered to any financial member of a recognised Australian shore-based angling Club. Reciprocal members shall be entitled to all benefits, facilities and privileges of the Club whilst visiting or residing in the State of Western Australia. A reciprocal member shall not be subject to any membership fees and such member shall not be entitled to voting rights. Benefits to reciprocal

members shall be extended for a period of up to three (3) months, any extension being at the discretion of the committee.

(7) ADMISSION OF MEMBERS

(a) Every candidate for family membership other than those members graduating from junior ranks shall make, sign and forward to the committee a written application for membership in such form as the committee may decide.

(b) Family members aged 18 and over, not graduating from junior ranks shall be proposed and seconded by financial members and shall be elected by a 75% majority of those present at a General Meeting. Prior to the vote being taken, the applicant for membership is required to attend at least two (2) General Meetings and one (1) Field Day. Any variation to this requirement will be at the discretion of the Club Committee.

© Life members shall be nominated in writing by a minimum of two family members and the nomination addressed to the President. The nominators will briefly outline the exceptional and meritorious service rendered to the Club by the nominee. The nomination shall be discussed at a committee meeting which cannot be attended by the nominee. All business discussed at that committee meeting shall be confidential to those members present. Upon the nomination being supported by the committee it must then be passed by 75% of the members at the Annual General Meeting or Special General Meeting called for the purpose.

(8) MEMBER AND VISITOR SAFETY

The personal safety of any member or visitor shall be the sole responsibility of that person. The Club, its Officers or any of them shall accept no legal responsibility whatsoever for the safety of any member or visitor of the Club or visitor present or taking part in any activity of the Club, regardless of the cause of any accident or injury.

(9) COMMITTEE

(a) POWERS

The Committee shall control and manage the affairs of the Club and shall exercise all functions as may be exercised by the Club other than those functions that are required by the Act and by this constitution in General Meeting.

(b) CONSTITUTION AND MEMBERSHIP

The Club Committee shall consist of:

- i. Five Office Bearers being President, Vice President, Secretary, Treasurer and Club Captain (who will normally be the Beach Field Day Officer).
- ii. Immediate Past President (for the period of one year).
- iii. Up to six other financial members whose roles may be determined from time to time.

© ELECTION OF OFFICERS

- i. Only family members who are aged 18 years or over can be committee members. Committee members of the Club shall be elected at the Annual General Meeting and shall be nominated in writing at the meeting before the Annual General Meeting. The method of election shall be a show of hands.
- ii. In the event of only one (1) nomination the nominee shall be declared elected.
- iii. Failing receipt of sufficient written nominations, further nominations for a vacant position may be received from the floor at the Annual General Meeting.

(d) TERM OF OFFICE

- i. The term of office of the Committee shall be for approximately 12 months commencing from the time of its election at the Annual General Meeting and terminating at the subsequent Annual General Meeting.
- ii. Should a vacancy occur on the committee during the Club year, a family member aged 18 years or over may be elected at a General Meeting to fill that vacancy.
- iii. Any member of the committee who fails to attend three (3) consecutive committee meetings without leave or who fails to discharge his/her committee obligations to the Club may be required to vacate his/her office.

(10) POWERS AND DUTIES OF THE COMMITTEE

(a) Except for those powers required to be exercised by the Club in General Meeting the Committee may exercise all powers of the Club contained in this Constitution.

(b) The Committee may act notwithstanding any vacancy in their body.

© Subject to clause (10) (a), the Committee shall have the power:

- i. To regulate and control its own meetings and the transaction of business thereat.
- ii. To be the Trustees of the Club and to hold any property, real and personal, belonging to the Club.
- iii. To do and perform any other acts, matters and things in connection with or relevant to the management of the Club.
- iv. It shall be the duty of the Committee to see that the requirements of the Constitution and the rules & procedures are carried out.
- v. The Committee shall have the power to delegate any of its powers to a sub-committee to deal with any particular matter or matters and upon such terms as the Committee shall see fit. The President and Secretary shall be ex-officio members of all sub committees.

(11) DUTIES OF CLUB OFFICERS

(a) PRESIDENT:

Shall (unless absent) preside at all meetings and see that the will of the majority is carried out.

(b) VICE-PRESIDENT:

Shall, in the absence of the President carry out the duties of the President.

The Vice President will also carry out other duties as decided by the Committee

© **SECRETARY:**

Shall:

- i. Keep a roll of all members attending meetings,
- ii. Take minutes of all meetings and maintain a copy either in written form in a suitable book or electronic form on a disk for each twelve month period.
- iii. Attend to all correspondence inward and outward and any other clerical work the Club requires;
- iv. In the absence of the President and Vice- President call upon the members to appoint a Chairman to preside at the meeting. Such Chairman shall have all the powers of the President for the meeting for which the Chairman has been elected.
- v. Issue notices of meetings.

(d) **TREASURER:**

Shall

- i. Have custody of all funds of the club,
- ii. Receive all monies and within a reasonable time, issue receipts for same,
- iii. Pay monies to the credit of the Club in the Bank, or recognised Building Society which the Club has selected for the purpose,
- iv. Review all accounts and pay same at the will of the general body,
- v. Present a financial statement at every General Meeting and at each Annual General Meeting.

(e) **COMMITTEE MEMBERS**

Shall:

Carry out the duties decided by the Committee.

(12) MEETINGS

(a) **General Meetings shall comprise:**

- i. Ordinary General Meetings
- ii. Annual General Meetings and
- iii. Special General Meetings.

(b) **Ordinary General Meetings** shall be held on a monthly basis on a night deemed to be suitable after consideration of appropriate venues to hold such a meeting.

(c) **The Annual General Meeting** shall be held in July of each year and the Members shall be given at least 14 days notice in writing before such a meeting.

(d) **Special General meetings** may be called at the direction of the committee or on the request of at least

25% of family members aged 18 years or over. Not less than sixty (60) days notice shall be given in writing and distributed to all members.

(e) **Committee meetings** shall be held at least quarterly or can be called as and when deemed necessary by the President.

(f) If present, the President of the Club shall be the Chairperson at all General Meetings. Should the President not be present, then the Vice President will take the chair and if the Vice President is not present the members shall elect a member to take the chair.

(g) At all meetings the chairperson's decisions on points of order shall be final.

(13) QUORUMS

◆ **Ordinary General Meetings:**

Twelve (12) family members over the age of eighteen shall constitute a quorum.

◆ **Annual General Meeting:**

Twelve (12) family members over the age of eighteen shall constitute a quorum.

◆ **Committee Meetings:**

Five (5) family members who are committee members shall constitute a quorum.

◆ **Special Meetings:**

Twelve (12) family members over the age of eighteen shall constitute a quorum.

- If within 30 minutes of the time appointed for the meeting a quorum is not present:
- If the meeting is a Special General Meeting convened upon the requisition of the members, the meeting shall be dissolved.
- In the case of any other General Meeting, the meeting shall stand adjourned to the date of the normal meeting in the following month.

(14) NOTICE OF MOTIONS

(a) A minimum of sixty days notice must be given to the Secretary of all motions to be presented to an Annual General Meeting. A motion must bear the printed names and signatures of a proposer and seconder.

(b) Notice of motions to be presented to a Special General Meeting shall be given to the Secretary by the member or members calling for the Special General Meeting at the time of calling for the meeting.

© The text of a motion received in accordance with sub-clauses 14 (a) and (b) and any explanation of a motion provided by the proposer or seconder shall be included in the notice of meeting at which the motion is to be presented.

(d) Amendments to motions may be proposed at a General Meeting without notice provided that the general intent of the relevant motion is retained.

(15) ORDER OF BUSINESS AT MEETINGS

(a) ANNUAL GENERAL MEETING

- i. Meeting opened.
- ii. Apologies.
- iii. Minutes of prior year's Annual General Meeting.
- iv. Business arising from the minutes.
- v. Special business:
 - ◆ Setting of Club fees.
 - ◆ Election of life members.
 - ◆ Amendments to the Constitution.
 - ◆ Motions on notice.
- vi. Treasurer's annual report
- vii. Auditor's report.
- viii. President's report.
- ix. Other reports.
- x. General business.
- xi. Election of office bearers for the coming year.
- xii. Appointment of auditor
- xiii. Meeting closed.

(b) COMMITTEE MEETINGS

Shall be conducted in the manner determined by a majority of the committee members present.

(16) AUDIT

Annual accounts are to be presented at the Annual General Meeting. Audited accounts are to be presented at a General Meeting no later than nine months following the previous Annual General Meeting. These accounts to have been audited by the Auditor appointed by the committee for the purpose.

(17) DISCIPLINARY POWERS

The power to discipline a member rests with the Club's committee. A member has no right of appeal in respect of any disciplinary action imposed by the committee, other than in a case of cancellation of membership. All disciplinary measures imposed must be served in writing upon the member concerned within fourteen (14) days of determination.

(18) EXPULSION

- (a) The power to expel a member rests with the Club's committee. This power shall only be exercised where the member's conduct, in the opinion of the Committee is detrimental to the Club and shall be after due and proper consideration of direct, written evidence. Prior to making its decision the Committee shall give the member concerned, by notice in writing, thirty days to make a written submission to the Committee and shall take any such submission into account in making its decision. To expel a member requires a 75% majority at a committee meeting of which fourteen (14) days notice has been given.
- (b) The member concerned on receipt of written notice of expulsion has a right of appeal to the members at any one of the next two (2) General Meetings. Such appeal shall be lodged with the Secretary within 14 days of the suspension or expulsion.
- (c) At the General Meeting following the General Meeting at which the appeal was heard, the members must vote to either confirm or reject the committee's expulsion of the member. To be re-instated the member concerned shall require a 75% vote in favour. Voting at this meeting will be by secret ballot.
- (d) In the event of any termination of membership the member so expelled shall not be entitled to any refund of membership subscription fees paid to the Club.

(19) ALTERATIONS

The constitution can only be altered at the Annual General Meeting or at a Special Meeting called for the purpose by a notice of motion served two (2) General Meetings sixty days before either the Annual General Meeting or the Special Meeting. Any such alteration requires a 75% majority vote at the Annual General Meeting or the Special Meeting.

(20) COMMON SEAL

The Common Seal of the Club engraved with the name of the Club shall be kept in the care of the President. The seal shall not be used or affixed to any deed or other document except pursuant to a resolution of the committee and in the presence of the President and two (2) members of the committee both of whom shall subscribe their names as witnesses.

(21) CONDUCT OF MEETINGS

At all meetings the following procedures shall be maintained. On all questions and during all discussions the member speaking shall address the meeting through the presiding Officer. No member shall interrupt while another member is speaking except for the purpose of:

- (a) Raising a point of order.
- (b) Asking a question.
- © Explaining a point in his or her own speech which has been misinterpreted.

The mover of a motion shall be allowed three (3) minutes and each subsequent speaker shall be allowed two (2) minutes (subject to extension by the meeting) and the mover of a motion shall be allowed two (2) minutes to exercise his or her right of reply. Except as provided for under this clause no member shall speak more than once on the same motion.

On a point of order raised, the interrupted member shall take his or her seat until the point of order is

determined. The presiding Officer shall decide the point of order promptly and not allow any discussion. No objection may be made to the presiding Officer's decision upon any matter except by a motion of dissent from the presiding Officer's ruling, formerly moved and seconded.

Upon a motion of dissent from the presiding Officer's ruling having been moved and seconded, the mover may state his or her reasons for dissenting and the presiding Officer may explain why he or she gave such a ruling, thereupon the vote shall be taken. No other discussion of any nature upon such a motion shall be permitted.

Every motion and every amendment shall be seconded before the same shall be received. Whenever an amendment is moved to any motion no second amendment shall be received until the first amendment has finally been disposed of. If the first amendment is carried the motion as amended becomes the substantive motion and is again put to the vote as such. This substantive motion however may itself be amended before it is put to the meeting and the same process is repeated with the new amendment being discussed and voted upon before the substantive motion is put. Only the one amendment shall be before the meeting at any time. An amendment to any ordinary motion must not be a direct negative and must be relevant to the subject matter of the original motion.

In order to allow adequate and convenient time for instructional periods, talks, discussions and such like, unless moved as urgent measure and subject to the pleasure of the meeting, no new business will ordinarily be received at a General Meeting after 9.30pm. All matters not covered by or contained in the constitution shall be determined by the Chairman in his absolute discretion.

(22) VOTING

- a. Only participating family members aged 18 years or over and active life members are entitled to vote.
- b. Voting shall be by a show of hands unless a motion is passed calling for a secret ballot or the chairperson rules that a secret ballot is to be held. Clause 14 shall not apply to a motion calling for a secret ballot.
- c. Only financial members present in person shall be entitled to vote.
- d. Except as provided in clauses 18(i) and 19, motions and amendments to motions shall be carried if a majority of the financial Members present and voting in person votes in favour.
- e. Where voting is required to be conducted in accordance with clause (22)(d) and there is an equality of votes, the chairperson shall have a casting vote in addition to a deliberative vote.

(23) SUBSCRIPTIONS

- (a) All subscriptions shall be set from year to year at the Annual General Meeting.
- (b) The family membership subscription will apply to all members including any junior member who is not part of a family membership
- (c) Subscriptions for the full Club year are due and payable at the General Meeting following the Annual General Meeting at which they have been set.
- (d) Any member whose subscription is in arrears for three (3) months will be deemed to be unfinancial and the committee may, without further notice terminate his or her membership.
- (e) The Club newsletter will not be sent to unfinancial members.
- (f) Any person whose membership has been terminated for non-payment of dues may, at the discretion of the committee have their names added to the bottom of the waiting list to be reconsidered for membership

upon payment of all outstanding dues.

(g) Persons who are admitted during the year as family members, shall be charged pro-rata on a quarterly basis.

(h) Subscriptions for family membership shall include meeting subscriptions and field day subscriptions

(24) CLUB BADGES

(a) The Club badges shall be of a size and design approved at a General Meeting.

(b) The badge shall be issued to members on payment of a fee fixed by the Committee

(25) DISSOLUTION

The Club may be dissolved or wound up by a resolution passed by 75% of the members present at any General Meeting called for such purpose of which two (2) months' notice has been given. If on winding up of the Club any property of the Club remains after satisfaction of the debts and liabilities of the Club and the costs, charges and expenses of that winding up, that property shall be distributed:

(a) to another association incorporated under the Act; or

(b) for charitable purposes.

Which incorporated association or purposes, as the case requires shall be determined by resolution of the members when authorising and directing the committee under Section 33 (3) of the Act to prepare a distribution plan for the distribution of the surplus property of the Club.