



Associations Incorporation Act, 1984

STATEMENT OF OBJECTS AND THE RULES

Of

NEW SOUTH WALES
GAME FISHING ASSOCIATION
INCORPORATED

Re-printed – June 2010

ASSOCIATIONS INCORPORATION ACT, 1984

NEW SOUTH WALES GAME FISHING ASSOCIATION INCORPORATED

The name of the Association shall be the New South Wales Game Fishing Association Incorporated (herein after called "the Association").

STATEMENT OF OBJECTS

The objects of the Association are:-

- a) To govern and co-ordinate the sport of game fishing in the State of New South Wales.
- b) To affiliate with the Game Fishing Association of Australia and with the International Game Fishing Association.
- c) To take over the assets and liabilities of the unincorporated association known as "New South Wales Game Fishing Association".
- d) To conserve the game fish and food fish resources of New South Wales waters for the recreational and economic use of present and future generations.
- e) To encourage and further the study of game fish angling, the related species and the habitat requirements of such species and to assist in the maintenance of the ecological balance of the waters.
- f) To formulate and support fair, uniform and ethical angling rules.
- g) To compile and maintain State records for the heaviest angling catches for men, women and juniors in all line divisions approved by the Association for each species recognised by the Association as a game fish and game shark for by a substantial number of anglers or distributed over a wide area of waters; and to adjudicate such record claims.
- h) To represent the interests of recreational and game fishermen within the Association's capacity for the time being at any meeting at which the future of the game fish population is being discussed or otherwise determined.
- i) To assist and participate in domestic and international game fish seminars and symposiums where the expertise, data and purposes of this Association may be helpful in assisting other organisations with similar objectives.
- j) To analyze the pressure of recreational fishing and commercial fishing for the various game fish species.
- k) To act as a data accumulation centre for fishing results and make such information available to Governments and others for the furtherance of education in the wise use of conservation of the species.
- l) To accumulate and maintain a history of game fishing for the use and benefit of present and future generations and to develop and support fish tagging programs and other specific data collection evidence.

- m) To disseminate information and knowledge of scientific studies of commercial and game fish to member Associations and clubs and other parties in Australia or elsewhere.

The property and income in the hands of the Association shall be applied solely towards the promotion of the Objects and no portion thereof shall be paid or transferred directly or indirectly to any member or former member of the Committee.

ASSOCIATIONS INCORPORATION ACT, 1984
NEW SOUTH WALES GAME FISHING ASSOCIATION INCORPORATED

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ASSOCIATIONS INCORPORATION ACT, 1984

NEW SOUTH WALES GAME FISHING ASSOCIATION INCORPORATED

THE RULES

1.0 INTERPRETATION

In these Rules, except in so far as the context or subject matter otherwise indicates or requires:-

- (a) **“Association”** means the New South Wales Game Fishing Association Incorporated.
- (b) **“Act”** means the Associations Incorporation Act, 1984.
- (c) **“By-laws”** means the by-laws of the Association.
- (d) **“Committee”** means the Executive Committee of the Association as defined by sub-clause 4.02(b).
- (e) **“Council”** means the Council of the Association as defined by sub-clause 4.01(a).
- (f) **“Delegate”** means the person or persons appointed by a Member Club in accordance with sub-clause 4.01(c), (d) or (e).
- (g) **“Member”** or **“members”** means a member or members of the Association as defined by Clause 3 unless the context requires a different interpretation.
- (h) **“Member Club”** means an ordinary member of the Association elected in accordance with sub-clause 3.01 (c).
- (i) **“Club Member”** means any individual who is an ordinary, life or other member of a “Member Club” as defined in clause 3.
- (i) **“Office bearer”** means the members of the Committee and any other persons appointed to positions in pursuance of sub-clause 4.04(b) and clause 4.06.
- (j) **“Open Forum”** means the discussion of any matter or matters held during a General Meeting (at a time during which the General Meeting has been validly suspended) which matter or matters a majority of members present and entitled to vote resolve to bring before the meeting notwithstanding the lack of prior written notice as provided in clause 5.04.
- (k) **“Secretary”** means the secretary of the Association.

Expressions used have the same meanings as those ascribed to them by the Act.

2.0 THE ASSOCIATION AND MEMBERS

- 2.01 In accordance with Section 11 of the Act, the Rules of the Association shall bind the Association and all members thereof to the same extent as if the Rules had been signed and sealed by each member and contained covenants on the part of each member of the Association to observe all the provisions of the Rules.
- 2.02 In accordance with Section 16 of the Act, a member of the Association, or an officer, shall not by reason only of being such a member or officer be liable to contribute towards the debts and liabilities of the Association or the costs, charges and expenses of the winding up of the Association.
- 2.03 The Statement of Objectives and these Rules may be altered, rescinded or added to only by a special resolution of the persons entitled, in accordance with 4.01, to vote at a General Meeting.

3.0 MEMBERSHIP

3.01 MEMBERSHIP QUALIFICATIONS

The members of the Association shall consist of:-

(a) **Honorary Life Members:-**

Any person who in the opinion of the Council has rendered outstanding service to the Association and/or the sport of Game Fishing shall be eligible to be elected an Honorary Life Member. Such person so elected shall not be required to pay any membership fees, nor shall they be permitted to vote at any meeting of the Committee or at General Meetings except as duly elected delegates to these meetings. Such individuals may only be elected pursuant to nomination by a member of the Association or the Committee and unless waived by the Council a period of three (3) months shall expire between the notification in writing to all members of the Association and the date of the election. No individual shall be elected an Honorary Life Member unless two-thirds (2/3) of the Council for the time being at a General Meeting shall vote in favour of the nomination. Honorary Life Members shall be welcome to attend meetings of the Council and Committee.

(b) **Honorary Members:-**

The Council may by two-thirds (2/3) majority at a General Meeting grant Honorary Membership of the Association to an individual or a corporation or association. The term of such Honorary Membership shall be determined by the Council. Corporations or associations granted Honorary Membership shall nominate a person to represent them in all matters dealing with the Association. Honorary Members shall be welcome to attend meetings of the Council and the Committee but shall not have the right to vote at such meetings except as duly elected delegates to such meetings.

(c) **Member Clubs**

Any bona fide game fishing club in New South Wales or the Australian Capital Territory whose principle activity is substantially in accordance with the objects of the Association shall be eligible for membership as an ordinary member (in this Constitution described as Member Club). It is the intention of the Association that one club shall be eligible for ordinary membership to represent each or any Port on the coast of New South Wales or in the case of inland club shall be eligible to represent any reasonable size district or area at the discretion of the Council. Election to ordinary membership will be pursuant to a majority of votes of the Council at the first convenient meeting of the Council following receipt by the Secretary of the application for admission as a Member Club. Applications shall be made in such form as may be for the time being by decreed by the Council but should inter-alia include:-

- (i) A copy of the Constitution of the applicant club.
- (ii) The names of the Officers for the time being of the applicant club.
- (iii) The names and addresses of the financial game fishing members of the applicant club for the time being, together with particulars of all relevant fees.
- (iv) Evidence of possession or the right to use properly equipped and tested weighing facilities.
- (v) Evidence of the adequacy of the administration of the applicant club, and
- (vi) Written agreement to fish in accordance with the objects and policies, constitution and angling rules and equipment regulations of the Game Fishing Association of Australia as promulgated from time to time.

3.02 CESSATION OF MEMBERSHIP

- (a) The Council may withdraw the membership privileges of the Association from any Member Club whose fees and/or subscriptions and/or levies as declared in clause 3.05 are in arrears for more than sixty (60) days.
- (b) Any Member Club wishing to resign from the Association may do so by giving notice in writing to the Secretary not less than three (3) months expiring prior to 1st June in the relevant year. In default of such notice the Member Club concerned shall be liable for payment of fees for the following year.
- (c) Where a member of the Association ceases to be a Member Club pursuant to this clause, and in every other case where a member ceases to hold membership, the Secretary shall make an appropriate entry in the register of members recording the date on which the member ceased to be a member.

3.03 MEMBERSHIP ENTITLEMENTS NOT TRANSFERABLE

A right, privilege or obligation which a person or organisation or club has by reason of being a member of the Association:-

- (a) is not capable of being transferred or transmitted to another person or organisation or club and
- (b) terminates upon cessation of the person's or organisation's or club's membership as provided for under clause 3.02.

3.04 REGISTER OF MEMBERS

- (a) The Secretary or Public Officer of the Association shall establish and maintain a register of the members of the Association specifying the names and address of each member together with the date on which that member became a member of the Association.
- (b) The register of members shall be kept at the principle place of administration of the Association and shall be open for inspection, free of charge, by any member of the Association at any reasonable hour.

3.05 FEES, SUBSCRIPTIONS, ETC

- (a) A Member (other than an Honorary Member) of the Association shall, upon admission to Membership, pay to the Association a joining fee of \$1.00, or, where some other amount is determined by the Council for that class of membership, of that other amount.
- (b) Member Clubs shall in each year pay an annual membership fee. Member Clubs shall notify the Association in writing by the 14th of June in each year of the number of and names and addresses of their enrolled game fishing members as at the preceding 31st May. This number shall be that upon which the annual membership fee of Member Clubs is determined by the Council for the ensuing financial year.
- (c) The annual membership fee referred to in sub-clause 3.05(b) shall be \$4.00 per enrolled game fishing member of each Member Club or, where some other amount is determined by the Council for that class of membership, of that other amount.
- (d) In addition to the fees payable pursuant to sub-clause 3.05(b), each Member Club shall pay to the Association, the amount advised the Member Club by the Secretary as the affiliation fee per enrolled member of the Member Club by the Game Fishing Association of Australia.
- (e) The Association shall notify in writing Member Clubs prior to the 1st May in each year of the rate per member of the Member Club on which the annual subscription shall be struck. Annual membership fees shall be deemed due on the 1st June and shall be paid on or before the 30th June next.

3.06 MEMBER'S LIABILITIES

The liability of a member of the Association to contribute towards the payment of the debts and liabilities of the Association or the cost charges and expenses of the winding-up of the Association is limited to the amount, if any, unpaid by the member in respect of membership of the Association as required by clause 3.05.

3.07 DISCIPLINING OF MEMBERS

- (a) If any member shall refuse or neglect to comply with any of the provisions of the Association's Rules and By-laws or be, in the opinion of the Executive, guilty of any conduct prejudicial to the interests of the Association or its members, the Executive shall have power to reprimand, fine, suspend, or expel the member provided that:-

Such member shall be notified of any charge against it pursuant to this Rule by notice in writing by a prepaid letter posted to the last known address at least fourteen clear days before the meeting of the Executive at which such charge is to be heard.

The member charged shall be entitled to attend the hearing for the purpose of answering the charge or may answer the charge in writing.

The voting by the members of the Executive present at such meeting shall be by secret ballot and no motion by the Executive to reprimand, fine, suspend or expel a member shall be deemed to be passed unless at least two-thirds of the members of the Executive present vote in favour of such motion.

If the member fails to attend such meeting the charge or complaint may be heard and dealt with and the Executive may decide on the evidence before it, the member's absence notwithstanding, having regard to, any representations made to it in writing, by the member charged.

- (b) Any member who has been suspended, fined or expelled shall have the right to instruct the President to summon a General Meeting of the Association, in accordance with the provisions of these Rules, to hear his appeal against the action of the Committee. The opinion of such General Meeting shall be determined by secret ballot and unless at such a meeting the majority of the members present and entitled to vote, shall vote for the cancellation of the Committee's action, the action of the Committee shall be deemed to have been upheld.
- (c) Until the hearing of any such appeal the action of the Committee shall have full force and effect.
- (d) During any period of suspension a member shall forfeit all rights and privileges of Membership, but shall remain liable to pay his debts, dues and levies to the Association.

3.08 DISPUTES AND CONDITIONS AFFECTING GAME FISHING

Any Member Club shall be entitled to refer all questions in dispute affecting game fishing for determination by the Committee of the Association. The decision shall be subject to appeal to the Council of the Association whose decision shall be final and binding on all parties to the dispute.

4.0 MANAGEMENT

4.01 COUNCIL

- (a) The Council shall from time to time consist of the Committee and the delegates of the Member Clubs for the time being.
- (b) Meetings of the Council shall be deemed to be meetings of the Association and such meetings shall be convened and conducted in the manner provided in this Constitution for the convening and conducting of General Meetings of the Association.
- (c) Each Member Club shall be entitled to appoint 1 delegate for every 50 financial member or part of 50 financial members of that Member Club up to a maximum of 4 delegates from a Member Club.
- (d) Each Member Club shall in writing advise the Secretary of the Association on or before the Annual General Meeting each year as to the name(s) and address(es) of its delegate(s) for the ensuing year. If any such delegate is elected President of the Association then that Member Club may appoint one further delegate.
- (e) If a delegate cannot for a bona fide reason attend any Council meeting then the Member Club for which he is a delegate shall be entitled to appoint another delegate as a substitute to attend in the place of the previously nominated delegate. The Member Club shall notify the Secretary in writing of the appointment of a substitute delegate before the time of the meeting in respect of which the substitute delegate is appointed. Such substitute delegate must be a financial member of the Member Club.
- (f) No delegate or substitute delegate may vote at Council meetings on behalf of more than one club.
- (g) If any member of the Council should die, resign or for any other reason render his seat vacant the Member Club of which he was a delegate may immediately in writing appoint a successor.
- (h) At all meetings of the Council each delegate present shall be entitled to cast one vote. The President shall not have a deliberative vote but when the President is the Chairperson of any meeting, in the event of an equality of votes the President shall have a casting vote.
- (i) Honorary Life Members, Honorary Members, Officers and past Officers of the Game Fishing Association of Australia and the International Game Fishing Association shall be welcome to attend meetings of the Committee and the Council but shall not be entitled to vote at such meetings except as a duly nominated delegate of a Member Club or Committee Member.

4.02 MANAGEMENT

- (a) The Council of the Association, in accordance with the Act, shall be able to decide the Following matters:-
- (i) Election of the Committee.
 - (ii) Acceptance of new members whether ordinary or honorary.
 - (iii) Appeals in respect to the suspension, fining or expulsion of members.
 - (iv) Joining fees, affiliation fees, levies or subscriptions.
 - (v) Changes to the Rules or By-laws.
- (b) The management of the Association between Council meetings shall be vested in an Executive Committee which shall consist of:
- (i) President.
 - (ii) Vice-President
 - (iii) Honorary Treasurer
 - (iv) Three (3) Zone Executive Officers.

Each of the Northern Zone, the Southern Zone and the Central Zone (the area of which Zones shall be determined by the Council) shall be entitled to have one and only one Zone Executive officer elected to the Executive Committee. A Zone Executive Officer must be a financial or honorary member of a Member Club situated in the respective Zone for which he is nominated and shall be nominated and seconded by a financial or honorary member of a Member Club situated in the respective Zone to be represented by such Officer. Each Zone shall nominate to NSWGFA one (1) Zone Executive Officer for election to the NSWGFA Executive Committee”.

- (c) No more than two (2) persons representing any one Member Club may be appointed to the Executive Committee.

4.03 ELECTION OF EXECUTIVE COMMITTEE

- (a) A candidate for election to the Committee must be a financial or honorary member of a Member Club.
- (b) Any candidate to the Committee must be nominated in writing by at least two (2) Member Clubs pursuant to a resolution of those Member Clubs' Committees and must be received by the Secretary by 1st June.
- (c) Nominees for election to the Committee must signify their acceptance of the nomination in writing and such acceptance must be received by the Secretary by 1st June.

- (d) The Association shall advise in writing all Member Clubs of all nominees for the Committee not less than twenty-one (21) days before the Annual General Meeting of the Association together with a brief history of the nominees experience in game fishing administration.
- (e) Election of the Committee shall be by majority vote of the delegates present and entitled to vote at the Annual General Meeting. Such vote shall be conducted by secret ballot.
- (f) The order of ballots at the Annual General Meeting for vacancies within the Committee shall be:-
 - (i) President;
 - (ii) Vice-President;
 - (iii) Honorary Treasurer;
 - (iv) Zone Executive Officers.

A nominee who is defeated in a ballot for any position shall have the right to contest further positions which are the subject of further ballots provided the candidate has been nominated for such further positions in accordance with this clause.

- (g) In the event of insufficient nominations being received for positions on the Committee, those candidates whose nominations have been received in accordance with this clause shall be declared elected. Further nominations shall then be called for at the Annual General Meeting to fill the remaining vacancies. A person so nominated must signify his acceptance of nomination at such meeting. Should the number of nominations received at the meeting exceed the number of vacancies remaining in relation to any position, then a secret ballot shall be conducted to fill such vacancies.

4.04 ELECTION OF HONORARY OFFICERS

- (a) The Secretary shall be appointed and may be removed by the Committee. The Secretary shall not have a vote at meetings of the Committee. The Secretary shall not have a vote at General Meetings, and will be ineligible to hold any office other than Public Officer of the Association. The Secretary under no circumstances would be eligible to hold Office in any Club of the Association, nor be a Delegate of such Club at Association meetings. The Secretary shall normally serve as the Public Officer of the Association within the meaning of the Act.
- (b) The Committee may, at it's first meeting after the Annual General Meeting, or as soon thereafter as is convenient, appoint the following Honorary Officers;
 - (i) Patron.
 - (ii) Honorary Legal Adviser.
 - (iii) Honorary Architect.
 - (iv) Honorary Weighmaster(s).

- (c) The Committee may, at it's first meeting after the Annual General Meeting, or as soon thereafter as is convenient, appoint the following Honorary Officers from within it's own ranks;
 - (i) Honorary Assistant Secretary.
 - (ii) Honorary Publicity Officer.
 - (iii) Honorary Property Officer.
 - (iv) Honorary Social Secretary.
 - (v) Honorary Editor.
- (d) The Committee may fill and/or create any other Honorary Office that may be vacant and/or considered necessary.
- (e) The Committee may employ or enter into any Contract, Arrangement or Agreement with any person, corporation or other organisation either alone or jointly with any other Association for the provision of any services notwithstanding that those services could be provided by the appointment of an Honorary Secretary or any other Honorary Officer or member of the Committee.

4.05 SECRETARY

- (a) The Secretary of the Association shall, as soon as practicable after being appointed as Secretary, lodge notice with the Association of his address.
- (b) It is the duty of the Secretary to keep minutes of:-
 - (i) all appointments of office bearers and members of the Committee;
 - (ii) the names of members of the Committee present at a Committee meeting or a General Meeting and the names of all delegates and observers present at a General Meeting;
 - (iii) all procedures at Committee meetings and General Meetings.
- (c) Minutes of proceedings at a meeting shall be signed by the chairperson of the meeting or by the chairperson of the next succeeding meeting.
- (d) The Secretary shall advise Member Clubs prior to the 1st of May in each year of the Closing dates for written notices of motion for the Annual General Meeting and Nominations for the Committee.
- (e) The Secretary shall distribute the minutes of the Annual General Meeting and Full Council Meetings of the Association to all Member Clubs no later than six (6) weeks prior to the next meeting.
- (f) The Secretary shall supply a summary of proceedings of meetings including all details of income and expenditure prior to the next Executive Meeting to all NSW clubs.

4.06 ELECTION OF HONORARY AUDITOR

- (a) An Honorary Auditor shall be elected each year by a majority vote of the members present and entitled to vote at the Annual General Meeting.
- (b) The Honorary Auditor shall not be a member of the Committee.

4.07 CASUAL VACANCY

- (a) Any member of the Committee who absents himself from two (2) consecutive meetings of the Committee without just cause may have his seat declared vacant by a vote of the Committee.
- (b) Any vacancies of the Committee may be filled by invitation of the Committee.

4.08 TREASURER

It is the duty of the Treasurer of the Association to ensure that:-

- (a) all money due to the Association is collected and received and that all payments authorised by the Association are made; and
- (b) correct books and accounts are kept showing the financial affairs of the Association including full details of all receipts and expenditure connected with the activities of the Association.

4.09 REMOVAL OF COMMITTEE MEMBER

- (a) The Association in a General Meeting may by resolution remove any member of the Committee before the expiration of the member's term of office and may by resolution appoint another person to hold office until the expiration of the term of office of the member so removed.
- (b) Where a member of the Committee to whom a proposed resolution referred to in sub-Clause (a) relates makes representation in writing to the Secretary or President (not exceeding a reasonable length) and requests that the representations be notified to members of the Association, the Secretary or President may send a copy of the representations to each member of the Association or, if they are not sent, the member is entitled to require that the representations be read out at the meeting at which the resolution is considered.

4.10 MEETINGS AND QUORUM

- (a) The Committee shall meet at least three times in each period of 12 months at such place and time as the Committee may determine.
- (b) Additional meetings of the Committee may be convened by the President or by any Member of the Committee.

- (c) Oral or written notice of a meeting of the Committee shall be given by the Secretary to each member of the Committee at least seven (7) days (or such other period as may be unanimously agreed upon by the members of the Committee) before the time appointed for the holding of the meeting.
- (d) Notice of a meeting given under sub-clause (c) shall specify the general nature of the business to be transacted at the meeting and no business other than that business shall be transacted at the meeting, except business which the Committee members present at the meeting unanimously agree to treat as urgent business.
- (e) Any 3 members of the Committee constitute a quorum for the transaction of the business of a meeting of the Committee.
- (f) No business shall be transacted by the Committee unless a quorum is present and if within half an hour the time appointed for the meeting a quorum is not present the meeting stands adjourned to the same place and at the same hour of the same day in the following week.
- (g) If at the adjourned meeting a quorum is not present within half an hour of the time appointed for the meeting, the meeting will be dissolved.
- (h) At a meeting of the Committee:-
 - (i) the President or, in the President's absence, the Vice-President shall preside; or
 - (ii) if the President and the Vice-President are absent or unwilling to act such one of the remaining members of the Committee as may be chosen by the members present at the meeting shall preside.

4.11 DELEGATION BY COMMITTEE TO SUB COMMITTEE

- (a) The Committee may, by instrument in writing, delegate to one or more sub-committees (consisting of such member or members of the Association as the Committee thinks fit) the exercise of such of the functions of the Committee as are specified in the instrument, other than:-
 - (i) this power of delegation; and
 - (ii) a function which is a duty imposed on the Committee by the Act or by any other law.
- (b) A function the exercise of which has been delegated to a sub-committee under this clause may, while the delegation remains unrevoked, be exercised from time to time by the sub-committee in accordance with the terms of the delegation.
- (c) A delegation under this clause may be made subject to such conditions or limitations as to the exercise of any function the subject thereof, or as to time or circumstances, as may be specified in the instrument of delegation.
- (d) Notwithstanding any delegation under this clause, the Committee may continue to exercise any function delegated.
- (e) Any act or thing done or suffered by a sub-committee acting in the exercise of a delegation under this clause has the same force and effect as it would have if it had been done or suffered by the Committee.

- (f) The Committee may, by instrument in writing, revoke wholly or in part any delegation under this clause.
- (g) A sub-committee may meet and adjourn as it thinks proper.

4.12 VOTING AND DECISIONS

- (a) Questions arising at a meeting of the Committee or of any sub-committee appointed by the Committee shall be determined by a majority of the votes of the members of the Committee or sub-committee present at the meeting.
- (b) Each member present at a meeting of the Committee or of any sub-committee appointed by the Committee (including the person presiding at the meeting) is entitled to one vote but, in the event of an equality of votes on any question, the person presiding may exercise a second or casting vote.
- (c) Subject to sub-clause 4.10 (e), the Committee may act notwithstanding any vacancy on the Committee.
- (d) Any act or thing done or suffered, or purporting to have been done or suffered, by the Committee or by a sub-committee appointed by the Committee, is valid and effectual notwithstanding any defect that may afterwards be discovered in the appointment or qualification of any member of the Committee or sub-committee.

4.13 DISCIPLINE OF CLUB MEMBERS AT THE REQUEST OF MEMBER CLUBS

If the Committee of any Member Club form the opinion that any Club Member of any Member Club be guilty of any conduct which in the opinion of that Committee is unbecoming of a Club Member or prejudicial to the interest of the Association, any such Member Club may by notice in writing addressed to the Secretary of the Association request that the Association take action to expel or suspend from any Member Club or any Association Event (for such period as the Executive Committee may think fit, or suffer such other penalty as the Executive Committee may think fit) by resolution of the Executive Committee and such resolution need not state the facts, grounds or opinions upon which it is based provided:

- (1) That at least seven (7) days before the meeting of the Member Club's Committee, the Club Member concerned shall have been notified in writing of such proposed meeting and of what is alleged against that Club Member and requested to be present at the meeting and he or she shall at such meeting and before any report is prepared by the Committee of the Member Club have had an opportunity of giving orally or in writing any explanation or defence as he or she may think appropriate.
- (2) That within twenty eight (28) days of the meeting of the Committee of the Member Club its Secretary shall cause notice to be sent to the Secretary of the Association containing minutes of the meeting of the Committee relating to such incident of the Member Club and in particular a full report of any oral or written explanation given by the Club Member.

5.0 GENERAL MEETINGS

5.01 ANNUAL GENERAL MEETINGS – HOLDING OF

- (a) With the exception of the first Annual General Meeting of the Association, the Association shall, at least once in each calendar year and within the period of 6 months after the expiration of each financial year, convene an Annual General Meeting of it's members.
- (b) The Association shall hold it's first Annual General Meeting:-
 - (i) within the period of 18 months after it's incorporation under the Act; and
 - (ii) within the period of 2 months after the expiration of the first financial year of the Association.
- (c) Sub-clauses (a) and (b) have effect subject to any extension or permission granted by the Commission under section 26(3) of the Act.
- (d) The Annual General Meeting shall be held in July of each year at a time and place nominated by the Committee and where convenient shall be held during the Weekend Seminar Meeting of the Association.

5.02 ANNUAL GENERAL MEETINGS - CALLING OF AND BUSINESS AT

- (a) The Annual General Meeting of the Association shall, subject to the Act and clause 5.01, be convened on such date and at such place and time as the Committee thinks fit.
- (b) In addition to any other business which may be transacted at an Annual General Meeting, the business of an Annual General Meeting shall be:-
 - (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 upon the activities of the Association during the last preceding financial year;
 - (iii) to elect the Committee of the Association; and
 - (iv) to receive and consider the Statement which is required to be submitted to members pursuant to section 26(6) of the Act.
- (c) An Annual General Meeting shall be specified as such in the notice convening it.

5.03 GENERAL MEETINGS AND SPECIAL GENERAL MEETINGS

- (a) In addition to the Annual General Meeting a General Council Meeting may be held between November and December in each year at a time and place determined by the Committee.
- (b) The President may call, or any two (2) members of the Committee may request the President to call, a Special General Meeting of the Association provided such a request is in writing and states the reason or reasons for such meeting. The President shall take the necessary action to call such Special General Meeting so that it can be held within 42 days from receipt by the President of such request.
- (c) If the President fails to convene a Special General Meeting within 42 days of the date of which a requisition complying with sub-clause 5.03(b) above is lodged with him then the members of the Committee or the Member Club who made the request may convene a Special General Meeting to be held not later than three (3) months after the date of the original request.
- (d) A Special General Meeting convened pursuant to sub-clause 5.03 (c) shall be convened as nearly as is practicable in the same manner as General Meetings are convened by the Committee and any member who thereby incurs expense is entitled to be reimbursed by the Association for any expense so incurred.

5.04 NOTICE

- (a) Except where the nature of the business proposed to be dealt with at a General Meeting requires a special resolution of the Association, the Secretary shall, at least twenty-one (21) days before the date fixed for the holding of the General Meeting, cause to be sent by pre-paid post to each member at the member's address appearing in the register of members, a notice specifying the place, date and time of the meeting and the nature of the business proposed to be transacted at the meeting.
- (b) No business other than that specified in the notice convening a General Meeting shall be transacted at the meeting except, in the case of an Annual General Meeting, the business which may be transacted shall include the business specified in sub-clause 5.02(b).
- (c) A member desiring to bring any business before a General Meeting may give notice in writing of that business to the Secretary who shall include that business in the next notice calling a General Meeting given after receipt of the notice from the member.
- (d) The only exception to sub-clauses 5.04(a), (b) and (c) shall be an item of business arising from sub-clause 5.04(e).
- (e) No non-agenda item raised in open forum shall be voted upon at the meeting unless the item is of such an urgent and important nature that a decision has to be made, and that the timing of the item was such that it arose during the period between the close of Notices of Motion and the date of the meeting.
- (f) Details of any additional Notices of Motion arising from sub-clause 5.04(e) are to be handed to the Secretary for distribution to delegates at the commencement of the meeting.
- (g) All other items raised in open forum shall not be voted upon until the following meeting of the Association.

5.05 PROCEDURE

- (a) No item of business shall be transacted at a General Meeting unless a quorum of members entitled under this Constitution to vote is present during the time the meeting is considering that item.
- (b) A quorum for General Meetings of the Association shall be 50% of the delegates from at least six (6) Member Clubs.
- (c) If within half an hour after the appointed time for the commencement of a General Meeting a quorum is not present, the meeting if convened upon the requisition of members shall be dissolved and in any other case shall stand adjourned to the same day in the following week at the same time and (unless another place is specified at the time of the adjournment by the person presiding at the meeting or communicated by written notice to members given before the day to which the meeting is adjourned) at the same place.
- (d) If at the adjourned meeting a quorum is not present within half an hour after the time appointed for the commencement of the meeting, the members present (being not less than 50% of delegates from at least four (4) Member Clubs) shall constitute a quorum.

5.06 PRESIDING MEMBER

- (a) The President or, in the case of the President's absence, the Vice-President, shall preside as chairperson at each General Meeting of the Association.
- (b) If the President and the Vice-President are absent from a General Meeting or unwilling to act, the members present shall elect one of their number to preside as chairperson at the meeting.

5.07 ADJORNMENT

- (a) 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 except as provided for in sub-clause 5.04(d).
- (b) Where a General Meeting is adjourned for twenty-one (21) days or more, the Secretary shall give written notice of the adjourned meeting to each member of the Association stating the place and time of the meeting and the nature of the business to be transacted at the meeting.
- (c) Except as provided in sub-clause (a) and (b), notice of an adjournment of a General Meeting or of the business to be transacted at an adjourned meeting is not required to be given.

5.08 MAKING OF DECISIONS

- (a) A question arising at a General Meeting of the Association shall be determined on a show of hands, unless before or on the declaration of the show of hands a poll is demanded, a declaration by the chairperson that a resolution has, on a show of hands, been carried or carried unanimously or carried by a particular majority or lost, or an entry to that effect in the minute book of the Association, is evidence of the fact without proof of the number or proportion of the votes recorded in favour of or against that resolution.
- (b) At a General Meeting of the Association, a poll may be demanded by the chairperson or by not less than 3 delegates present in person at the meeting.
- (c) Where a poll is demanded at a General Meeting, the poll shall be taken:-
 - (i) immediately in the case of a poll which relates to the election of the chairperson of the meeting or to the question of an adjournment; or
 - (ii) in any other case, in such manner and at such time before the close of the meeting as the chairperson directs.

and the resolution of the poll on the matter shall be deemed to be the resolution of the meeting on that matter.

5.09 SPECIAL RESOLUTION

A resolution of the Association is a special resolution if it is passed by a majority which comprises not less than three quarters of the Association as, being entitled under these Rules so to do, vote in person at a General Meeting of which not less than 42 days written notice specifying the intention to propose the resolution as a special resolution was given in accordance with these Rules.

5.10 VOTING

- (a) Upon any question arising at a General Meeting of the Association each delegate has one vote only.
- (b) All votes shall be given personally.
- (c) In the case of an equality of votes on a question at a General Meeting, the chairperson of the meeting is entitled to exercise a casting vote.
- (d) A delegate is not entitled to vote at any General Meeting of the Association unless all money due and payable by the Member Club to the Association has been paid.

6.0 MISCELLANEOUS

6.01 INSURANCE

- (a) The Association shall effect and maintain insurance pursuant to section 44 of the Act.
- (b) In addition to the insurance required under sub-clause 6.01(a), the Association may effect and maintain other insurance.

6.02 FUNDS – SOURCE

- (a) The funds of the Association shall be derived from joining fees and annual subscriptions of members, donations and subject to any resolution passed in General Meeting, such other sources as the Committee determines.
- (b) All money received by the Association shall be deposited as soon as practicable and without deduction to the credit of the Association's bank account.
- (c) The Association shall, as soon as practicable after receiving any money, issue an appropriate receipt.
- (d) The Association may accept at its discretion donations of money or other kind to be applied for the purpose of furthering the aims of the Association.

6.03 FUNDS MANAGEMENT

- (a) Subject to any resolution passed by the Association at a General Meeting, the funds of the Association shall be used in pursuance of the objects of the Association in such manner as the Committee determines.
- (b) Distribution of income or assets to members apart from reasonable remuneration for services provided or expenses incurred is expressly prohibited.
- (c) All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments shall be signed by any 2 members of the Committee or employees of the Association being members or employees authorised to do so by the Committee.

6.04 COMMON SEAL

- (a) The common seal of the Association shall be kept in the custody of the Public Officer.
- (b) The common seal shall not be affixed to any instrument except by the authority of the Committee and the affixing of the common seal shall be attested by the signatures either of 2 members of the Committee or of 1 member of the Committee and of the Public Officer or Secretary.

6.05 CUSTODY OF BOOKS ETC

Except as otherwise provided by this Constitution, the Public Officer shall keep in his custody or under his control all records, books and other documents relating to the Association.

6.06 INSPECTION OF BOOKS ETC

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

6.07 SERVICE OF NOTICES

- (a) For the purpose of this Constitution, a notice may be served by or on behalf of the Association upon any member either personally or by sending it by post to a member at the member's address shown in the register of the members.
- (b) Where a document is sent to a person by properly addressing, pre-paying and posting to the person a letter containing the document, the document shall, unless the contrary is proved, be deemed for the purposes of this Constitution to have been served on the person at the time at which the letter would have been delivered in the ordinary course of post.

6.08 SURPLUS PROPERTY

- (a) At the first General Meeting of the Association, the Association shall pass a special resolution nominating an association as the association in which it is to vest its surplus property pursuant to Section 53(2) of the Act in the event of the winding up or the cancellation of the incorporation of the Association.
- (b) The association so nominated shall be one which fulfils the requirements specified in Sections 53(2) (a) – (c) of the Act.

6.09 DISSOLUTION

In a winding-up of the Association the surplus property of the Association shall subject to any trust affecting that property or any part of it vest in an Association (whether or not incorporated under the Act) which:-

- (a) Has objects substantially similar to those of this Association;
- (b) Is not carried on for the object of trading or securing pecuniary gain for its members;
- (c) Has provisions in its Constitution requiring the property of the Association to be distributed in a dissolution of the Association to another Association which:-
 - (i) Has objects substantially similar to those of the dissolved Association.
 - (ii) Is not carried on for the object of trading or securing pecuniary gain for its members.
- (d) Is nominated for the purpose:-

- (i) By the constitution of the incorporated Association being wound up.
- (ii) If not nominated by the Constitution, by a special resolution of the incorporated Association being wound-up or.
- (iii) If not nominated by the Constitution or a special resolution, by the Commission.

The Association referred to in Rule 6.08(a) and (b) and 6.09 shall be the Game Fishing Association of Australia Inc.

6.10 TEAMS REPRESENTING THE ASSOCIATION

The Association may endorse teams participating in Game Fishing Contests and may authorise the use of the name of the Association in connection therewith.

6.11 PUBLICITY

All statements to the media on behalf of the Association shall be made by the President or his designated spokesman.

6.12 BY-LAWS

The Council may formulate By-laws as and when it considers necessary for the proper management and conduct of the affairs of the Association.

