

Australian Land Based Anglers Association Incorporated

THE CONSTITUTION

1. NAME OF THE ASSOCIATION

The name of the Association shall be "Australian Land Based Anglers Association Incorporated."

2. OBJECTIVES

The main objectives are as stated in our listed objectives and numbered **A through H** .

In addition, the following other minor objectives apply;

- I. To amalgamate and/or associate with any other body or association in the furtherance of any of these objects
- J. To enter into any agreement with, or to amalgamate with, or to associate with, or to take over any assets and/or liabilities of any other body, club or association. i) The property and income of the association shall be applied solely towards the promotion of the objects or purposes of the association and no part of that property or income may be paid or otherwise distributed, directly, or indirectly to members of the association except in good faith in the promotion of those objects or purposes, provided that this shall not prevent the Club from making payment out of its funds for the burial of deceased members or for the relief of sick, aged or necessitous members or persons who were dependent or partly dependent on any deceased members.
- K. To borrow, raise or secure the payment of money in such manner as the Club may think fit including charges over any or all of the Club's real or personal property.
- L. To sell, improve, manage, develop, exchange, lease, turn to account or otherwise deal with all or any part of the property and rights to the club.
- M. To complete all requirements including executing necessary documents to carry these objects into effect.

RULES OF THE ASSOCIATION.

3. MEMBERSHIP.

Membership of the Club shall be open to all persons interested in the art of land based angling and shall consist of the following: Life Members, Honorary Members, Standard Members, Junior Members, Associate Members and Special Members.

3 (a) LIFE MEMBERSHIP. A recommendation for life membership to be conferred can be submitted in writing by any financial member to the Committee for consideration. Such applications are required to be considered by the Committee within three months of submission, who in its absolute discretion and after taking into consideration the following criteria:- Minimum length of membership 15 years - minimum of ten years served as an officer of the Committee - has rendered distinguished services over and above that which would be expected both as an officer and member of the Club, has the power through the unanimous decision of the Committee and within three months of such decision to submit said recommendation at either Annual General, General or Special Meeting for voting by the eligible financial members present and voting requiring a minimum of 75% of said members to carry recommendation for conferring of life membership. Should a recommendation for life membership not be recommended by the Committee or not be supported by 75% or more of financial members present and voting, then no further application for life membership of said member can be entertained until a further two year period has passed.

3 (b) HONORARY MEMBERSHIP. Any member who has been a member of the Club for at least five consecutive years and who is unable to participate consistently in normal club activities may be deemed an honorary member subject to the unanimous decision of the then standing Committee. Such a member does not pay fees and does not have voting rights but otherwise enjoys the rights of a standard member. Such honorary membership can be reviewed at the Annual Meeting each year or at the subsequent meeting as and if required. Any eligible financial member can request a vote to be held without notice at any Annual General, General or Special Meeting requiring at least 75% of eligible financial members present and voting to dismiss such honorary membership granted by the Committee.

3 (c) STANDARD MEMBERS. Standard members shall be defined as being eligible financial members aged 16 and over and shall pay an annual membership fee fixed from time to time by the Committee and be eligible to vote. Standard members over the age of 45 years at the start of a competition year may be classified as "Veterans" in Club competitions.

3 (d) JUNIOR MEMBERS Junior Members shall be defined as being under sixteen (16) years of age herein defined as Juniors and shall pay an Annual membership Fee as fixed from time to time by the Committee and are not eligible to vote. A Junior shall be deemed to remain in that category through out that competition year despite a possible age change during that period.

3 (e) SPECIAL MEMBERS. Special members shall be defined as being eligible members, with no voting rights, to participate in a nominated activity or activities. A nomination fee as fixed from time to time by the Committee shall be paid. The duration of special membership shall be for the period of the activity. Acceptance or rejection of the nomination shall be by the President and one other Committee member.

3 (f) FAMILY MEMBERSHIP. Family Membership is available to a person and his/her partner and/or dependent children, as listed by the member. Dependent children are children for which the member has full or part time parental responsibility, and who are living full or part time with the member. Dependent children of pre- school age, attending primary or secondary school at the start of the Club year will be covered by a family membership. Dependent children who have completed school studies and are 18 years or over at the start of the Club year and are earning less than the tax free threshold per year will be covered by a family membership. Other children 18 years or over at the start of the Club year will not be covered by a family membership. These children may continue Club Membership by paying Single fees. Upon request by a member, the Committee may use it's discretion to deem that family arrangements not covered by the above will be covered by a family membership. The member shall supply sufficient information for the Committee to assess the request. All such information shall be treated in confidence. Individuals covered by a family membership will be classed as Ordinary members, Junior or Mini Junior members according to their age.

3 (g) ASSOCIATE MEMBERSHIP. Associate Membership is available to a person who is a financial member of another club approved by the Committee. Associate members may compete in any club events, but are not eligible to vote. Associate members shall pay a nomination and an annual membership fee as set by the Committee.

4. APPLICATION FOR MEMBERSHIP.

a) Nomination Form and Nomination Fee. All applications for membership to be submitted on the Club's nomination form together with the then current Nomination fee amount and submitted to the Committee.

b) Applications for Membership - Applications for Membership shall be proposed and seconded by eligible financial Members of the Club at an Annual General, General or Special Meeting. All applications shall be made in writing showing the names and addresses of the persons proposed on the form provided and shall be posted on the website for members sanction. The nominee(s) shall then be accepted or rejected at the immediately following or subsequent Committee meeting. Provided that no person who has been refused membership shall be eligible to be nominated again for membership within a period of three months.

c) The amount of the nomination fee and membership fee shall be fixed from time to time by the Committee together with the format of the Application for Membership form.

d) In the event of a candidate being rejected, the money paid by the Nominee shall be refunded and the said Nominee shall not be eligible to stand for membership again within a period of three months.

5. RECORDS OF AND NUMBER OF MEMBERS OF THE CLUB.

- a)** The Secretary(s) of the Club shall record all persons so elected and also the names of the Members present and voting on such day.
- b)** The Committee shall have the power from time to time to limit the number of members of the Club, but within a minimum number of not less than six (6) as provided in the Associations Incorporation Act 1984 and amendments thereto.
- c)** The Committee is responsible to appoint one of its officers to maintain the register or members of the Incorporation Association.

6. CERTIFICATE OF MERIT.

Members who have rendered meritorious service to the Club over a period of not less than five years, three of which must have been served on the Committee may be awarded a Certificate of Merit in recognition of such service. The Committee has the power by a simple majority vote to grant said Certificate of Merit.

7. COMMITTEE OF MANAGEMENT.

The Management of the business and affairs of the Club shall be vested in the Management Committee (referred to in the Constitution as "The Committee") which shall be elected to hold office for a period of not less than twelve months by the general body of eligible financial members present and voting at the Annual General Meeting. The Committee generally consists of President, Vice President, Treasurer, Secretary, Public Officer, Publicity Officer, Events Officer, Environmental Officer, Cultural Officer, Club Recorder Social Club Officer and Club Assistants to total no more than thirteen (13) persons on the Management Committee with a minimum of eight (8) to serve in an honorary capacity. Committee members shall be either eligible financial or life members

8. ELECTION OF OFFICERS.

Nominations in writing for all or any of these officers may be received at any Annual General, General or Special Meeting and persons so nominated may be elected at such meeting. The term of office of members so elected is until the following Annual General Meeting.

9. AREA ACTION GROUPS.

The Management Committee ("The Committee") is empowered to elect Area Action Groups consisting of officers of the committee or members of the club (non officers of the committee) or a mixture of both. Such Area Action Groups are to appoint a Team Leader and such Team Leader is to report the findings of the Area Action Groups to the Committee. All matters including decisions pertaining to said Area Action Team report is then a Committee matter for its sole deliberation, evaluation and subsequent decision.

10. DUTIES & POWERS OF THE MANAGEMENT COMMITTEE - (THE COMMITTEE).

The Committee shall hold periodical meetings and record minutes of same including all resolutions and proceedings of such Committee meetings which shall be entered on the clubs website to be provided for that Purpose. The Committee shall be responsible for the carrying out and enforcing of all duties and requirements of the Associations Incorporation Act 1984, and amendments thereto and shall have all powers and authorities necessary expressed or implied for that purpose. The Committee shall have power and authority to:-

- a)** Draw up and recommend any amendment, alteration, variation or addition to the Name Objects or rules of this constituted club and after confirmation by the members as hereinafter provided shall file with the Director General ("Director General" means the Director-General of the Department of Fair Trading) and obtain any necessary consent to such amendment, alteration, variation or addition.
- b)** Fill any vacancy occurring during the year due to resignation or otherwise of a current Committee Member in accordance with the Constitution.
- c)** Appoint one or more members to the Committee to assist the Committee in its management activities in accordance with the Constitution, provided that the total number of officers in the Committee shall not exceed (13) thirteen.
- d)** Remunerate and pay all servants, employees and work persons for their services and to pay or grant any gratuity for faithful and diligent service provided that gratuity was in relation to the promotion of the objects and purposes of the association.
- e)** Strike levies to meet extraordinary expenditure for special or social functions or for such other purposes as the Committee may deem fit, and all such levies shall be payable by the members of the Club upon demand.
- f)** Do all acts and things and to execute sign and seal all documents and instruments necessary for the proper carrying out of the objects and the rules of the Club and matters incidental thereto, and for the due enforcement of all rules herein contained.
- g)** Exercise all powers expressed or implied in these rules. Notwithstanding anything herein contained no member of the Committee shall undertake or arrange on his own responsibility anything to which it is necessary to join the name of the Club, or to affix his name to any document or instrument on behalf of the Club at any time without the concurrence of the Committee.

11. AMENDMENT OF OBJECTS OR RULES OF THE ASSOCIATION.

No objects or rules shall be amended altered, varied rescinded or inserted except on the vote of at least 75% of the eligible members present and voting at an Annual General Meeting, General or a Special Meeting. Notice of such meeting shall be published on the club's website no less than the month prior to the date of the meeting to all members. Notice of motion at said meeting shall be presented by the member who originally proposed said motion or his elected representative authorized in writing. Notice of original motion of such amendment, alteration, variation, rescission or insertion shall be handed to the Secretary in writing by the member who proposed said motion at either an Annual General, General or Special meeting. When any such amendment alteration, variation, rescission or addition has been made to the objects or rules of the constitution of the Association, it shall be the duty of the Secretary within twenty eight days after the passing of the resolution to comply with the provisions of the Association & Incorporation Act 1987

12. DISCIPLINARY POWERS. The Committee shall have full power to suspend, expel or impose any other penalty which it may deem fit upon any member of the Club who shall have in the opinion of the Committee, been guilty of any conduct, act, matter, practice or act conducive to or tending to cause ill feelings, friction or dissension amongst the members or reflects discredit on the reputation of the Club. Should any member upon whom a penalty has been imposed in accordance with this clause be an officer of the Club, he shall immediately following the confirmation of such penalty, deliver all documents, papers, books and property of the Club to such other Officer of the Club as the Committee shall appoint to receive them, or to the Secretary, within three days of such penalty taking effect

13. CLUB SEAL.

- a) The Club shall have a common seal, design of which shall be determined by the Committee.
- b) The Club seal shall be affixed to all deeds, documents and instruments when and if appropriate by two officers who shall be any two of the President, Vice President, Treasurer or Secretary
- c) The Common seal shall only be so affixed by resolution of the Committee,
- d) The Club Seal will be in the custody of the Public Officer who shall keep a record of all deeds documents and other instruments to which the seal has been so affixed
- e) No person shall have any separate right of property in any of the assets of the Club and automatically upon any person ceasing to be a Member of the Club all joint rights in the property of the Club previously vested in such person shall pass and devolve upon the remaining Members of the Club jointly.

14. COMMITTEE'S RESPONSIBILITIES FOR ORGANISATION OF DESIGNATED CLUB ACTIVITIES.

- a) To aim for up to twelve Angling Action Days per year (herein after referred to as Action Days). The Annual schedule of Action Day venues for the ensuing year shall be decided by the Committee at or before the Committee meeting immediately prior to the April General Meeting. The Club's competition year is to be in line with the association's financial year each year unless changed by a majority vote at an Annual General, General or Special meeting. Each Action Day will normally be held during the weekend immediately following the General meeting or such weekend as determined by the Committee. Action Days shall be conducted and supervised by the Events Officer or such nominated substitute. The Action Days may be cancelled due to inclement weather or otherwise at the discretion of the Events Officer. In the event of a cancellation, the Action Day will be held at the same venue at the Events Officer's discretion, within the following fortnight. In the event of a second cancellation of the schedule venue, the Action Day for that month will be abandoned.
- b) Consideration to an Annual Fishing Competition which may be divided into two or more parts. At least one part shall relate to Action Day activities and at least one part shall be an Open competition. The Field Day Competition Section may be split into Male, Female and Junior Sections or as decided at the beginning of the competition year. The rest of the field day and Open competition shall be competed for on an equal basis.

- c) Any other activities being defined as fishing related activities to which the Committee shall have an obligation to assist in the organization in detail, general control, supervision of entertainment and social functions and may designate attendance points as Action day.
- d) Such Committee responsibilities to be discussed and coordinated with the relevant officer or Area Action Group relevant to that specific area.
- e) Bring the clubs aims, objects activities and achievements to the notice of that section of the public which may be expected to be interested, in a manner and via channels approved by the Committee.

15. COMMITTEE MEETINGS.

Committee meetings shall be held at such place and at such dates and times as may be determined by the Committee from time to time, provided that during the year at least eight meetings be held with the intention to hold one meeting each month within fourteen days from the preceding annual general, general or special meeting held. The Secretary shall convene meetings when instructed to do so or by the President or by any three eligible financial members of the Committee. Notice of such meeting shall be forwarded to all Committee members not less than three days before the date of the meeting. The President shall preside or if absent the Vice President or Immediate past President shall preside. In the absence of the above the meeting shall elect a Chairperson. The Chairperson shall be at liberty to exercise a deliberative as well as a casting vote. Any Committee member who is absent from six consecutive Committee Meetings without leave of absence or other satisfactory reason, shall forfeit position held within Committee. Such Committee action referred to, to be subject to appeal. Notice of such an appeal to be delivered to the Secretary in writing, published on the club's website and the appeal subject to the vote of at least 75% of eligible financial members present and voting at an Annual General, General or Special meeting. The right of a member to lodge an appeal as herein before provided shall be limited to a period of three months from the date of the afore mentioned Committee decision. Notwithstanding any such expulsion, or penalty, the members so penalized shall pay all such membership and other fees due to the date of such penalty

16. MEMBERSHIP FEES.

- a) Membership fees for the ensuing year shall become due and payable on the 1st day after the new financial year commences, and must be paid within one month.
- b) Any member whose membership fee is not paid within one month shall be deemed to be un-financial and the Committee without further notice may terminate the membership of such person. Such person will not be eligible for any club competition, nor be eligible to vote or stand for Committee selection until membership fee is paid or an alternative arrangement is approved by the Committee
- c) Any person whose membership has been terminated in accordance with the Sub Clause (b) above, may at the absolute discretion of the Committee be readmitted as an ordinary member, upon submission of duly completed "Application for Membership" form which must be accompanied by the prescribed nomination fee and current membership fee. The Committee reserves the right to waive the nomination fee.

d) Persons who are admitted as ordinary members during the year shall pay a membership fee calculated on a monthly pro rata basis.

e) The committee shall set a reduced annual membership fee for members of age 60 years or more. This reduced membership fee will apply to pensioners who make application to the committee. Members in paid employment are not eligible for reduced fees.

f) If a member commences the angling year as a junior, that member is recognized as a Junior financially for the remainder of the club's financial year.

17. MEETINGS. The Annual General Meeting of the Club shall be held each year within five months after the end of the association's financial year when all Officers of the Committee shall be elected and financial statements for the preceding financial year shall be presented. Minutes of the Annual Meeting shall be read at the next following Annual General meeting. The Chairperson of all Annual General, General and Special Meetings shall be the President, or the Vice President, or in the absence of the above, the members shall elect a Chairperson from the members present. General Meetings are to be held monthly. Notice of every Annual General, General or Special Meeting shall be given in writing via the web or mail to every member not less than seven days before the date of such meeting. Special Meetings shall be convened by the Secretary when instructed to do so by the President or on a resolution of the Committee or upon receipt of a requisition signed by at least twelve eligible financial members. Voting shall be by show of hands or online poll unless a ballot is requested by at least six financial members present and eligible to vote. A majority vote from eligible financial members present and voting at annual general, general or special meeting is sufficient to carry vote unless otherwise stated in a specific clause of the rules of this constitution. The following formats of both the annual general meeting and the general meetings areas a guide and may be varied.

17 (a) ANNUAL GENERAL MEETING AGENDA. In the case of an Annual General Meeting the following business shall normally be conducted:

1. Existing chairperson to open meeting;

2. Existing chairperson to follow the general meeting agenda up to but not including the general business section.

3. Standing orders to be called by the existing chairperson who advises that all of the Committee officers will now stand down and that the immediate past secretary will read the minutes of the last general meeting and call for a minimum of two persons who shall conduct the next immediate procedure for the election of officers hereinafter called the election officer/s.

4. The immediate past secretary reads the minutes of the last annual general meeting

5. Guide as to the procedure for the election officers is as follows A white board is prepared showing the Committee positions with provision to enter names and if required numbers. Voting slips are issued to each eligible financial member present showing the individual Committee position concerned and lines for the insertion of numbers or names as advised by the election officer. The first election is that of the president and the election officers conducting this procedure shall request nominations for the position of president and such nominations are required to be in writing, seconded and handed to the election officer who will request that eligible financial members present and voting shall vote by completing said voting slip folding over same and issuing to the election officer/s for counting.

6. The election officers will then advise the meeting of the name of the new president after counting the confidential votes and pass over to the new president the responsibility to conclude the election of the incoming Committee officers.

7. Upon the conclusion of the election of the new incoming Committee officers standing orders shall then be revoked and general business called followed by the standard conclusion for a general meeting

8. Chairperson to thank past Committee for services rendered and close the meeting suggesting that members join together to create a social atmosphere and welcome in the new Committee.

17 (b) GENERAL MEETINGS.

General Meetings of the Club shall be held at such place, including online via the clubs website, and at such dates and times as may be determined from time to time by the vote of at least 75% of the eligible members present and voting at an Annual General, General or Special Meetings provided that consideration be given to holding one meeting each month with a minimum of eight meetings per year

17 (c) GENERAL MEETING AGENDA. In the case of General Meetings the following business shall normally be conducted.

1. Meeting opened;
2. Apologies;
3. Introduction of new members and visitor;
4. Minutes of or main points of previous meetings read;
5. Business arising from minutes above;
6. Minutes or main points of previous Committee meeting;
7. Outward and Inward Correspondence;
8. Business arising from correspondence;
9. Treasurer's report and accounts for payment;
10. Secretary's report;
11. Any other report;
- 12 Special business including Notices of Motions or Special Resolutions;
13. General business;
14. Guest speaker of instruction;
15. Meeting closed.

A minimum of 75% of financial members present and voting is required to change a ruling of the Committee. The only members entitled to vote at any Annual General, General or Special Meeting of the Club shall be Life Members or Financial Standard Members present at such meeting.

18. RESCISSION OF A RESOLUTION.

a) A resolution passed by an Annual General, General or Special Meeting of the Club shall not be rescinded, altered, varied or amended within a period of six months from the date of such meeting except by a resolution supported by not less than 75% of eligible members present and voting at a subsequent Annual General, General or Special Meeting upon a Notice of Motion to that effect.

b) Procedure to Propose a Motion - Any Member giving notice of intention to move a motion to rescind, alter, vary or amend a resolution shall do so by reading said notice of motion aloud to the meeting and forthwith handing a copy of such motion duly signed by the mover to the Chairperson. This notice shall be published on the club's website and dealt with at the following Annual General, General or Special Meeting. No motion published in the club's website for consideration at any meeting shall be moved except by the person giving such notice or by some other member who has been authorized in writing to act on the mover's behalf.

19. CONDUCT AT MEETINGS. At all meetings, which shall commence at the time set out in the notice relating thereto, the strictest order shall be maintained. On all questions and during all discussions the member speaking shall address the meeting through the Chairperson, and shall be standing. No member shall interrupt while another member is speaking except for the purpose of:

a) Raising a point of order

b) Asking a question;

c) Explaining a point in his own speech which has been misinterpreted.

The mover of a motion shall be allowed fifteen minutes and each subsequent speaker shall be allowed ten minutes (subject to extension by the meeting) and the mover of a motion shall be allowed ten minutes to exercise his right of reply. Except as provided for above, no member shall speak more than once on the same motion. On a point of order being raised the interrupted shall take his seat until the point is determined. The Chairperson shall decide the point promptly and not allow any discussion. No objections may be made to the chairperson's decision upon any matter except by a motion of dissent on the chairperson's ruling which has to be formally moved and seconded. Upon a motion of dissent from the chairperson's ruling having been moved and seconded the mover may state reasons for the dissension and the Chairperson may explain why such ruling was given; thereupon the vote shall be taken. Once resolved 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. Provided that any 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 an urgent measure, and subject to the pleasure of the meeting, no new business will ordinarily be received at a General Meeting after 10:30pm. All other matters not covered by the constitution shall be determined by the Chairman in his absolute discretion. The procedure for the conduct of all Meetings shall at all times be based on the generally accepted rules of debate.

20. QUORUM. To Quorum for all Annual General, General and Special Meetings of members shall be ten (10). The Quorum for all meetings of the Management Committee shall be five (5). The Quorum for Area Action Groups shall be two or such other number as the sub-committee may from time to time decide. If there is no quorum present at the end of thirty minutes after the time appointed for the opening of the meeting then:

a) In the case of an Annual General meeting such meeting will stand adjourned until the same day and hour of the following week at the same place, and if at the adjourned meeting there still be no quorum present then those members present shall be competent to hold the meeting and to transact all business.

b) In the case of a General meeting or Special Meeting, the meeting will lapse.

c) In the case of a Committee of Management meeting, then it will stand adjourned until the same day and hour of the following week at the same place, and if there still be no quorum present, then those Committee members present shall be competent to hold the meeting and to transact all

21. PUBLIC OFFICER AND ACCOUNTANT FOR THE CLUB. A Public Officer shall be appointed annually from and by the Committee on an honorary basis (separate to the Treasurer) who's responsibility is to be the authorized representative of the Club pertaining to legal responsibilities relating to the Associations Incorporations Act, as well as the Australian Taxation Office where necessary. The Public Officers signature will appear on documents as required from time to time as voted by the Committee. Where necessary, the committee may need the assistance of an accountant in an honorary capacity to attend to the accounting and taxation requirements of the Club. The honorarium payable is to be agreed by the committee at a Committee Meeting.

22. DISTRIBUTION TO THE MEMBERS.

Any part of the surplus arising in any year may be set aside for the creation of reserve funds, but under no circumstances can a distribution be made to any member.

23. DISSOLUTION.

a) The Club may at any time be dissolved by the vote of at least 75% of the eligible financial members present and voting at a Special General Meeting called for this purpose

b) If upon dissolution or winding up of the Club there remain after satisfaction of all debts and liabilities, any assets whatsoever, the same shall be distributed to such charitable institutions or Clubs and Associations having objects similar to the objects of this Club, as may be determined by the members at or before the time of dissolution or winding up.

24. GENDER. Where ever reference to the male gender appears in these Regulations it is to be read as also including the female gender.

24. MODEL RULES. For any specific area not covered by this constitution, the powers of Model Rules designed by the Department will be the governing and deciding factor.