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Secretary:	<b>John Howard</b>	Signature:			

*This Constitution has been approved by a majority of not less than three fourths of the members present and voting in person or via proxy in a General Meeting. This document should be read in conjunction with other relevant By-Laws, Regulations, Codes, Policies, and Documents*



# CONSTITUTION AND RULES FOR KNOX OBEEDIENCE DOG CLUB (INCORPORATED)

KNOX OBEEDIENCE DOG CLUB INC  
(Affiliated with the Victorian Canine Association Inc.)  
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## CONSTITUTION AND RULES FOR KNOX OBEEDIENCE DOG CLUB (INCORPORATED)

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## CONSTITUTION AND RULES FOR KNOX OBEDIENCE DOG CLUB (INCORPORATED)

### PART 1—PRELIMINARY

#### 1. Name

- 1.1 The name of the incorporated association is Knox Obedience Dog Club Incorporated (in these rules call "the Club").

#### 2. Definitions

In these Rules, unless the contrary intention appears:

- **"Act"**, means the Associations Incorporation Reform Act 2012 and include any regulations made under the Act;
- **"Application for Membership"**, includes application for re-admission to membership.
- **"Body"**, means where the context reasonably admits, a Club, Society, Club, Company or group of persons
- **"By-Laws"**, means the By-Laws in force for the time being of the Club as approved by the Committee of the Victorian Canine Association and shall form part of and be deemed to be incorporated in the Rules of the Club
- **"Clause"**, means a provision of the Rules and where the context so admits includes a paragraph or sub-paragraph thereof
- **"Club"**, for the purpose of these Rules, has the same meaning as Knox Obedience Dog Club Incorporated
- **"Committee"**, means the Committee of Management of the Club and includes Officers of the Club and ordinary members of the Committee unless the Rules specifically provide otherwise
- **"committee meeting"** means a meeting of the Committee held in accordance with these Rules
- **"committee member"** means a member of the Committee elected or appointed under clause 42
- **"disciplinary appeal meeting"** means a meeting of the members of the Association convened under rule 14
- **"disciplinary meeting"** means a meeting of the Committee convened for the purposes of rule 13
- **"disciplinary subcommittee"** means the subcommittee appointed under rule 11
- **"Exhibition"**, includes a Canine Show, Canine Exhibition, Canine Parade, Gundog Trials and Tests, Canine Competition, Display, Obedience Trials and Tracking Trials, Agility Trials, Field/Retrieving Trials and Water tests, and any other canine activity, approved by the VCA
- **"Family Membership"**, means a maximum of 2 adults and 2 children, all of whom shall have the right to participate in benefits and privileges of the Club, but only the 2 adults shall have the right to vote and hold office
- **"Financial Member"**, means a member of the Club who shall not be in default in the payment of their annual subscription or other moneys outstanding by them in accordance with the Rules. Unfinancial shall have the opposite meaning
- **"Financial Year"**, means the financial year of the Club as defined by *Clause 57*
- **"Honorary Membership"**, may be conferred on any person who, in the opinion of a majority of Financial Members present at a General Meeting is worthy of the honour. The Honorary Membership shall be for the current year only and it shall carry all benefits and privileges of full membership, except the right to vote at any Meeting of the Club, or to hold any position on the Committee
- **"Insolvent under administration"**, in relation to a member of the Committee of Management has the same meaning as that given to those words by Section 5(1) of the Companies (Victoria) Code

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- **"Junior Membership"** shall be for persons up to and including the age of sixteen years. Such Junior Member shall have the right to participate in benefits and privileges of the Club but shall not have the right to vote or hold office, but shall otherwise be entitled to enjoy all other privileges of membership
- **"Life Membership"** of the Club shall be conferred on any Financial Member of the Club who, recommended by 75% of the Committee present at the Committee Meeting, and confirmed by 75% of the Financial Members present at the General Meeting is deemed worthy of receiving the honour. All ballots in conjunction with the same are to be secret ballots. As defined in By-Law 04 – Life Membership Policy.
- **"Member"**, means and includes a person who has been admitted to any category of membership
- **"Office"**, means the Office of the Club, and shall be a place as determined from time to time at which the records of the Club are to be kept
- **"Office Bearers"**, means the President, the (2) Vice-Presidents, Treasurer, Secretary, and such other nominated positions as referred to in *Clause 38.3* and the By-Laws for the time being of the Club
- **"Period of Membership"**, in relation to a member, denotes the twelve months terminating at midnight on the thirty first day of October each year for which such member is for the time being elected or admitted to membership of the Club or such portion of that term during which their membership continues
- **"Person"**, where the context reasonably permits, includes a natural person, a firm or partnership, of syndicate, a company or corporation, or any other legal entity
- **"Public Officer"**, means the person referred to as such in Sections 40, 42, 53 and 59 inclusive of the Clubs Incorporation Act and whose statutory duties set out in this constitution.
- **"Regulations"**, means either the Associations Incorporation Reform Act 2012 or the Regulation of the VCA as specifically referred to in either case in the Rules of the Club
- **"Rules"**, means the Rules for the time being of the Club and includes its By-Laws.
- **"Secretary"**, means the Honorary Secretary or Secretary of the Club and where the context reasonably permits, any other person for the time being appointed by the Committee to exercise the functions of the Secretary
- **"Membership Secretary"**, means the Membership Secretary of the Club and where the context reasonably permits, any other person for the time being appointed by the Committee to exercise the functions of the Membership Secretary
- **"VCA"**, means the Victorian Canine Association Incorporated or its successor body.
- **"Writing"**, includes printing, typing and photocopy and any other like recognised means of written communication or of reproducing words in visible form.
- Words or expressions contained in these Rules shall be interpreted in accordance with the provisions of the Acts Interpretation Act 1984 and the Act as in force from time to time.

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### 3. Objects

- 3.1 The Objects of the Club are:
- 3.2 to affiliate with the VCA
- 3.3 to promote and raise the standards and exhibitions of registered purebred dogs and/or non-registered dogs
- 3.4 to promote the holding of exhibitions under the Rules and Regulations and to conduct Exhibitions and/or to promote Obedience training and to conduct Obedience Trials, Agility Trials and Tracking Trials and other disciplines approved by the VCA
- 3.5 to foster, promote and protect the interest of exhibitor of dogs at exhibitions
- 3.6 to collect, verify and publish information relating to dogs and the breeding and exhibition of dogs
- 3.7 to educate and encourage members, breeders and judges to abide by the requirements and standards approved by the for the conduct of Exhibitions and shows
- 3.8 to promote good fellowship and sportsmanship amongst members and those participating in or attending at Club sanctioned event, VCA Exhibitions or shows
- 3.9 to inform members of and make known to them the Laws and Regulations of the State relating to the ownership and care of dogs and the responsibility of owners for the conduct and actions of their dogs
- 3.10 to hold functions and lectures relating to dogs and to the purposes of the Club generally
- 3.11 to provide awards and donate prizes for competitions at Club sanctioned events or VCA Exhibitions and for the competition by breeders and exhibitors of dogs
- 3.12 to foster relations with other clubs and bodies having similar aims
- 3.13 to promote and assist worthy causes, as agreed at a General Meeting of the Members of the Club
- 3.14 to invest the funds of the Club not immediately required in such a manner as the members or the Committee in lieu thereof shall determine
- 3.15 to purchase, hire, lease etc. and do such things as are conducive or incidental to promoting and achieving the purposes of the Club
- 3.16 to carry on such activities or promote or encourage interest in the breeding, upkeep and training of and the general well-being and improvement of pure breed dogs and training of associates dogs and to do all such other things as may be necessary or conducive to carrying out the objectives of the club.

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## PART 2—MEMBERS

### 4. Membership

- 4.1 Any person owning a dog or interested in any of the activities referred to in the Statement of Purposes of the Club who is nominated and approved for membership as provided in these Rules is eligible to be a member of the Club on payment of the entrance fee and annual subscription payable under these Rules.
- 4.2 An application for membership shall be in such form as the Committee may from time to time prescribe and shall be signed by the applicant and be accompanied by the prescribed fees.
- 4.3 The Membership Secretary shall enter the Applicant's name in the register of members kept by them, and upon the name being so entered the applicant becomes a member of the Club.
- 4.4 A right, privilege, or obligation of a person by reason of their membership of the Club is not capable of being transferred or transmitted to another person.
- 4.5 A member may within twenty-one days after the end of the Club's financial year, make application to the Club for re-admission as a member to their category of membership upon payment of their annual subscription and shall be deemed for all purposes to have been re-admitted as such a member.
- 4.6 A member, upon election to any category of membership, shall strictly observe and act in conformity with and not otherwise than in accordance with the Act and the Rules and By-Laws of the Club and the Constitution and Rules and Regulations of the VCA in so far as they shall relate to them and will uphold the honour of, and use their best endeavours to further the objects of the Club.

### 5. Classification of Members

- 5.1 Membership of the Club may be divided into the following categories (see By-Laws):

- ~~5.1~~ Member (Ordinary)
- ~~5.2~~ Family Member
- ~~5.3~~ Life Member
- ~~5.4~~ Honorary Member
- ~~5.5~~ Junior Member
- ~~5.6~~ Pensioner Member
- ~~5.7~~ Any other class of Member.

And every person admitted and/or elected to membership shall be and be deemed for all purposes to have agreed to be bound by the Constitution and Rules and Regulations of the VCA in so far as they shall relate to them and the Rules and By-Laws of the Club respectively for the time being in force.

### 6. Annual Subscription and Joining Fee

- 6.1 Subject to notice of motion first being given by Resolution of the Committee, the members in General Meeting at any time and from time to time may fix the amount of the annual subscription payable by each category of membership and other and may in like manner determine that a membership joining fee shall be paid and the amount thereof. For other funds see Clause 54.

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### 7. General Rights of Members

- 7.1 Subject to the restrictions and limitation prescribed by or pursuant to the Act, Rules and By-Laws of the Club the privileges of a member shall be:
  - 7.1.1 upon application and payment of the prescribed fee, if any, to the Secretary to receive a copy of the Rules and By-Laws of the Club
  - 7.1.2 the right to attend and vote at all General Meetings of the Club; subject to the conditions of Clauses 9.2, 49.2 and 49.3
  - 7.1.3 to submit oneself as a candidate for any Office of the Club and/or Committee subject to the conditions of Clauses 9.2, 49.2 and 49.3
  - 7.1.4 to receive any publication issued by the Club, upon the payment of the prescribed fee, (if any)
  - 7.1.5 to compete for prizes and awards, available for members of the Club when exhibiting or competing at any exhibition conducted by the Club.

### 8. Resignation and Expulsion of Member

- 8.1 A Member shall cease ipso facto to be a member of the Club:
  - 8.1.1 upon the termination of their period of membership, (whether by effluxion of time or otherwise), unless they shall be re-admitted pursuant to clause 4.5 as a member of the Club for a further period of membership
  - 8.1.2 if they resign by notice in writing addressed to the Secretary pursuant to Sub-Clause 8.3
  - 8.1.3 if they shall die
  - 8.1.4 if their annual subscription for the forthcoming financial year has not been paid in accordance with Clause 4.5
  - 8.1.5 if pursuant to the Rules they shall be expelled from the Club
  - 8.1.6 if as a member of the VCA they are disqualified or suspended by the VCA for any period for which he/she is suspended or disqualified.
- 8.2 Should any person cease to be a member of the Club for any reason whatsoever, they shall not be entitled to the return of their membership fee or any part thereof.
- 8.3 A member of the Club who has paid all moneys due and payable by them to the Club may resign from the Club by first giving notice in writing to the Secretary of their resignation.
- 8.4 Upon the receipt of a notice given under Sub-Clause 8.3, the Secretary shall make in the register of members an entry recording the date on which the member by whom the notice was given, ceased to be a member.

### 9. Register of Members

- 9.1 The Membership Secretary shall keep and maintain a register of members in which shall be entered the full name, address and date of entry of the name of each member and the register shall be available for inspection by members at General Meetings.
- 9.2 A junior member shall be entitled to take part in the proceedings of a General Meeting but shall not be eligible to vote and shall not be eligible to hold office as an Office Bearer or an ordinary member of the Committee, but shall be entitled to exercise all other privileges of membership.

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### PART 3 – DISCIPLINARY PROCEDURE

#### 10. Grounds for taking disciplinary action

- 10.1 The Club may take disciplinary action against a member in accordance with this Part if it is determined that the member:
- 10.1.1 has failed to comply with these Rules; or
  - 10.1.2 refuses to support the purposes of the Club; or
  - 10.1.3 has engaged in conduct prejudicial to the Club.

#### 11. Disciplinary subcommittee

- 11.1 If the Committee is satisfied that there are sufficient grounds for taking disciplinary action against a member, the Committee must appoint a disciplinary subcommittee to hear the matter and determine what action, if any, to take against the member.
- 11.2 The members of the disciplinary subcommittee:
- 11.2.1 may be Committee members, members of the Club or anyone else; but
  - 11.2.2 must not be biased against, or in favour of, the member concerned.
  - 11.2.3 Must be of equal gender

#### 12. Notice to member

- 12.1 Before disciplinary action is taken against a member, the Secretary must give written notice to the member:
- 12.1.1 stating that the Club proposes to take disciplinary action against the member; and
  - 12.1.2 stating the grounds for the proposed disciplinary action; and
  - 12.1.3 specifying the date, place and time of the meeting at which the disciplinary subcommittee intends to consider the disciplinary action (the disciplinary meeting); and
  - 12.1.4 advising the member that he or she may do one or both of the following—
    - a) attend the disciplinary meeting and address the disciplinary subcommittee at that meeting;
    - b) give a written statement to the disciplinary subcommittee at any time before the disciplinary meeting; and
  - 12.1.5 setting out the member's appeal rights under clause 14.
- 12.2 The notice must be given no earlier than 28 days, and no later than 14 days, before the disciplinary meeting is held.

#### 13. Decision of subcommittee

- 13.1 At the disciplinary meeting, the disciplinary subcommittee must:
- 13.1.1 give the member an opportunity to be heard; and
  - 13.1.2 consider any written statement submitted by the member.
- 13.2 After complying with subrule 13.1, the disciplinary subcommittee must vote on whether to:
- 13.2.1 take no further action against the member; or
  - 13.2.2 subject to sub clause 13.3
    - a) reprimand the member; or

## CONSTITUTION AND RULES FOR KNOX OBEDIENCE DOG CLUB (INCORPORATED)

- b) suspend the member's general and life membership rights for a specified period or life; or
  - c) expel the member from the Club.
- 13.3 The disciplinary subcommittee may not fine the member.
- 13.4 The suspension of membership rights or the expulsion of a member by the disciplinary subcommittee under this rule takes effect immediately after the vote is passed.

#### 14. Appeal rights

- 14.1 A person whose membership rights have been suspended or who has been expelled from the Club under clause 13 may give notice to the effect that he or she wishes to appeal against the suspension or expulsion.
- 14.2 The notice must be in writing and given:
- 14.2.1 to the disciplinary subcommittee immediately after the vote to suspend or expel the person is taken; or
  - 14.2.2 to the Secretary not later than 48 hours after the vote.
- 14.3 If a person has given notice under sub clause 14.2, a disciplinary appeal meeting must be convened by the Committee as soon as practicable, but in any event not later than 21 days, after the notice is received.
- 14.4 Notice of the disciplinary appeal meeting must be given to each member of the Club who is entitled to vote as soon as practicable and must:
- 14.4.1 specify the date, time and place of the meeting; and
  - 14.4.2 state:
    - a) the name of the person against whom the disciplinary action has been taken; and
    - b) the grounds for taking that action; and
    - c) that at the disciplinary appeal meeting the members present must vote on whether the decision to suspend or expel the person should be upheld or revoked.

#### 15. Conduct of disciplinary appeal meeting

- 15.1 At a disciplinary appeal meeting:
- 15.1.1 no business other than the question of the appeal may be conducted; and
  - 15.1.2 the Committee must state the grounds for suspending or expelling the member and the reasons for taking that action; and
  - 15.1.3 the person whose membership has been suspended or who has been expelled must be given an opportunity to be heard.
- 15.2 After complying with sub clause 15.1, the members present and entitled to vote at the meeting must vote by secret ballot on the question of whether the decision to suspend or expel the person should be upheld or revoked.
- 15.3 A member may not vote by proxy at the meeting.
- 15.4 The decision is upheld if not less than three quarters of the members voting at the meeting vote in favour of the decision.

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### PART 4 – GRIEVANCE PROCEDURE

#### 16. Application

16.1 The grievance procedure set out in this Part applies to disputes under these Rules between:

- 16.1.1 a member and another member;
- 16.1.2 a member and the Committee;
- 16.1.3 a member and the Club.

16.2 A member must not initiate a grievance procedure in relation to a matter that is the subject of a disciplinary procedure until the disciplinary procedure has been completed.

#### 17. Parties must attempt to resolve the dispute

17.1 The parties to a dispute must attempt to resolve the dispute between themselves within 14 days of the dispute coming to the attention of each party.

#### 18. Appointment of mediator

18.1 If the parties to a dispute are unable to resolve the dispute between themselves within the time required by rule 17, the parties must within 10 days:

- 18.1.1 notify the Committee of the dispute; and
- 18.1.2 agree to or request the appointment of a mediator; and
- 18.1.3 attempt in good faith to settle the dispute by mediation.

18.2 The mediator must be:

- 18.2.1 a person chosen by agreement between the parties; or
- 18.2.2 in the absence of agreement:
  - a) if the dispute is between a member and another member—a person appointed by the Committee; or
  - b) if the dispute is between a member and the Committee or the Club—a person appointed or employed by the Dispute Settlement Centre of Victoria.

18.3 A mediator appointed by the Committee may be a member or former member of the Club but in any case, must not be a person who—

- 18.3.1 has a personal interest in the dispute; or
- 18.3.2 is biased in favour of or against any party.

#### 19. Mediation process

19.1 The mediator to the dispute, in conducting the mediation, must:

- 19.1.1 give each party every opportunity to be heard; and
- 19.1.2 allow due consideration by all parties of any written statement submitted by any party; and
- 19.1.3 ensure that natural justice is accorded to the parties throughout the mediation process.

19.2 The mediator must not determine the dispute.

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#### 20. Failure to resolve dispute by mediation

20.1 If the mediation process does not resolve the dispute, the parties may seek to resolve the dispute in accordance with the Act or otherwise at law.

#### 21. Disputes and Mediation

21.1 The grievance procedure set out in this rule applies to disputes under these Rules between:

- 21.1.1 a member and another member or
- 21.1.2 a member and the Club.

21.2 The parties to the dispute must meet and discuss the matter in dispute, and, if possible, resolve the dispute within 14 days after the dispute comes to the attention of all the parties.

21.3 If the parties are unable to resolve the dispute at the meeting, or if a party fails to attend that meeting, then the parties must, within 10 days, hold a meeting in the presence of a mediator.

21.4 The mediator must be:

- 21.4.1 a person chosen by agreement between the parties
- 21.4.2 in the absence of agreement:
  - a) in the case of a dispute between a member and another member, a person appointed by the committee of the Club or
  - b) in the case of a dispute between a member and the Club, a person who is a mediator appointed or employed by the Dispute Settlement Centre of Victoria (Department of Justice).

21.5 A member of the Club can be a mediator.

21.6 The mediator cannot be a member who is a party to the dispute.

21.7 The parties to the dispute must, in good faith, attempt to settle the dispute by mediation.

21.8 The mediator, in conducting the mediation, must:

- 21.8.1 give the parties to the mediation process every opportunity to be heard
- 21.8.2 allow due consideration by all parties of any written statement submitted by any party and
- 21.8.3 ensure that natural justice is accorded to the parties to the dispute throughout the mediation process.

21.9 The mediator must not determine the dispute.

21.10 If the mediation process does not result in the dispute being resolved, the parties may seek to resolve the dispute in accordance with the Act or otherwise at law.

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### PART 5 - GENERAL MEETINGS

#### 22. Annual General Meeting

- 22.1 The Club shall within 5 months of end of financial year convene an annual general meeting of its Members.
- 22.2 The annual general meeting shall be held on such date and time, and at such venue, as the Committee determines.
- 22.3 The annual general meeting shall be specified as such in the notice convening it.
- 22.4 The ordinary business of the annual general meeting shall be:
  - 22.4.1 to appoint a Returning Officer, where necessary, and at least two scrutineers, pursuant to Clause 42.8;
  - 22.4.2 to confirm the minutes of the last preceding annual general meeting and of any general meeting held since that meeting
  - 22.4.3 to receive from the Committee reports upon the transactions and activities of the Club during the last preceding financial year;
  - 22.4.4 to elect officers of the Club and the ordinary members of the Committee;
  - 22.4.5 to receive and consider the statement on financial matters submitted by the Club in accordance with Part 7 of the Act; and
  - 22.4.6 to appoint an Auditor pursuant to Clause 56.
- 22.5 The annual general meeting may transact special business of which notice is given in accordance with these Rules.
- 22.6 The annual general meeting shall be in addition to any other general meetings that may be held in the same year.

#### 23. Special General Meetings

- 23.1 Any general meeting of the Association, other than an annual general meeting or a disciplinary appeal meeting, is a special general meeting.
- 23.2 The Committee may convene a special general meeting whenever it thinks fit.
- 23.3 No business other than that set out in the notice under rule 26 or 27 may be conducted at the meeting.
- 23.4 General business may be considered at the meeting if it is included as an item for consideration in the notice under rule 27 and the majority of members at the meeting agree.

#### 24. Special General Meeting Held at Request of Members

- 24.1 The Committee must convene a special general meeting if a request to do so is made in accordance with subrule 24.2 by at least 10% of the total number of members.
- 24.2 A request for a special general meeting must:
  - 24.2.1 be in writing; and
  - 24.2.2 state the business to be considered at the meeting and any resolutions to be proposed; and
  - 24.2.3 include the names and signatures of the members requesting the meeting; and
  - 24.2.4 be given to the Secretary.
- 24.3 If the Committee does not convene a special general meeting within one month after the date on which the request is made, the members making the request (or any of them) may convene the special general meeting.

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- 24.4 A special general meeting convened by members under subrule 24.3:
  - 24.4.1 must be held within 3 months after the date on which the original request was made; and
  - 24.4.2 may only consider the business stated in that request.
- 24.5 The Association must reimburse all reasonable expenses incurred by the members convening a special general meeting under subrule 24.3.

#### 25. Special General Meetings of Members

- 25.1 An Ordinary General Meeting of the Club shall be held at such a time and at such a place as the Members at their preceding meeting shall determine or if not so determined as shall be convened pursuant to the Constitution.
- 25.2 Unless the Members present otherwise determine by vote, the business of an Ordinary General Meeting shall be:
  - ~~25.2.1~~ Minutes of the previous Meeting
  - ~~25.2.2~~ Apologies
  - ~~25.2.3~~ Treasurer's report on financial status
  - ~~25.2.4~~ Other reports
  - ~~25.2.5~~ Committee Meetings' reports
  - ~~25.2.6~~ Club activities
  - ~~25.2.7~~ General business.
- 25.3 At a General Meeting of Members, it may be resolved that the Committee conduct the affairs of the Club for a period of one month or until the next General Meeting of Members, at which, any Member may question any action taken, or not taken, by the Committee.

#### 26. Notice of Annual General Meetings

- 26.1 The notice convening the annual general meeting shall be given to each member not less than thirty days before the date of the meeting and shall be accompanied by a form of Nomination of Committee of Management, (Refer Clause 42.1.2.)
- 26.2 Notice of an annual general meeting and the form of Nomination of Committee of Management shall be deemed to have been given to each member if they are published in, or enclosed with, the Club's newsletter or journal or such other publication as the Club may circulate to its members provided that such publication is despatched to each member not less than thirty days prior to the date of the annual general meeting or if they are served upon them personally not less than twenty eight days prior to the date of that meeting or if they are sent through the post not less than thirty days prior to the meeting addressed to each member at the address shown in the Register of Members. A notice and form of Nomination of Committee of Management sent to one of a family membership shall be deemed for all purposes to have been given to each of such members.
- 26.3 A notice sent by post or electronically to a member shall be deemed to have been received by them at the time at which the notice would have been delivered in the ordinary course of post.
- 26.4 The accidental omission to give notice to a member, or if a member shall fail to receive a notice sent in accordance with Sub-Clause 26.3, shall not invalidate an annual general meeting.

## CONSTITUTION AND RULES FOR KNOX OBEDIENCE DOG CLUB (INCORPORATED)

### 27. Notice of Special Meetings

- 27.1 Every special meeting convened by the Committee shall be convened by notice given by the Secretary to each member of the Club specifying the date, time and venue of such meeting as prescribed in Sub-Clause 27.3.
- 27.2 At least seven days prior notice shall be given in respect of each such meeting.
- 27.3 Notice of a special meeting shall be deemed to have been given to each member if it is published in the Club's newsletter or journal or such other publication, provided that such publication is made and despatched to the members not later than seven days prior to the date of the meeting or if it is served upon them personally or if it is sent through the post addressed to such member at the address shown in the Register of Members. A notice sent to one of a family membership shall be deemed for all purposes to have been notice given to each of such members.
- 27.4 The accidental omission to give notice to a member or if a member shall fail to receive a notice sent pursuant to Sub-Clause 27.3 shall not invalidate a special meeting.
- 27.5 A notice sent by post or electronically to a member shall be deemed to have been received by them at the time at which the notice would have been delivered in the ordinary course of post.

### 28. Proxies

- 28.1 A member may appoint another member as his or her proxy to vote and speak on his or her behalf at a general meeting other than at a disciplinary appeal meeting.
- 28.2 The appointment of a proxy must be in writing and signed by the member making the appointment.
- 28.3 The member appointing the proxy may give specific directions as to how the proxy is to vote on his or her behalf, otherwise the proxy may vote on behalf of the member in any matter as he or she sees fit.
- 28.4 If the Committee has approved a form for the appointment of a proxy, the member may use any other form that clearly identifies the person appointed as the member's proxy and that has been signed by the member.
- 28.5 Notice of a general meeting given to a member under clause 26 must:
  - 28.5.1 state that the member may appoint another member as a proxy for the meeting; and
  - 28.5.2 include a copy of any form that the Committee has approved for the appointment of a proxy.
- 28.6 A form appointing a proxy must be given to the Chairperson of the meeting before or at the commencement of the meeting.
- 28.7 A form appointing a proxy sent by post or electronically is of no effect unless it is received by the Club no later than 24 hours before the commencement of the meeting.

### 29. Use of technology

- 29.1 A member not physically present at a general meeting may be permitted to participate in the meeting by the use of technology that allows that member and the members present at the meeting to clearly and simultaneously communicate with each other.
- 29.2 For the purposes of this Part, a member participating in a general meeting as permitted under sub-clause 29.1 is taken to be present at the meeting and, if the member votes at the meeting, is taken to have voted in person.

## CONSTITUTION AND RULES FOR KNOX OBEDIENCE DOG CLUB (INCORPORATED)

### 30. Quorum at general meetings

- 30.1 No business may be conducted at a general meeting unless a quorum of members is present.
- 30.2 The quorum for a general meeting is the presence (physically, by proxy or as allowed under rule 29 of 5% of the members entitled to vote.
- 30.3 If a quorum is not present within 30 minutes after the notified commencement time of a general meeting:
  - 30.3.1 in the case of a meeting convened by, or at the request of, members under rule 24 the meeting must be dissolved;
  - 30.3.2 If a meeting convened by, or at the request of, members is dissolved under this subrule, the business that was to have been considered at the meeting is taken to have been dealt with. If members wish to have the business reconsidered at another special meeting, the members must make a new request under rule 24.
  - 30.3.3 in any other case:
    - a) the meeting must be adjourned to a date not more than 21 days after the adjournment; and
    - b) notice of the date, time and place to which the meeting is adjourned must be given at the meeting and confirmed by written notice given to all members as soon as practicable after the meeting.
- 30.4 If a quorum is not present within 30 minutes after the time to which a general meeting has been adjourned under clause 30.3.3 the members present at the meeting (if not fewer than 3% of the members entitled to vote) may proceed with the business of the meeting as if a quorum were present.

### 31. Adjournment of general meeting

- 31.1 The Chairperson of a general meeting at which a quorum is present may, with the consent of a majority of members present at the meeting, adjourn the meeting to another time at the same place or at another place.
- 31.2 Without limiting clause 31.1, a meeting may be adjourned:
  - 31.2.1 if there is insufficient time to deal with the business at hand; or
  - 31.2.2 to give the members more time to consider an item of business.  
Example: If the members wish to have more time to examine the financial statements submitted by the Committee at an annual general meeting.
- 31.3 No business may be conducted on the resumption of an adjourned meeting other than the business that remained unfinished when the meeting was adjourned.
- 31.4 Notice of the adjournment of a meeting under this rule is not required unless the meeting is adjourned for 14 days or more, in which case notice of the meeting must be given in accordance with 26.

### 32. The President's Absence

- 32.1 The President, or in their absence, a Vice-President, or in their absence, the Treasurer shall preside as Chairperson at each general meeting of the Club.
- 32.2 If the President and the (2) Vice-Presidents and the Treasurer are absent from a general meeting, the members present shall elect one of their number to preside as Chairperson at the meeting.



## CONSTITUTION AND RULES FOR KNOX OBEDIENCE DOG CLUB (INCORPORATED)

### 33. Questions Arising at a General Meeting

- 33.1 A question arising at a general meeting of the Club shall be determined on a show of hands and, 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 loss, and an entry to that effect in the Minute Book of the Club is evidence of the fact, without proof of the number or proportion of the vote recorded in favour of, or against that resolution.

### 34. Voting at general meeting

- 34.1 On any question arising at a general meeting—
- 34.1.1 subject to clause 34.3, each member who is entitled to vote has one vote; and
  - 34.1.2 members may vote personally or by proxy; and
  - 34.1.3 except in the case of a special resolution, the question must be decided on a majority of votes.
- 34.2 If votes are divided equally on a question, the Chairperson of the meeting has a second or casting vote.
- 34.3 If the question is whether or not to confirm the minutes of a previous meeting, only members who were present at that meeting may vote.
- 34.4 This rule does not apply to a vote at a disciplinary appeal meeting conducted under rule 15.

### 35. Special resolutions

- 35.1 A special resolution is passed if not less than three quarters of the members voting at a general meeting (whether in person or by proxy) vote in favour of the resolution.
- 35.2 In addition to certain matters specified in the Act, a special resolution is required:
- 35.2.1 to remove a committee member from office ;
  - 35.2.2 to alter these Rules, including changing the name or any of the purposes of the Association.

### 36. Determining whether resolution carried

- 36.1 Subject to clause 36.2, the Chairperson of a general meeting may, on the basis of a show of hands, declare that a resolution has been:
- ☞ carried; or
  - ☞ carried unanimously; or
  - ☞ carried by a particular majority; or
  - ☞ lost:
- and an entry to that effect in the minutes of the meeting is conclusive proof of that fact.
- 36.2 If a poll (where votes are cast in writing) is demanded by three or more members on any question:
- 36.2.1 the poll must be taken at the meeting in the manner determined by the Chairperson of the meeting; and
  - 36.2.2 the Chairperson must declare the result of the resolution on the basis of the poll.
- 36.3 A poll demanded on the election of the Chairperson or on a question of an adjournment must be taken immediately.

## CONSTITUTION AND RULES FOR KNOX OBEDIENCE DOG CLUB (INCORPORATED)

- 36.4 A poll demanded on any other question must be taken before the close of the meeting at a time determined by the Chairperson.

### 37. Minutes of general meeting

- 37.1 The Committee must ensure that minutes are taken and kept of each general meeting.
- 37.2 The minutes must record the business considered at the meeting, any resolution on which a vote is taken and the result of the vote.
- 37.3 In addition, the minutes of each annual general meeting must include:
- 37.3.1 the names of the members attending the meeting; and
  - 37.3.2 proxy forms given to the Chairperson of the meeting under clause 28.6; and
  - 37.3.3 the financial statements submitted to the members in accordance with clauses 22.4.2 and 22.4.4; and
  - 37.3.4 the certificate signed by two committee members certifying that the financial statements give a true and fair view of the financial position and performance of the Club; and
  - 37.3.5 any audited accounts and auditor's report or report of a review accompanying the financial statements that are required under the Act.

## CONSTITUTION AND RULES FOR KNOX OBEDIENCE DOG CLUB (INCORPORATED)

### PART 6 - COMMITTEE

#### 38. Committee of Management

- 38.1 The affairs of the Club shall be managed by a Committee of Management constituted as provided in Clause 38.8.
- 38.2 The Committee:
- 38.2.1 shall control and manage the business and affairs of the Club.
  - 38.2.2 may, subject to these Rules, the Regulations and the Act, exercise all such powers and functions as may be exercised by the Club other than those powers and functions that are required by these Rules to be exercised by general meetings of the members of the Club; and
  - 38.2.3 subject to these Rules, and the Act, has power to perform all such acts and things as appear to the Committee to be essential for the proper management of the business and affairs of the Club;
  - 38.2.4 shall publish in the Club newsletter (Pawprint) and on the Club website monthly or periodically, matters and items of interest or concern to members and affiliated bodies that are not deemed confidential.
- 38.3 The Office Bearers for the time being of the Club shall be:
- ✎ a President;
  - ✎ 2 Vice Presidents;
  - ✎ a Secretary;
  - ✎ a Treasurer;
  - ✎ such other Officers as required.
- 38.4 The provisions of Clause 42 so far as they are applicable and with the necessary modifications apply to and in relation to the election of persons to any of the offices mentioned in Clause 38.3.
- 38.5 Each Officer of the Club shall hold office until the annual general meeting next after the date of their election but is eligible for re-election.
- 38.6 In the event of a casual vacancy in any office referred to in Sub-Clause 38.3 the Committee may appoint one of its members to the vacant office and the member so appointed may continue in office until the annual general meeting next following the date of their appointment.
- 38.7 Each office bearer (executive) shall be a Member or the VCA or shall apply for membership within 21 days of being elected as such.
- 38.8 Subject to Section 38 of the Act, the Committee shall consist of:
- 38.8.1 the Officers bearers of the Club; and
- 38.9 Each ordinary member of the Committee shall, subject to these Rules, hold office until the annual general meeting next after the date of their election but is eligible for re-election.
- 38.10 In the event of a casual vacancy occurring in the office of an ordinary member of the Committee, the Committee may appoint a member of the Club to fill the vacancy and the member so appointed shall hold office, subject to these Rules, until the annual general meeting next following the date of their appointment.

## CONSTITUTION AND RULES FOR KNOX OBEDIENCE DOG CLUB (INCORPORATED)

#### 39. General Duties

- 39.1 As soon as practicable after being elected or appointed to the Committee, each committee member must:
- 39.1.1 become familiar with these Rules and the Act.
  - 39.1.2 Sign the Club Committee By-Law 02 – Committee Code of Conduct and Ethics to acknowledge that they have read, understand, and will always comply with the policy
- 39.2 The Committee is collectively responsible for ensuring that the Club complies with the Act and that individual members of the Committee comply with these Rules.
- 39.3 Committee members must exercise their powers and discharge their duties with reasonable care and diligence.
- 39.4 Committee members must exercise their powers and discharge their duties:
- 39.4.1 in good faith in the best interests of the Club; and
  - 39.4.2 for a proper purpose.
- 39.5 Committee members and former committee members must not make improper use of:
- 39.5.1 their position on the committee, or
  - 39.5.2 information acquired by virtue of holding their position
- so as to gain an advantage for themselves or any other person or to cause detriment to the Club.
- 39.6 In addition to any duties imposed by these Rules, a committee member must perform any other duties imposed from time to time by resolution at a general meeting.
- 39.7 Subject to clause 51.4, committee members shall be free to and indeed encouraged to discuss, explain, and seek viewpoints of members on any matter

#### 40. Duties of Secretary and/or Public Officer

- 40.1 The Secretary shall exercise and perform all the usual secretarial functions and generally attend to the secretarial work of the Club and in particular shall keep and maintain:
- 40.1.1 the roll of members through the membership secretary;
  - 40.1.2 minutes of all proceedings of meetings of the Committee, and of the Club;
  - 40.1.3 all necessary records of the affairs of the Club;
  - 40.1.4 a complete record of awards made at all competition trials conducted by the Club where necessary;
  - 40.1.5 and shall forward to the VCA within one month of the Annual General Meeting an Audited Statement of Receipts and Expenditure and Balance Sheet of the Club.
- 40.2 The Public Officer shall as specified by the Act.

#### 41. Duties of Treasurer

- 41.1 The Treasurer of the club shall:
- 41.1.1 Keep all necessary books of account and financial statements as shall be required by the Auditors, the VCA and the Act;
  - 41.1.2 Prepare the annual accounts and accompanying reports;

## CONSTITUTION AND RULES FOR KNOX OBEDIENCE DOG CLUB (INCORPORATED)

### 42. Election of Office Bearers and Committee

- 42.1 Nomination of members proposed as Office Bearers or as other members of the Committee shall be:
- 42.1.1 made in writing to the Secretary at least 21 days before the date of the Annual General Meeting; and
- 42.1.2 be signed by at least two members and the nominee.
- 42.2 A list of all such nominations in alphabetical order or by 'lot' shall be available to each of the Members at least fourteen days prior to the holding of the Annual General Meeting.
- 42.3 To be eligible to stand for election as President or Vice President, the nominee must have served a full term on Committee.
- 42.4 If insufficient nominations are received to fill all vacancies on the Committee, the candidates nominated shall be deemed to be elected and further nominations shall be received at the annual general meeting subject to each nominee consenting to such nomination.
- 42.5 If the number of nominations received is equal to the number of vacancies to be filled, the persons nominated shall be deemed to be elected.
- 42.6 If the number of nominations exceeds the number of vacancies to be filled, a ballot shall be held.
- 42.7 The election of the Office Bearers and ordinary members of the Committee shall be by ballot:
- 42.7.1 cast by members present at the Annual General Meeting and eligible to vote there at;
- 42.7.2 for the purpose of Sub-Clause 42.7.3 the Secretary shall, upon closure of nominations of candidates for election to the Committee of Management when a ballot becomes necessary under this Clause send forthwith to all members entitled to vote a list of all nominees in alphabetical order in respect of each position on the Committee of Management for which they have been nominated.
- 42.7.3 notwithstanding Clause 42.7.2.42.7.1 any member who is entitled to vote at the Annual General Meeting, but unable to attend shall be entitled to apply to the Secretary for a postal vote. Application for a postal vote must be in writing and lodged with the Secretary fourteen days prior to the Annual General Meeting. Within seven days the Secretary in the presence of the President and one other Committee member appointed by the Committee will forward an initialled ballot paper to each applicant and record their names. Members to whom ballot papers are posted will under no circumstances be given a second ballot paper. Completed ballot papers are to be returned to the Returning Officer or the Secretary in envelopes endorsed, "Ballot Papers". These envelopes will be handed, (unopened), to the scrutineers officiating at the poll.
- 42.7.4 The secretary shall keep a list of names to whom ballot papers are issued along with the request for a postal vote.
- 42.7.5 It is up to the member requesting the Postal vote to return it by the required date via Australia Post.
- 42.7.6 Once returned each postal vote shall be checked against the list of postal votes distributed, to validate the vote. This must be witnessed by President and one other Committee member.
- 42.8 For the purposes of the ballot, a Returning Officer may be appointed at the General Meeting of Members immediately preceding the Annual General Meeting or as the first business of the Annual General Meeting. If not so appointed, not less than two scrutineers shall be appointed by the members at, and as the first business of the Annual General Meeting.
- 42.9 Each Member wishing to participate in the ballot shall strike out from the voting paper, all names in excess of the number of positions vacant and ballot papers containing a greater or lesser number of candidates to be elected shall be invalid.
- 42.10 After the appointment of the Returning Officer and/or the scrutineers, the Returning Officer and/or the scrutineers shall count or cause to be counted by the said persons the postal votes returned in accordance with Clause 42.7.6 and the votes cast by members in accordance with Clauses 42.7.1.42.7 and 42.9

## CONSTITUTION AND RULES FOR KNOX OBEDIENCE DOG CLUB (INCORPORATED)

- 42.11 The Returning Officer and/or the scrutineers shall declare the result of the ballot immediately after the votes have been counted, and in the event of an equality of votes in favour of any candidate which could affect the election of a candidate, the Members at the Annual General Meeting shall elect one of such candidates to fill the vacancy for which they were nominated by a Resolution passed by a simple majority of Members present and voting thereon.
- 42.12 If any question shall arise as to the validity or invalidity of a voting paper, or whether any particular Member has or has not been elected to any particular Office, a statement by the Returning Officer that the relevant voting paper is or is not valid or that a particular Member has or has not been elected to a particular Office shall be conclusive.
- 42.13 For the purposes of these Rules, the office of an Officer of the Club or of an ordinary member of the Committee becomes vacant if the Officer or member:
- 42.13.1 ceases to be a member of the Club;
- 42.13.2 becomes an insolvent under administration within the meaning of the Companies (Victoria) Code;
- 42.13.3 resigns their office by notice in writing given to the Secretary;
- 42.13.4 absents oneself from three consecutive Committee meetings without leave of the Committee;
- 42.13.5 if as a member of the VCA they are disqualified or suspended by the VCA, whilst the Club remains an affiliate of the VCA

### 43. Meeting of the Committee

- 43.1 Meetings of the Committee shall be held at such place and at such time as the Committee from time to time determines.
- 43.2 The Secretary or their representative shall attend all meetings of the Committee. The minutes of such meetings signed by the Chairperson thereof or by the Chairperson of a confirmatory meeting shall be accepted as sufficient evidence of the proceedings of such meeting.
- 43.3 The Secretary shall call a meeting of the Committee whenever requested to do so by the President or by three members of the Committee.
- 43.4 The President, or in their absence, or if they shall be unwilling to act, a Vice-President present or if present they shall be unwilling to act, then a member of the Committee elected by the members thereof present in person shall be the Chairperson of a meeting of the Committee.
- 43.5 A member of the Committee shall not vote in respect of any contract or proposed contract with the Club in which they are interested or in respect of any matter arising thereout and if they do so vote, their vote shall not be counted.
- 43.6 All acts done by any meeting of the Committee or of a Sub-Committee thereof or of a Sub-Committee appointed by the members or by any person acting as a member of the Committee or of a Sub-Committee notwithstanding that it is afterwards discovered that there was some defect in the appointment of the Committee or of a Sub-Committee or of any person acting as aforesaid, or that the members of the Committee or any of them or of a Sub-Committee were disqualified shall be as valid as if any such person had been validly appointed and was qualified to be a member of the Committee or of such Sub-Committee.
- 43.7 A resolution in writing signed by all members of the Committee for the time being entitled to receive notice of a meeting of the Committee shall be as valid and effectual as if it has been passed at a meeting of the Committee duly held and convened. Any such resolution may consist of several documents in like form each signed by one or more members of the Committee.

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### 44. Notice of meetings

- 44.1 Notice of each committee meeting must be given to each committee member no later than 7 days before the date of the meeting.
- 44.2 Notice may be given of more than one committee meeting at the same time.
- 44.3 The notice must state the date, time and place of the meeting.
- 44.4 If a special committee meeting is convened, the notice must include the general nature of the business to be conducted.
- 44.5 The only business that may be conducted at the meeting is the business for which the meeting is convened.

### 45. Urgent meetings

- 45.1 In cases of urgency, a meeting can be held without notice being given in accordance with rule 44 provided that as much notice as practicable is given to each committee member by the quickest means practicable.
- 45.2 Any resolution made at the meeting must be passed by an absolute majority of the Committee.
- 45.3 The only business that may be conducted at an urgent meeting is the business for which the meeting is convened.

### 46. Procedure and order of business

- 46.1 The procedure to be followed at a meeting of a Committee must be determined from time to time by the Committee.
- 46.2 The order of business may be determined by the members present at the meeting.

### 47. Use of technology

- 47.1 A committee member who is not physically present at a committee meeting may participate in the meeting by the use of technology that allows that committee member and the committee members present at the meeting to clearly and simultaneously communicate with each other.
- 47.2 For the purposes of this Part, a committee member participating in a committee meeting as permitted under clause 47.1 is taken to be present at the meeting and, if the member votes at the meeting, is taken to have voted in person.

### 48. Quorum

- 48.1 No business may be conducted at a Committee meeting unless a quorum is present.
- 48.2 The quorum for a committee meeting is the presence (in person or as allowed under rule 47) of a majority of the committee members holding office.
- 48.3 If a quorum is not present within 30 minutes after the notified commencement time of a committee meeting:
  - 48.3.1 in the case of a special meeting—the meeting lapses;
  - 48.3.2 in any other case—the meeting must be adjourned to a date no later than 14 days after the adjournment and notice of the time, date and place to which the meeting is adjourned must be given in accordance with rule 44.

## CONSTITUTION AND RULES FOR KNOX OBEDIENCE DOG CLUB (INCORPORATED)

### 49. Voting of Members

- 49.1 At meetings of members or of the Committee or of a Sub-Committee the mode of voting shall in the first instance be by a show of hands, or if required by two members by an actual division or by ballot and the Chairperson shall have an ordinary and in the case of equality also a casting vote and all questions shall be decided by the members voting in person at any such meeting provided that on a resolution relating to the election of the Office Bearers or of the members of the Committee or relating to the expulsion of a member, the foregoing shall not apply and in lieu thereof votes shall be taken in accordance with the relevant Clause of the Rules.
- 49.2 Every member who was a financial member of the Club for not less than three months of the financial year preceding the Annual General Meeting and is currently a financial member shall be entitled to vote at the Annual General Meeting and shall be eligible to nominate or be nominated as an Office Bearer or member of the Committee except as restricted by clause 42.3. Unless the Club's By-Laws provide otherwise, a member may be nominated for and hold more than one position on the Committee.
- 49.3 No person becoming a member between the closing date of the financial year preceding the Annual General Meeting and the date of the Annual General Meeting, shall be eligible to vote at the Annual General Meeting, nominate, or be nominated as an Office Bearer or member of the Committee.
- 49.4 In all matters not covered by these Rules the Rules of common debate shall apply provided always that the best interests of the general members of the Club be served and general members have the right to vote in favour or against any Committee decision.

### 50. Conflict of interest

- 50.1 A committee member who has a material personal interest in a matter being considered at a committee meeting must disclose the nature and extent of that interest to the Committee.
- 50.2 The member:
  - 50.2.1 must not be present while the matter is being considered at the meeting; and
  - 50.2.2 must not vote on the matter.
- 50.3 As provided by the Act, if there are insufficient committee members to form a quorum because a member who has a material personal interest is disqualified from voting on a matter, a general meeting may be called to deal with the matter.
- 50.4 This rule does not apply to a material personal interest:
  - 50.4.1 that exists only because the member belongs to a class of persons for whose benefit the Club is established; or
  - 50.4.2 that the member has in common with all, or a substantial proportion of, the members of the Club.
- 50.5 Where it has been determined that there is an undeclared conflict of interest, then refer to clause 11.1 of the Disciplinary Procedure

### 51. Confidentiality

- 51.1 Where a Resolution is reached by the Committee or any subcommittee, the committee shall also decide upon a responsibility for "communications to members or individual", thereby ensuring all other committee members clearly understand how communication is to be made or announced.
- 51.2 Committee members shall not discuss such resolutions, with any person who is not a member of the committee or other subcommittees (as the case may be), until the matter has been officially announced or conveyed in accordance with the agreed procedure.

## CONSTITUTION AND RULES FOR KNOX OBEDIENCE DOG CLUB (INCORPORATED)

- 51.3 Committee members shall not knowingly discuss matters under investigation or before the Disciplinary subcommittee with any individual. Any member raising serious queries on such matters shall be referred to the Convenor of the Disciplinary subcommittee or advised to correspond with the President.
- 51.4 Where the Committee decides that a matter before the Committee is to be kept totally confidential than no member of the committee shall divulge any details to do with that matter, except to a person who is a member of the appropriate committee.
- 51.5 Subject to the above rules, committee members shall be free to and indeed encouraged to discuss, explain, and seek viewpoint of members on any matter.
- 51.6 This rule is to be read in conjunction with By-Law 01 – Privacy & Confidentiality Policy.

### 52. Minutes of meeting

- 52.1 The Committee must ensure that minutes are taken and kept of each committee meeting.
- 52.2 The minutes must record the following—
- 52.2.1 the names of the members in attendance at the meeting;
  - 52.2.2 the business considered at the meeting;
  - 52.2.3 any resolution on which a vote is taken and the result of the vote;
  - 52.2.4 any material personal interest disclosed under rule 50.

### 53. Removal of Member of Committee or Public Officer

- 53.1 The Club at a general meeting may by resolution remove any member of the Committee before the expiration of their term of office and appoint another member within fourteen days in their stead to hold office until the expiration of the term of the first-mentioned member: however
- 53.2 Where the member to whom a proposed resolution referred to in Sub-Clause makes a representations in writing to the Secretary or President of the Club (not exceeding a reasonable length) and requests that they be notified to the members of the Club, the Secretary or the President may send a copy of the representations to each member of the Club or, if they are not so sent, the member may require that they be read out at the meeting.

## CONSTITUTION AND RULES FOR KNOX OBEDIENCE DOG CLUB (INCORPORATED)

### PART 7 - FINANCIAL MATTERS

#### 54. Funds

- 54.1 The funds of the Club shall be derived from joining fees, membership fees, entrance fees, annual subscriptions, donations and such other sources as the Committee determines. (Clause 6 for members and joining fees)

#### 55. Banking Account

- 55.1 The Committee shall cause a bank account to be opened with a recognised Bank and be kept in the name of the Club.
- 55.2 All cheques payable to the Club shall be deposited to the credit of the Club's banking account.
- 55.3 All moneys payable on behalf of the Club amounting to \$200.00 or upwards with the exception of prize money shall be paid by cheque drawn upon the Club's bankers which shall be signed by the Treasurer or in their absence their authorised deputy and any one of the Office Bearers authorised to sign on behalf of the Club. Notice of every such authority or change thereof shall be given to the Club's bankers forthwith whenever the need shall arise. Where an amount less than \$200.00 is paid in cash, the Treasurer, or their authorised deputy, shall ensure a receipt is obtained at the time of the transaction.

#### 56. Audit and Auditor

- 56.1 Subject to any Regulation that may be made under the Act, the members at the Annual General Meeting shall appoint each year one person with accountancy knowledge to be the Auditor of the Club and a person so appointed shall hold that office until the next Annual General Meeting. A casual vacancy occurring in the position of Auditor shall be filled by the Committee.
- 56.2 Notice of the nomination of any person other than a retiring Auditor for appointment as Auditor shall be given to the members not less than fourteen days before the Annual General Meeting at which the appointment of Auditor is to be made.
- 56.3 A person shall not be appointed or act as Auditor of the Club if they are an Office Bearer or an ordinary member of the Committee

#### 57. Financial Year

- 57.1 The financial year of the Club shall commence on the first day of November in each year and terminate on the last day of October of the following year. Member fees must be paid on or before the first day of November each year, for continuity of membership.

#### 58. Property

- 58.1 The property assets and income of the Club, wherever derived, shall be applied towards the promotion of the Objects of the Club, and no portion thereof shall be paid or transferred either directly or indirectly to any member or members of the Club. Provided that nothing herein contained shall prevent the payment in good faith of remuneration or reimbursement to any officers or servants of the Club or any member in return for services actually rendered or for authorised expenses incurred nor prevent the payment of interest on money borrowed from any member of the Club. Should the Club for any reason whatsoever, cease to function, the members may, at a meeting specially convened for the purpose of the winding up of the affairs of the Club, direct by resolution, passed by a majority of 75% of financial members, of which the Members shall receive not less than 21 day's notice, that the funds be donated to an approved charity or applied for use by approved canine activity.

# CONSTITUTION AND RULES FOR KNOX OBEDIENCE DOG CLUB (INCORPORATED)

## PART 8 - GENERAL MATTERS

### 59. Common Seal

- 59.1 The Common Seal of the Club shall be kept in the custody of the Secretary.
- 59.2 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 two members of the Committee or one member of the Committee and of the Public Officer of the Club.

### 60. Notice requirements

- 60.1 Any notice required to be given to a member or a committee member under these Rules may be given:
  - 60.1.1 by handing the notice to the member personally; or
  - 60.1.2 by sending it by post to the member at the address recorded for the member on the register of members; or
  - 60.1.3 by email.
- 60.2 Clause 60.1 does not apply to notice given under clause 45.
- 60.3 Any notice required to be given to the Club or the Committee may be given—
  - 60.3.1 by handing the notice to a member of the Committee; or
  - 60.3.2 by sending the notice by post to the registered address; or
  - 60.3.3 by leaving the notice at the registered address; or
  - 60.3.4 if the Committee determines that it is appropriate in the circumstances:
    - a) by email to the email address of the Club or the Secretary; or

### 61. Custody and inspection of books and Records

- 61.1 Except as otherwise provided in the Act and in these rules, the Secretary shall keep in their custody or under their control all books, documents, and securities of the Club.
- 61.2 The books and documents referred to in Sub-Clause 61.1 shall be available for inspection by any member.
- 61.3 The member must request in writing with a valid reason to inspect, where inspection relating to the member's private details.

### 62. Winding Up or Cancellation

- 62.1 In the event of the winding up or the cancellation of the incorporation of the Club, the assets of the Club shall be disposed of in accordance with the provisions of the Act and *Clause 58* of these Rules.

### 63. Alteration of Rules and Statement of Purpose

- 63.1 These Rules and the Statement of Purposes of the Club shall not be altered except in accordance with the Act.

# CONSTITUTION AND RULES FOR KNOX OBEDIENCE DOG CLUB (INCORPORATED)

### 64. Visitors

- 64.1 A visitor to the Club must not be supplied with liquor in the Club premises unless in the company of a Club member and after signing the visitor's book.

### 65. By-Laws

- 65.1 Subject always to the Act, VCA Rules and Regulations, and these Rules, members in a General Meeting may make By-Laws by resolution passed by a majority of not less than three fourths of the members present and voting in person or via proxy and may from time to time amend such By-Laws by variation, deletion or addition as they shall think fit in respect of:
  - 65.1.1 nominations of members;
  - 65.1.2 amount of joining fee, if any, and the annual membership subscription;
  - 65.1.3 the conduction of ballots;
  - 65.1.4 the holding and conducting of Competition Trials by the Club;
  - 65.1.5 the granting of awards and prizes at such Competition Trials;
  - 65.1.6 the manner and procedure of dealing with protests and objections made at Trials subject always to the VCA Rules;
  - 65.1.7 meetings of members and of Committees;
  - 65.1.8 the publication of a Newsletter or Journal;
  - 65.1.9 any matter the members consider necessary.