



# **CORIO BAY CAMERA CLUB INCORPORATED**

**Incorporation No: A0004714**

**ABN: 94 345 409 076**

## **RULES**

**Amended 29/07/10**

**Approved 06/09/10**

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## 1. Name

- (1) The name of the incorporated association is Corio Bay Camera Club Incorporated (in these Rules called "the Association").

## 2 Definitions

- (1) In these Rules, unless the contrary intention appears—  
*committee* means the committee of management of the Association;  
*financial year* means the year ending on 31 December;  
*general meeting* means a general meeting of members convened in accordance with rule 12;  
*member* means a member of the Association;  
*ordinary member of the committee* means a member of the committee who is not an officer of the Association under rule 21;  
*Regulations* means regulations under the Act;  
*the Act* means the **Associations Incorporation Act 1981**.
- (2) In these Rules, a reference to the Secretary of an Association is a reference—
  - (a) if a person holds office under these Rules as Secretary of the Association—to that person; and
  - (b) in any other case, to the public officer of the Association.

## 3 Alteration of the rules

- (1) These Rules and the statement of purposes of the Association must not be altered except in accordance with the Act.

## 4 Membership, entry fees and subscription

- (1) A person who is nominated and approved for membership as provided in these Rules is eligible to be a member of the Association on payment of the full or pro rata annual subscription payable under the by-laws.
- (2) A person who is not a member of the Association at the time of the incorporation of the Association (or who was a member at that time but has ceased to be a member) must not be admitted to membership unless—
  - (a) he or she is nominated for membership in accordance with subrule (3); and
  - (b) the admission as a member is approved by the committee.
- (3) A nomination of a person for membership of the Association must—
  - (a) be made in writing in the form set out in Appendix 1; and
  - (b) be lodged with the Secretary of the Association.
- (4) As soon as practicable after the receipt of a nomination, the Secretary must refer the nomination to the committee.
- (5) The committee must determine whether to approve or reject the nomination.
- (6) If the committee approves a nomination for membership, the Secretary must, as soon as practicable—

- (a) notify the nominee in writing, or in a manner that the committee may direct, of the approval for membership; and
  - (b) request payment within 28 days after receipt of the notification of the sum payable under the by-laws as the first year's annual subscription.
- (7) The Secretary must, within 28 days after receipt of the amounts referred to in subrule (6), enter the nominee's name in the register of members.
  - (8) A nominee for membership becomes a member and is entitled to exercise the rights of membership when his or her name is entered in the register of members.
  - (9) If the committee rejects a nomination, the Secretary must, as soon as practicable, notify the nominee in writing that the application has been rejected.
  - (10) A right, privilege, or obligation of a person by reason of membership of the Association—
    - (a) is not capable of being transferred or transmitted to another person; and
    - (b) terminates upon the cessation of membership whether by death or resignation or otherwise.
  - (11) The entrance fee is nil.
  - (12) Membership fees shall be set yearly by the committee and be approved by a majority of members present at the Annual General Meeting.
  - (13) The annual subscription is payable in advance on or before the first day of January in each year.
  - (14) Pensioners, juniors and students may be admitted and shall pay an annual subscription that is a proportion of the adult subscription rate payable under the by-laws.
  - (15) On the recommendation of the committee, a member may be elected to life membership by a two thirds majority of members present at any general meeting of the Association, and shall thereafter be entitled to all the privileges of membership without the requirement to pay an annual subscription or any special payment.
  - (16) Members must notify the Secretary in writing as soon as practicable of any change of address and/or contact details.

## **5 Register of members**

- (1) The Secretary must keep and maintain a register of members containing—
  - (a) the name and address of each member; and
  - (b) the date on which each member's name was entered in the register.
- (2) The register is available for inspection at the discretion of the President or his or her delegate free of charge by any member upon request.

## **6 Ceasing membership**

- (1) A member of the Association who has paid all moneys due and payable by a member to the Association may resign from the Association by giving one month's notice in writing to the Secretary of his or her intention to resign.
- (2) A member of the Association shall be deemed to have resigned from the Association if he or she has not paid the annual subscription fee by the date of the Annual General Meeting.

- (3) After the expiry of the period referred to in subrule (1) or after resignation as referred to in subrule (2)—
  - (a) the member ceases to be a member; and
  - (b) the Secretary must record in the register of members the date on which the member ceased to be a member.

## **7 Discipline, suspension and expulsion of members**

- (1) Subject to these Rules, if the committee is of the opinion that a member has refused or neglected to comply with these Rules, or has been guilty of conduct unbecoming a member or prejudicial to the interests of the Association, the committee may by resolution—
  - (a) suspend that member from membership of the Association for a specified period; or
  - (b) expel that member from the Association.
- (2) A resolution of the committee under subrule (1) does not take effect unless—
  - (a) at a meeting held in accordance with subrule (3), the committee confirms the resolution; and
  - (b) if the member exercises a right of appeal to the Association under this rule, the Association confirms the resolution in accordance with this rule.
- (3) A meeting of the committee to confirm or revoke a resolution passed under subrule (1) must be held not earlier than 14 days, and not later than 28 days, after notice has been given to the member in accordance with subrule (4).
- (4) For the purposes of giving notice in accordance with subrule (3), the Secretary must, as soon as practicable, cause to be given to the member a written notice—
  - (a) setting out the resolution of the committee and the grounds on which it is based; and
  - (b) stating that the member, or his or her representative, may address the committee at a meeting to be held not earlier than 14 days and not later than 28 days after the notice has been given to that member; and
  - (c) stating the date, place and time of that meeting; and
  - (d) informing the member that he or she may do one or both of the following—
    - (i) attend that meeting;
    - (ii) give to the committee before the date of that meeting a written statement seeking the revocation of the resolution; and
  - (e) informing the member that, if at that meeting, the committee confirms the resolution, he or she may, not later than 48 hours after that meeting, give the Secretary a notice to the effect that he or she wishes to appeal to the Association in general meeting against the resolution.
- (5) At a meeting of the committee to confirm or revoke a resolution passed under subrule (1), the committee must—
  - (a) give the member, or his or her representative, an opportunity to be heard; and
  - (b) give due consideration to any written statement submitted by the member; and

- (c) determine by resolution whether to confirm or to revoke the resolution.
- (6) If at the meeting of the committee, the committee confirms the resolution, the member may, not later than 48 hours after that meeting, give the Secretary a notice to the effect that he or she wishes to appeal to the Association in general meeting against the resolution.
- (7) If the Secretary receives a notice under subrule (6), he or she must notify the committee and the committee must convene a general meeting of the Association to be held within 21 days after the date on which the Secretary received the notice.
- (8) At a general meeting of the Association convened under subrule (7)—
  - (a) no business other than the question of the appeal may be conducted; and
  - (b) the committee may place before the meeting details of the grounds for the resolution and the reasons for the passing of the resolution; and
  - (c) the member, or his or her representative, must be given an opportunity to be heard; and
  - (d) the members present must vote by secret ballot on the question whether the resolution should be confirmed or revoked.
- (9) A resolution is confirmed if, at the general meeting, not less than two-thirds of the members present vote in favour of the resolution. In any other case, the resolution is revoked.

## **8 Disputes and mediation**

- (1) The grievance procedure set out in this rule applies to disputes under these Rules between—
  - (a) a member and another member; or
  - (b) a member and the Association.
- (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 of the parties.
- (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.
- (4) The mediator must be—
  - (a) a person chosen by agreement between the parties; or
  - (b) in the absence of agreement—
    - (i) in the case of a dispute between a member and another member, a person appointed by the committee of the Association; or
    - (ii) in the case of a dispute between a member and the Association, a person who is a mediator appointed or employed by the Dispute Settlement Centre of Victoria (Department of Justice).
- (5) A member of the Association can be a mediator.
- (6) The mediator cannot be a member who is a party to the dispute.
- (7) The parties to the dispute must, in good faith, attempt to settle the dispute by mediation.

- (8) The mediator, in conducting the mediation, must—
  - (a) give the parties to the mediation process every opportunity to be heard; and
  - (b) allow due consideration by all parties of any written statement submitted by any party; and
  - (c) ensure that natural justice is accorded to the parties to the dispute throughout the mediation process.
- (9) The mediator must not determine the dispute.
- (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.

## **9 Annual general meetings**

- (1) The Association shall in each calendar year convene an annual general meeting of its members.
- (2) The committee shall determine the date, time and place of the annual general meeting of the Association.
- (3) The notice convening the annual general meeting must specify that the meeting is an annual general meeting.
- (4) The ordinary business of the annual general meeting shall be—
  - (a) to confirm the minutes of the previous annual general meeting and of any general meeting held since that meeting; and
  - (b) to receive from the committee reports upon the transactions of the Association during the last preceding financial year; and
  - (c) to elect officers of the Association and the ordinary members of the committee; and
  - (d) to receive and consider the statement submitted by the Association in accordance with section 30(3) of the Act.
- (5) The annual general meeting may conduct any special business of which notice has been given in accordance with these Rules.
- (6) The annual general meeting shall be in addition to any other general meetings that may be held in the same year.

## **10 Special general meetings**

- (1) In addition to the annual general meeting, any other general meetings may be held in the same year.
- (2) All general meetings other than the annual general meeting are special general meetings.
- (3) The committee may, whenever it thinks fit, convene a special general meeting of the Association.
- (4) If, but for this subrule, more than 15 months would elapse between annual general meetings, the committee must convene a special general meeting before the expiration of that period.
- (5) The committee must, on the request in writing of members representing not less than 20 per cent of the total number of members, convene a special general meeting of the Association.

- (6) The request for a special general meeting must—
  - (a) state the objects of the meeting; and
  - (b) be signed by the members requesting the meeting; and
  - (c) be sent to the address of the Secretary.
- (7) The request for a special general meeting may consist of several documents in like form, each signed by one or more of the members making the request.
- (8) If the committee does not cause a special general meeting to be held within one month after the date on which the request is sent to the address of the Secretary, the members making the request, or any of them, may convene a special general meeting to be held not later than 3 months after that date.
- (9) If a special general meeting is convened by members in accordance with this rule, it must be convened in the same manner so far as possible as a meeting convened by the committee and all reasonable expenses incurred in convening the special general meeting must be refunded by the Association to the persons incurring the expenses.

## **11 Special business**

- (1) All business that is conducted at a special general meeting and all business that is conducted at the annual general meeting, except for business conducted under the rules as ordinary business of the annual general meeting, is deemed to be special business.

## **12 Notice of general meetings**

- (1) Notice of general meetings of the Association shall be given in the Association's Syllabus, which shall be published not less than seven days before the date fixed for the meeting;
- (2) If a general meeting in addition to those listed in the Association's Syllabus is called, notice may be sent not less than seven days before the date fixed for the meeting—
  - (a) by prepaid post to the address appearing in the register of members; or
  - (b) by facsimile transmission if the member has the facility for receipt of facsimile transmissions; or
  - (c) by electronic mail if the member has the facility for receipt of electronic mail; or
  - (d) by delivering the notice personally.
- (3) A member wishing to bring any business before a meeting may do so at any time provided that—
  - (a) all moneys due and payable by the member to the Association have been paid; and
  - (b) a quorum in accordance with subrule 13(2) is present.

## **13 Quorum at general meetings**

- (1) No item of business may be conducted at a general meeting unless a quorum of members entitled under these Rules to vote is present at the time when the meeting is considering that item.

- (2) Twenty five percent of members personally present (being members entitled under these Rules to vote at a general meeting) constitute a quorum for the conduct of the business of a general meeting.
- (3) If, within half an hour after the appointed time for the commencement of a general meeting, a quorum is not present—
  - (a) in the case of a meeting convened upon the request of members—the meeting must be dissolved; and
  - (b) in any other case—the meeting shall stand adjourned to the same place (unless another place is specified by the Chairperson at the time of the adjournment) to a date and time to be fixed by the Chairperson that is within twenty one days of the original date.
- (4) If at the adjourned meeting the quorum is not present within half an hour after the time appointed for the commencement of the meeting, the members personally present (being not less than twenty percent of the members) shall be a quorum.

#### **14 Presiding at general meetings**

- (1) The President, or in the President's absence, the Vice-President, shall preside as Chairperson at each general meeting of the Association.
- (2) If the President and the Vice-President are absent from a general meeting, or are unable to preside, the members present must select one of their number to preside as Chairperson.

#### **15 Adjournment of meetings**

- (1) The person presiding may, with the consent of a majority of members present at the meeting, adjourn the meeting from time to time and place to place.
- (2) No business may be conducted at an adjourned meeting other than the unfinished business from the meeting that was adjourned.
- (3) If a meeting is adjourned for 14 days or more, notice of the adjourned meeting must be given in accordance with rule 12.
- (4) Except as provided in subrule (3), it is not necessary to give notice of an adjournment or of the business to be conducted at an adjourned meeting.

#### **16 Voting at general meetings**

- (1) Upon any question arising at a general meeting of the Association, a member has one vote only.
- (2) All votes must be given personally.
- (3) In the case of an equality of voting on a question, the Chairperson of the meeting is entitled to exercise a second or casting vote.
- (4) A member is not entitled to vote at a general meeting unless all moneys due and payable by the member to the Association have been paid.

#### **17 Poll at general meetings**

- (1) If at a meeting a poll on any question is demanded by not less than 3 members, it must be taken at that meeting in such manner as the Chairperson may direct and the resolution of the poll shall be deemed to be a resolution of the meeting on that question.

- (2) A poll that is demanded on the election of a Chairperson or on a question of an adjournment must be taken immediately and a poll that is demanded on any other question must be taken at such time before the close of the meeting as the Chairperson may direct.

## **18 Manner of determining whether resolution carried**

- (1) If a question arising at a general meeting of the Association is determined on a show of hands—
- (a) a declaration by the Chairperson that a resolution has been—
    - (i) carried; or
    - (ii) carried unanimously; or
    - (iii) carried by a particular majority; or
    - (iv) lost; and
  - (b) an entry to that effect in the minute book of the Association—
- is evidence of the fact, without proof of the number or proportion of the votes recorded in favour of, or against, that resolution.

## **19 Proxies**

- (1) There shall be no proxy voting permitted.

## **20 Committee of management**

- (1) The affairs of the Association shall be managed by the committee of management.
- (2) The committee—
- (a) shall control and manage the business and affairs of the Association; and
  - (b) may, subject to these Rules, the Act and the Regulations, exercise all such powers and functions as may be exercised by the Association other than those powers and functions that are required by these Rules to be exercised by general meetings of the members of the Association; and
  - (c) subject to these Rules, the Act and the Regulations, 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 Association.
- (3) Subject to section 23 of the Act, the committee shall consist of—
- (a) the officers of the Association; and
  - (b) the monthly competition secretary, and
  - (c) the interclub competition secretary, and
  - (d) as many additional ordinary members of the Association as deemed necessary but no fewer than two nor more than four—
- each of whom shall be elected at the annual general meeting of the Association in each year.

## **21 Office holders**

- (1) The officers of the Association shall be—
- (a) a President;

- (b) a Vice-President;
  - (c) a Treasurer; and
  - (d) a Secretary.
- (2) The provisions of rule 23, 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 referred to in subrule (1).
  - (3) Each officer of the Association shall hold office until the annual general meeting next after the date of his or her election but is eligible for re-election.
  - (4) In the event of a casual vacancy in any office referred to in subrule (1), the committee may appoint one of its members to the vacant office and the member appointed may continue in office up to and including the conclusion of the annual general meeting next following the date of the appointment.
  - (5) In addition to the officers referred to in subrule (1), the committee may appoint one or more members of the Association to the positions of—
    - (a) Property Steward
    - (b) VAPS delegate
    - (c) Webmaster(s), and
    - (d) other positions as deemed necessary from time to time.
  - (6) Holders of the positions referred to in subrule (5) shall hold office for a period that is mutually agreed between the committee and the member or members.
  - (7) Holders of positions referred to in subrule (5) may be either committee members or ordinary members of the Association.
  - (8) The position of Public Officer shall be held by the Secretary

## **22 Ordinary members of the committee**

- (1) Subject to these Rules, each ordinary member of the committee shall hold office until the annual general meeting next after the date of election but is eligible for re-election.
- (2) 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 Association to fill the vacancy and the member appointed shall hold office, subject to these Rules, until the conclusion of the annual general meeting next following the date of the appointment.
- (3) If there is a vacancy for an additional ordinary member of the Committee caused by another event, the Committee may appoint a member of the Association to fill the vacancy and the person so appointed shall hold office, subject to these rules, until the conclusion of the annual general meeting following the date of their appointment.

## **23 Election of officers and ordinary committee members**

- (1) Nominations of candidates for election as officers of the Association or as other members of the committee must be—
  - (a) made in writing, signed by two members of the Association and accompanied by the written consent of the candidate (which may be endorsed on the form of nomination); and

- (b) delivered to the Secretary of the Association on or prior to the date fixed for the holding of the annual general meeting.
- (2) If insufficient nominations are received to fill all vacancies on the committee, the candidates nominated shall be deemed to be elected and further nominations may be received from the floor at the annual general meeting.
- (3) 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.
- (4) If the number of nominations exceeds the number of vacancies to be filled, a ballot must be held.
- (5) The ballot for the election of officers and other members of the committee must be conducted at the annual general meeting in such manner as the committee may direct.
- (6) A member is not eligible for election to the committee under this rule unless all moneys due and payable by the member to the Association have been paid.

## **24 Vacancies**

- (1) The office of an officer of the Association, or of an ordinary member of the committee, becomes vacant if the officer or member—
  - (a) ceases to be a member of the Association; or
  - (b) becomes an insolvent under administration within the meaning of the Corporations Act; or
  - (c) resigns from office by notice in writing given to the Secretary; or
  - (d) absents himself or herself from three consecutive committee meetings without leave.
- (2) Vacancies created under circumstances referred to in subrule (1) shall be filled in accordance with Rule 21 and Rule 22 as appropriate.

## **25 Meetings of the committee**

- (1) The committee must meet at least three times in each year at such place and such times as the committee may determine.
- (2) Special meetings of the committee may be convened by the President or by any three members of the committee.

## **26 Notice of committee meetings**

- (1) Notice of committee meetings of the Association shall be given in the Association's Syllabus, which shall be published not less than seven days before the date fixed for the meeting.
- (2) Notice must be given to members of the committee of any special meeting specifying the general nature of the business to be conducted.
- (3) Other business may be conducted at a special committee meeting referred to in subrule (2) when the specified business has been completed.

## **27 Quorum for committee meetings**

- (1) A number equal to more than fifty per cent of the members of the committee constitute a quorum for the conduct of the business of a meeting of the committee.

- (2) No business may be conducted unless a quorum is present.
- (3) If within half an hour of the time appointed for the meeting a quorum is not present—
  - (a) in the case of a special meeting—the meeting lapses;
  - (b) in any other case—the meeting shall stand adjourned to the same place (unless another place is specified by the Chairperson at the time of the adjournment) to a date and time to be fixed by the Chairperson that is within twenty one days of the original date.
- (4) The committee may act notwithstanding any vacancy on the committee.
- (5) The committee may invite ordinary members of the Association to attend committee meetings.
- (6) Members invited to attend committee meetings subject to subrule (5) do not contribute to the constitution of a quorum.
- (7) Members invited to attend a committee meeting subject to subrule (5) shall not be entitled to vote on questions arising in committee meetings.

## **28 Presiding at committee meetings**

- (1) At meetings of the committee—
  - (a) the President or, in the President's absence, the Vice-President presides; or
  - (b) if the President and the Vice-President are absent, or are unable to preside, the members present must choose one of their number to preside.

## **29 Voting at committee meetings**

- (1) Questions arising at a meeting of the committee, or at a meeting of any subcommittee appointed by the committee, shall be determined on a show of hands or, if a member requests, by a poll taken in such manner as the person presiding at that meeting may determine.
- (2) Each member present at a meeting of the committee, or at a meeting of any subcommittee appointed by the committee (including the person presiding at the meeting), is entitled to one vote and, in the event of an equality of votes on any question, the person presiding may exercise a second or casting vote.

## **30 Removal of committee member**

- (1) The Association in general meeting may, by resolution, remove any member of the committee before the expiration of the member's term of office and appoint another member in his or her place to hold office until the expiration of the term of the first-mentioned member.
- (2) A member who is the subject of a proposed resolution referred to in subrule (1) may make representations in writing to the Secretary or President of the Association (not exceeding a reasonable length) and may request that the representations be provided to the members of the Association.
- (3) The Secretary or the President may give a copy of the representations to each member of the Association or, if they are not so given, the member may require that they be read out at the meeting.

### **31 Minutes of meetings**

- (1) The Secretary of the Association must keep minutes of the resolutions and proceedings of each general meeting, and each committee meeting, in printed or hand written format together with a record of the names of persons present at committee meetings.

### **32 Funds**

- (1) The Treasurer of the Association must—
  - (a) collect and receive all moneys due to the Association and make all payments authorised by the Association; and
  - (b) keep correct accounts and books showing the financial affairs of the Association with full details of all receipts and expenditure connected with the activities of the Association.
- (2) All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments must be signed by any two of—
  - (a) the President;
  - (b) the Secretary; or
  - (c) the Treasurer.
- (3) The funds of the Association shall be derived from annual subscriptions, donations and such other sources as the committee determines.

### **33 Seal**

- (1) The common seal of the Association must be kept in the custody of the Secretary.
- (2) The common seal must not be affixed to any instrument except by the authority of the committee and the affixing of the common seal must be attested by the signatures either of two members of the committee or, of one member of the committee and of the public officer of the Association.

### **34 Notice to members**

- (1) Except for the requirement in rule 12, any notice that is required to be given to a member, by or on behalf of the Association, under these Rules may be given by—
  - (a) delivering the notice to the member personally; or
  - (b) sending it by prepaid post addressed to the member at that member's address shown in the register of members; or
  - (c) facsimile transmission, if the member has facilities for receipt of facsimile transmissions; or
  - (d) electronic mail, if the member has facilities for receiving electronic mail.
- (2) Where a document is properly addressed, pre-paid and posted to a member, the document shall, unless the contrary is proved, be deemed to have been given to the member at the time at which the letter would have been delivered in the ordinary course of post.

### **35 Winding up**

- (1) In the event of the winding up or the cancellation of the incorporation of the Association, the assets of the Association must be disposed of in accordance with the provisions of the Act.

### **36 Custody and inspection of books and records**

- (1) Except as otherwise provided in these Rules, the Secretary must keep in his or her custody or under his or her control all books, documents and securities of the Association.
  - (2) All accounts, books, securities and any other relevant documents of the Association must be available for inspection free of charge by any member upon request.
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**APPENDIX 1**

**APPLICATION FOR MEMBERSHIP OF CORIO BAY CAMERA CLUB INCORPORATED**

I,	(full name)
Of	(address)
Email	Phone
	Mobile
wish to become a member of Corio Bay Camera Club Incorporated (the Association). In the event of my admission as a member, I agree to be bound by the rules of the Association for the time being in force.	
Signature of Applicant	Date
Signature of Parent or Guardian (if under 18)	Date

I,	
a member of the Association, nominate the applicant for membership of the Association	
Signature of Proposer	Date

I,	
a member of the Association, second the applicant for membership of the Association	
Signature of Seconder	Date

**OFFICE USE ONLY**

Membership Type	Adult	Pensioner	Student	Junior	Remote
Initial Subscription:	Full Year		Pro Rata		
Date Application Received			Date Application Approved		
Receipt	Syllabus	Name Tag	Membership Number		