



**Constitution of Lake Pedder Anglers Club Incorporated
September 2020**

1. Name of association

1.1 The name of the association is: Lake Pedder Anglers Club Incorporated

2. Interpretation

2.1 In these rules, unless the context otherwise requires –

- (a) "**accounting records**" has the same meaning as in the Act.
- (b) "**Act**" means the *Associations Incorporation Act 1964*;
- (c) "**annual general meeting**" means an annual general meeting of the association held under rule 11;
- (d) "**Association**" means the association referred to in rule 1;
- (e) "**association**" has the same meaning as in the Act.
- (f) "**auditor**" means the person appointed as the auditor of the Association under rule 9;
- (g) "**authorised deposit-taking institution**" means a body corporate that is an authorised deposit-taking institution for the purposes of the *Banking Act 1959* of the Commonwealth.
- (h) "**basic objects of the Association**" means the objects and purposes of the Association as stated in an application under section 7 of the Act for the incorporation of the Association;
- (i) "**committee**" means the committee of management referred to in rule 22;
- (j) "**financial year**" has the same meaning as in the Act.
- (k) "**general meeting**" means –
 - (i) an annual general meeting; or
 - (ii) a special general meeting.
- (l) "**officer of the Association**" means a person elected as an officer of the Association at an annual general meeting or appointed as an officer of the Association under rule 23(5);
- (m) "**ordinary business of an annual general meeting**" means the business specified in rule 11(5);
- (n) "**ordinary committee member**" means a member of the committee other than an officer of the Association.
- (o) "**special committee meeting**" means a meeting of the committee that is convened under rule 27(2) by the president or any 4 of the members of the committee;
- (p) "**special general meeting**" means a meeting of the Association, other than an annual general meeting, convened under rule 13;
- (q) "**special resolution**" has the same meaning as in the Act.

3. Association's office

The office of the Association is to be at the residence of the Secretary of the Association as changes from time to time.

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4. Objects and purposes of Association

4.1 The following are the objects and purposes of the Association:

- (a) To take over and acquire the whole or any part of the real and personal property of the present unincorporated body known as the Lake Pedder Anglers Club.
- (b) To promote and safeguard the trout fisheries of Lakes Pedder and Gordon and to assist in their conservation and improvement.
- (c) To represent the interests of the members of the Association.
- (d) To promote community interest and support for trout fishing at Lakes Pedder and Gordon including activities such as providing donations to charities or organising public events.
- (e) To promote and protect the south west wilderness area surrounding Lake Pedder and Lake Gordon.

4.2 .In addition to the basic objectives of the association, the objects and purposes of the association shall be deemed to include -

- (a) the purchase, taking on lease or in exchange, hire or other acquisition of any real or personal property necessary or convenient for any of the objects or purposes of the Association.
- (b) the purchase, sale, or supply of, or other dealing in, goods.
- (c) the construction, maintenance or alteration of any building or works necessary or convenient for any of the objects or purposes of the Association.
- (d) the acceptance of a gift for any of the objects or purposes of the Association.
- (e) the taking of any step the committee or the members of the Association at a general meeting determine expedient for the purpose of procuring contributions to the funds of the Association.
- (f) the printing or publication of any newspaper, periodical, book, leaflet or other document the committee or the members of the Association at a general meeting determine desirable for the promotion of any of the objects or purposes of the Association.
- (g) the borrowing and raising of money in any manner and on terms the committee thinks fit; or as approved or directed by resolution passed at a general meeting.
- (h) subject to the provisions of the *Trustee Act 1898*, the investment, in any manner the committee determines, of any money of the Association not immediately required for any of the objects or purposes of the Association;
- (i) the making of a gift, subscription, or donation to any of the funds, authorities or institutions to which *section 78A of the Income Tax Assessment Act 1936* of the Commonwealth relates.
- (j) the purchase, or acquisition, and the undertaking of all or part of the property, assets, liabilities or engagements of any association with which the Association is amalgamated in accordance with the provisions of the Act and the rules of the Association;
- (k) the doing of any lawful thing incidental or conducive to the attainment of the objects or purposes of the Association.

5. Membership of Association

5.1 The association shall consist of Adult, Junior, Family and Life members.

5.2 Junior members will be under 18 years of age

5.3 Life membership may be awarded in cases where a member has demonstrated a sustained level of service to the association.

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- (a) The membership fee, which would normally apply to his membership from the date of award, shall be set in line with all Annual subscriptions.
 - (b) The procedure for awarding life membership shall be as laid down in By-law no1
- 5.4** Current members, (including life members) and any position(s) they may hold as officers or committee members of the Association at the time of the incorporation of the Association will have their membership and those positions transferred.
- 5.5** An application of a person for membership is to be –
- (a) made in writing on the Association membership application form.
 - (b) lodged with the Treasurer of the association.
 - (c) payment of annual subscription is to be included at time of application.
- 5.6** If an application for membership is received with payment, the secretary will –
- (a) on receipt of the amount payable by the nominee as the first annual subscription, enter the nominee's name in a register of members.
 - (b) The committee may refuse any membership application(s) with no debate.
- 5.7** A member of the Association may resign by serving on the secretary/public officer a written notice of resignation.
- 5.8** On receipt of a notice from a member of the Association under subrule (7), the Secretary/public officer is to remove the name of the member from the register of members.
- 5.9** A person –
- (a) becomes a member of the Association when his or her name is entered in the register of members; and
 - (b) ceases to be a member of the Association when his or her name is removed from the register of members.
- 5.10** Any right, privilege, or obligation of a person as a member of the Association
- (a) is not capable of being transferred to another person; and
 - (b) terminates on the cessation of the membership.
- 5.11** Lapsed membership occurs where a member becomes for a period of three months either unfinancial or has a debt to the club and
- (a) Has received notice of this in writing from the secretary and
 - (b) Has failed to become financial within fourteen days from the date of such notice
- A notice under this section shall be served by the secretary either personally on a member concerned or by sending it by ordinary post addressed to the member at his usual or last known postal address or emailed to last known email address.
- 6. Income and property of Association**
- 6.1** The income and property of the Association is to be applied solely towards the promotion of the objects and purposes of the Association.
- 6.2** No portion of the income or property of the Association is to be paid or transferred to any member of the Association unless the payment or transfer is made in accordance with this rule.
- 6.3** The Association may –
- (a) pay a servant or member of the Association –
 - (i) remuneration in return for services rendered to the Association, or for goods supplied to the Association, in the ordinary course of business of the servant or member; or

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- (ii) remuneration that constitutes a reimbursement for out-of-pocket expenses incurred by the servant or member for any of the objects or purposes of the Association. This amount will have prior approval by the committee
 - (b) if so requested by or on behalf of any other association, organisation, or body, appoint or nominate a member of the Association to an office in that other association, organisation or body.
- 6.4 Despite subrule (3)(b), the Association is not to appoint or nominate a member of the Association under that subrule to an office in respect of which remuneration is payable unless the Association or committee has first approved –
 - (a) that appointment or nomination; and
 - (b) the receipt of that remuneration by that member.
- 7. **Accounts of receipts and expenditure**
 - 7.1 True accounts are to be kept of the following:
 - (a) each receipt or payment of money by the Association and the matter in respect of which the money was received or paid.
 - (b) each asset or liability of the Association.
 - 7.2 The accounts are to be open to inspection by the members of the Association at any reasonable time, and in any reasonable manner, determined by the committee.
 - 7.3 The treasurer of the Association is to keep all accounting books, and general records and records of receipts and payments, connected with the business of the Association in the form and manner the committee determines.
- 8. **Banking and finance**
 - 8.1 On behalf of the Association, the treasurer of the Association is to
 - (a) receive any money paid to the Association; and
 - (b) issue an official receipt in respect of all money received. It is noted with some money received such as raffles and fundraising activities it may not be possible to issue a receipt, in this case the amounts deposited will be counted in the presence of another member and entered into the associations financial records and deposited into associations account as per subrule (2); and
 - (c) cause the money to be paid into the account opened under subrule (2) as soon as practicable after it is received.
 - 8.2 The committee is to open with an authorised deposit-taking institution an account in the name of the Association.
 - 8.3 The committee may –
 - (a) receive from the associations financial institution cheques drawn by the Association on any of the Association's accounts with the financial institution; and
 - (b) release or indemnify the financial institution from or against any claim, or action or other proceeding, arising directly or indirectly out of the drawing of that cheque; and
 - (c) by the electronic transfer of funds from the associations account to another account at an authorised deposit taking institution. A savings debit card may be opened on behalf of the association.
 - 8.4 Except with the authority of the executive committee, a payment of an amount exceeding \$100 is not to be made from the funds of the Association otherwise than by cheque drawn on the Association's account.

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- 8.5** The committee may provide the treasurer with an amount of money to meet urgent expenditure, subject to any conditions the committee may impose in relation to the expenditure.
- 8.6** A cheque is not to be drawn on the Association's account except for the purpose of making a payment that has been authorised by the executive committee.
- 8.7** A cheque, draft, bill of exchange, promissory note or another negotiable instrument is to be
- (a) signed by the treasurer or, in the treasurer's absence, by another signatory to the account from the committee; and
 - (b) counter signed by the president or vice president of the Association.
- 9. Auditor**
- 9.1** At each annual general meeting, the members of the Association present at the meeting are to appoint a person as the auditor of the Association.
- 9.2** If an auditor is not appointed at an annual general meeting under subrule (1), the committee is to appoint a person as the auditor of the Association as soon as practicable after that annual general meeting.
- 9.3** The auditor is to hold office until the next annual general meeting and is eligible for re-appointment.
- 9.4** The first auditor –
- (a) may be appointed by the committee before the first annual general meeting; and
 - (b) if so appointed, holds office until the first annual general meeting unless earlier removed by a resolution of the members of the Association at a general meeting.
- 9.5** If the first auditor is appointed by the committee under subrule (4)(a) and subsequently removed at a general meeting under subrule (4)(b), the members of the Association, at that general meeting, may appoint an auditor to hold office until the first annual general meeting.
- 9.6** Except as provided in subrule (4)(b), the auditor may only be removed from office by special resolution.
- 9.7** If a casual vacancy occurs in the office of auditor, the committee is to appoint a person to fill the vacancy until the next annual general meeting.
- 10. Audit of accounts**
- 10.1** The auditor is to audit the financial affairs of the Association at least once in each financial year of the Association.
- 10.2** The auditor, after auditing the financial affairs of the Association for a particular financial year of the Association, is to –
- (a) certify as to the correctness of the accounts of the Association; and
 - (b) at the next annual general meeting, provide a written report to the members of the Association present at that meeting.
- 10.3** In the report and in certifying to the accounts, the auditor is to –
- (a) specify the information, if any, that he or she has required under subrule (5)(b) and obtained; and
 - (b) state whether, in his or her opinion, the accounts exhibit a true and correct view of the financial position of the Association according to the information at his or her disposal; and

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(c) state whether the rules relating to the administration of the funds of the Association have been observed.

10.4 The Treasurer of the Association is to deliver to the auditor a list of all the accounting records, books, and accounts of the Association.

10.5 The auditor may –

(a) have access to the accounting records, books, and accounts of the Association; and

(b) require from any servant of the Association any information the auditor considers necessary for the performance of his or her duties; and

(c) employ any person to assist in auditing the financial affairs of the Association; and

(d) examine any member of the committee, or any servant of the Association, in relation to the accounting records, books and accounts of the Association.

11. Annual general meeting

11.1 The Association is to hold an annual general meeting each year.

11.2 An annual general meeting is to be held on any day (being not later than 3 months after the end of the financial year of the Association) the committee determines.

11.3 An annual general meeting is to be in addition to any other general meetings that may be held in the same year.

11.4 The notice convening an annual general meeting is to specify the purpose of the meeting.

11.5 The ordinary business of an annual general meeting is to be as follows:

(a) to confirm the minutes of the last preceding annual general meeting and of any general meeting held since that meeting; and

(b) to receive from the committee, auditor, and servants of the Association reports on the transactions of the Association during the preceding financial year

(c) to elect the officers of the Association and the ordinary committee members; and

(d) to appoint the auditor.

11.6 An annual general meeting may transact special business of which notice is given in accordance with rule 13.

12. Exemptions under the Act

12.1 For any financial year that the Association is exempt from the requirement to be audited by virtue of section 24(1B) or (1C) of the Act–

(a) An auditor is not required to be appointed for that financial year under rule 10 unless the Association elects to have the financial affairs of the Association for Associations Incorporation (Model Rules) Regulations 2017 Statutory Rules 2017, No. 72sch. 122 that financial year audited in accordance with the Act and these rules; and

(b) If an auditor is not appointed for a financial year by virtue of paragraph (a) –

(i) rules 10 and 11 do not apply in respect of the Association for that financial year; and

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- (ii) rule 13(5)(b), to the extent that it relates to an auditor, does not apply in respect of the annual general meeting held by the Association in respect of that financial year; and
- (iii) rule 13(5)(d) does not apply in respect of the annual general meeting held by the Association in respect of that financial year.

12.2 For any financial year that the Association is exempt from the requirement to provide an annual return by virtue of section 24(1B) of the Act, the committee must provide, as part of the ordinary business of the annual general meeting for that financial year, a copy of the annual financial report given under the Australian Charities and Not-for-profits Commission Act 2012 of the Commonwealth in respect of that financial year.

13. Special general meetings

13.1 The committee may convene a special general meeting of the Association at any time.

13.2 The committee, on the requisition in writing of at least 15 members of the Association, is to convene a special general meeting of the Association.

13.3 A requisition for a special general meeting

(a) is to state the objects of the meeting; and

(b) is to be signed by each of the requisitionists; and

(c) is to be deposited at the office of the Association; and

(d) may consist of several documents, each signed by one or more of the requisitionists

13.4 If the committee does not cause a special general meeting to be held within 31 days after the day on which a requisition is deposited at the office of the Association, any one or more of the requisitionists may convene the meeting within 3 months after the day of the deposit of the requisition.

13.5 A special general meeting convened by requisitionists is to be convened in the same manner, as nearly as practicable, as the manner in which a special general meeting would be convened by the committee.

13.6 All reasonable expenses incurred by requisitionists in convening a special general meeting are to be refunded by the Association.

14. Notices of General meetings

14.1 At least 14 days before the day on which a general meeting of the Association is to be held, the public officer/secretary of the Association is to notify members specifying the place, day and time at which the meeting is to be held.

15. Business and quorum at general meetings

15.1 All business transacted at a general meeting, other than the ordinary business of an annual general meeting, is special business.

15.2 Business is not to be transacted at a general meeting unless a quorum is present at the time that the meeting is considering that business.

15.3 A quorum for the transaction of the business of a general meeting is half the committee plus one.

15.4 Members may attend general meetings and may be asked for their input for clarity of an issue. They may raise issues verbally or in writing to a committee member for tabling at general meetings.

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- 15.5** If a quorum is not present within one hour after the time appointed for the commencement of a general meeting, the meeting
- (a) If convened by the committee, is to be adjourned to the same day in the next month at the same time and by notice in a manner determined by the chairperson.
 - (b) If at an adjourned general meeting a quorum is not present within one hour after the time appointed for the commencement of the meeting, the meeting is dissolved.

16. Chairperson at general meetings

- 16.1** At each general meeting of the Association, the President or in his or her absence, the vice President chairperson is to preside as chairperson at every general meeting.
- 16.2** If the President and Vice President are absent from a general meeting, the members present are to elect one of their number to preside as chairperson.

17. Adjournment of general meetings

- 17.1** The chairperson of a general meeting at which a quorum is present may adjourn the meeting with the consent of the members of the Association who are present and entitled to vote at the meeting, but no business is to be transacted at an adjourned meeting other than the business left unfinished at the meeting at which the adjournment took place.
- 17.2** If a meeting is adjourned for 14 days or more, notice of the adjourned meeting is to be given in the same manner as the notice of the original meeting.
- 17.3** If a meeting is adjourned for less than 14 days, it is not necessary to give any notice of the adjournment or of the business to be transacted at the adjourned meeting.

18. Determination of questions arising at general meetings

- 18.1** A question arising at a general meeting of the Association is to be determined on a show of hands.
- 18.2** A declaration by the chairperson that a resolution has, on a show of hands, been lost or carried, or carried unanimously or carried by a particular majority, together with an entry to that effect in the minute book of the Association, is evidence of that fact unless a poll is demanded on or before that declaration.
- 18.3** Minutes are to be taken and sent to all present, committee and life members.

19. Votes

- 19.1** On any question arising at a meeting of the Association an adult financial member (other than the chairperson) has one vote only.
- 19.2** Junior members have no voting rights
- 19.3** Proxy votes (on the proxy vote form) on behalf of an absent member will be accepted at AGM and Special General Meetings.
- 19.4** In the case of an equality of voting on a question, the chairperson has a second or casting vote

20. Taking of poll

- 20.1** If at a general meeting a poll on any question is demanded –
- (a) it is to be taken at that meeting in the manner the chairperson determines; and
 - (b) the result of the poll is taken to be the resolution of the meeting on that question.

21. When poll to be taken

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21.1 A poll that is demanded on the election of a chairperson, or on a question of adjournment, is to be taken immediately.

21.2 A poll that is demanded on any other question is to be taken at any time before the close of the meeting as the chairperson determines.

22. Affairs of Association to be managed by a committee

22.1 The affairs of the Association are to be managed by a committee of management constituted as provided in rule 24.

22.2 The committee

(a) is to control and manage the business and affairs of the Association; and

(b) may exercise all the powers and perform all the functions of the Association, other than those powers and functions that are required by these rules to be exercised and performed by members of the Association at a general meeting; and

(c) has power to do anything that appears to the committee to be essential for the proper management of the business and affairs of the Association.

23. Officers of the Association

23.1 The officers of the Association (one of who will be a Southern Tasmanian Licensed Anglers Association (STLAA) representative) are as follows:

(a) President.

(b) Vice-president.

(c) Treasurer.

(d) Secretary/Public Officer.

23.2 Each Officer of the Association is to hold office for a period of two years from the annual general meeting they were elected. They may be re-elected for further terms of office by the membership.

23.3 If a casual vacancy in an office referred to in subrule (1) occurs, the committee may appoint one of its members to fill the vacancy until the next annual general meeting after the appointment.

23.4 Junior members will not be allowed to hold a position in office of association.

24. Constitution of the committee

24.1 The committee consists of –

(a) the officers of the Association; and

(b) at least 6 other members elected at the annual general meeting, of which 1 of the officers or committee members will be a STLAA representative in addition to the President.

24.2 The executive will hold office for a period of two years. The President and Treasurer will remain in office for two years from date of incorporation. At the first annual general meeting of association after incorporation, the Vice President and Secretary/Public Officer will be re-elected.

24.3 An ordinary committee member is to hold office until the next annual general meeting after that at which he or she is elected and is eligible for re-election.

24.4 If a casual vacancy occurs in the office of ordinary committee member, the committee may appoint a member of the Association to fill the vacancy until the next annual general meeting after the appointment.

25. Election of numbers of committee

25.1 A nomination of a candidate for election as an officer of the Association, or as an ordinary committee member, is to be –

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- (a) made in writing on the committee nomination form, signed by 2 financial members of the Association and accompanied by the written consent of the candidate: and
 - (b) delivered to the secretary/public officer of the Association at least 10 days before the day on which the annual general meeting is to be held.
- 25.2** If insufficient nominations are received to fill all vacancies on the committee –
- (a) the candidates nominated are taken to be elected; and
 - (b) further nominations may be received verbally at the annual general meeting. The candidate and nominees will sign the committee nomination form at AGM.
- 25.3** If the number of nominations received is equal to the number of vacancies on the committee to be filled, the persons nominated are taken to be elected.
- 25.4** If the number of nominations received exceeds the number of vacancies on the committee to be filled, a ballot is to be held.
- 25.5** If the number of further nominations received at the annual general meeting exceeds the number of remaining vacancies on the committee to be filled, a ballot is to be held in relation to those further nominations.
- 25.6** The ballot for the election of officers and ordinary committee members is to be conducted at the annual general meeting in the manner determined by the committee.
- 26. Vacation of office**
- 26.1** For the purpose of these rules, the office of an officer of the Association, or of an ordinary committee member, becomes casually vacant if the officer or committee member –
- (a) dies; or
 - (b) becomes bankrupt, applies to take the benefit of any law for the relief of bankrupt or insolvent debtors, compounds with his or her creditors or makes an assignment of his or her remuneration or estate for their benefit; or
 - (c) becomes a represented person within the meaning of the Guardianship and Administration Act 1995; or
 - (d) resigns office in writing addressed to the committee; or
 - (e) ceases to be ordinarily resident in Tasmania; or
 - (f) is absent from 3 consecutive meetings of the committee without the permission of the other members of the committee: or
 - (g) ceases to be a member of the Association; or
 - (h) fails to pay all arrears of subscription within 14 days after receiving a notice in writing signed by the public officer of the Association stating that the officer or committee member has ceased to be a financial member of the Association.
- 26.2** Any member who leaves the association that held a position within the association must return to the association any association records or property held by that person.
- 27. Meetings of the committee**
- 27.1** The committee is to meet at least every second month at any place and time the committee determines. The format of the meeting, as determined by the executive committee, may be a teleconference, or electronic forum such as group chat. A copy of all email transcripts and meeting records will be kept. Emails

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may be used out of session for specific purposes. Minutes will be taken for such meetings and be approved at the next committee meeting.

- 27.2** A meeting of the committee, other than a meeting referred to in subrule (1), may be convened by the President or any 4 of the members of the committee.
- 27.3** Written notice of any special committee meeting is to be served on members of the committee and is to specify the general nature of the business to be transacted.
- 27.4** A special committee meeting may only transact business of which notice is given in accordance with subrule (3).
- 27.5** A quorum for the transaction of the business of a meeting of the committee is three executive members plus two committee members.
- 27.6** Business is not to be transacted at a meeting of the committee unless a quorum is present.
- 27.7** If a quorum is not present within half an hour after the time appointed for the commencement of –
- (a) a meeting of the committee (other than a special committee meeting), the meeting is to be adjourned to the same day in the next month at the same time and at the same place.
 - (b) a special committee meeting, the meeting is dissolved.
- 27.8** At each meeting of the committee, the chairperson is to be –
- (a) the president; or
 - (b) in the absence of the president, vice-president; or
 - (c) in the absence of the president and the vice-president, the Treasurer or
 - (d) in the absence of the president, vice-president and treasurer, a member of the committee elected to preside as chairperson by the members of the committee present at the meeting.
- 27.9** Any question arising at a meeting of the committee is to be determined –
- (a) on a show of hands; or
 - (b) if demanded by a member, by a poll taken at that meeting in the manner the chairperson determines.
- 27.10** On any question arising at a meeting of the committee, a member of the committee (except the chairperson) has one vote only.
- 27.11** Despite subrule (10), in the case of an equality of votes, the chairperson has the casting vote.
- 27.12** Written notice of each committee meeting is to be served on each member of the committee by
- (a) sending it by post to the person's postal or residential address in sufficient time for it to be delivered to that address in the ordinary course of post before the day on which the meeting is to be held; or
 - (b) emailing it to the member's email address.

28. Disclosure of interests

- 28.1** If a member of the committee or a member of a subcommittee has a direct or indirect pecuniary interest in a matter being considered, or about to be considered, by the committee or subcommittee at a meeting, the member is to, as soon as practicable after the relevant facts come to the member's knowledge, disclose the nature of the interest to the committee.

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28.2 If at a meeting of the committee or a subcommittee a member of the committee or subcommittee votes in respect of any matter in which the member has a direct or indirect pecuniary interest, that vote is not to be counted.

29. Subcommittees

29.1 The committee may –

- (a) appoint a subcommittee from the committee; and
- (b) prescribe the powers and functions of that subcommittee.

29.2 The committee may co-opt any person as a member of a subcommittee without voting rights, whether or not the person is a member of the Association.

29.3 A quorum for the transaction of the business of a meeting of the subcommittee is 3 appointed members entitled to vote.

29.4 A member of the committee of the Association is to convene meetings of a subcommittee.

29.5 Any question arising at a meeting of a subcommittee is to be determined –

- (a) on a show of hands; or
- (b) if demanded by a member, by a poll taken at that meeting in the manner the chairperson determines.

29.6 On any question arising at a meeting of a subcommittee, a member of the subcommittee (including the chairperson) has one vote only.

29.7 Written notice of each subcommittee meeting is to be served on each member of the subcommittee by –

- (a) sending it by post to the person's postal or residential address in sufficient time for it to be delivered to that address in the ordinary course of post before the day on which the meeting is to be held; or
- (b) emailing it to the member's email address.

30. Executive committee

30.1 The president, the vice-president, the treasurer, and the secretary constitute the executive committee.

30.2 During the period between meetings of the committee, the executive committee may issue instructions to the public officer and servants of the Association in matters of urgency connected with the management of the affairs of the Association.

30.3 The executive committee is to report on any instructions issued under subrule (2) to the next meeting of the committee.

30.4 The executive committee shall have power to

- (i) Fill any casual vacancy that may arise on the management committee
- (ii) Set annual subscriptions and levies for the ensuing twelve months
- (iii) Formulate policies for the association
- (iv) Transact any business of an urgent or pressing nature
- (v) Form sub-committees for any special purpose
- (vi) Forward information to a media liaison officer on behalf of the club under By-Law No. 2
- (vii) Appoint a delegate or delegates to represent the association at any meeting and such delegate or delegates so appointed shall at all times put forward the views of the association.

31. Annual subscription

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31.1 The annual subscription payable by members of the Association will be set by the committee and executive each year when the budget is developed for the following financial year.

31.2 The annual subscription of a member of the Association is due and payable on or before the 1st of July each year.

32. Service of notices and requisitions

32.1 Except as otherwise provided by these rules, a document may be served under these rules on a person by –

(a) giving it to the person; or

(b) leaving it at, or sending it by post to, the person's postal or residential address or place or address of business or employment last known to the server of the document; or

(c) emailing it to the person's email address.

33. Expulsion of members

33.1 The committee may expel a member from the Association if, in the opinion of the committee, the member is guilty of; conduct contravening the constitution of the association or its by-laws or being accused of conduct detrimental to the interests of the Association.

33.2 The expulsion of a member under subrule (1) does not take effect until the later of the following:

(a) the fourteenth day after the day on which a notice is served on the member under subrule (3);

(b) if the member exercises his or her right of appeal under this rule, the conclusion of the special general meeting convened to hear the appeal.

33.3 If the committee expels a member from the Association, the public officer of the Association, without undue delay, is to cause to be served on the member a notice in writing –

(a) stating that the committee has expelled the member; and

(b) specifying the grounds for the expulsion; and

(c) informing the member of the right to appeal against the expulsion under rule 34.

34. Appeal against expulsion

34.1 A member may appeal against an expulsion under rule 33 by serving on the public officer of the Association, within 14 days after the service of a notice under rule 32(3), a requisition in writing demanding the convening of a special general meeting for the purpose of hearing the appeal.

34.2 On receipt of a requisition, the public officer is to immediately notify the committee of the receipt.

34.3 The committee is to cause a special general meeting to be held within 31 days after the day on which the requisition is received.

34.4 At a special general meeting convened for the purpose of hearing an appeal under this rule –

(a) no business other than the question of the expulsion is to be transacted; and

(b) the committee may place before the meeting details of the grounds of the expulsion and the committee's reasons for the expulsion; and

(c) the expelled member must be given an opportunity to be heard; and

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(d) the members of the Association who are present are to vote by secret ballot on the question of whether the expulsion should be lifted or confirmed.

34.5 If at the special general meeting a majority of the members present vote in favour of the lifting of the expulsion –

(a) the expulsion is lifted; and

(b) the expelled member is entitled to continue as a member of the Association.

34.6 If at the special general meeting a majority of the members present vote in favour of the confirmation of the expulsion –

(a) the expulsion takes effect; and

(b) the expelled member ceases to be a member of the Association.

35. Disputes

35.1 A dispute between a member of the Association, in the capacity as a member, and the Association is to be determined by arbitration in accordance with the provisions of the *Commercial Arbitration Act 1986*.

35.2 This rule does not affect the operation of rule 34.

36. Alterations to the constitution

36.1 Alterations to the constitution shall require a two thirds majority vote of members present at a special general meeting called for that purpose.

36.2 Members shall be given at least thirty days' notice of a special general meeting called for the purpose of amending the constitution.

37. Power to make By-Laws

37.1 The association shall have the power to make by-laws for the management of its assets and for any other purposes deemed necessary

37.2 Any by-laws made by the association will be numbered sequentially and will be an addendum to the constitution of the association.

37.3 The making, amending, or repealing of any by-laws shall be dealt with in exactly the same way as if that by-law formed part of the constitution of the association.

38. Winding up of the association.

38.1 If the Association is dissolved, each adult member of the Association, and each person over 18 years who was a member of the Association within the period of 12 months immediately preceding the commencement of the winding-up, is liable to contribute –

(a) to the assets of the Association for payment of the liabilities of the Association; and

(b) for the costs, charges, and expenses of the winding-up; and

(c) for the adjustment of the rights of the contributors among themselves.

38.2 Any liability under subrule (37.1) is not to exceed \$15

38.3 Despite subrule (37.1), a former member of the Association is not liable to contribute under that subrule in respect of any liability of the Association incurred after he or she ceased to be a member.

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- 38.4** Any property owned by the Association when it is dissolved will be given to the Southern Tasmanian Licensed Anglers Association historian.
- 38.5** Any money owned by the Association when it is dissolved will be kept for a period of 5 years in an account. The account will be handed to STLAA to hold on behalf of the club. In the event the club does not reform within 5 years the funds will be given to STLAA.

Explanatory Notes

This constitution has been based on schedule 1 model rules for an association provided by the Department of Justice, Consumer Affairs and Fair Trading at http://www.consumer.tas.gov.au/business_affairs/incorporated_associations.

By-Law No 1.

Life Membership Guideline

- 1** Life membership can be conferred on any member in recognition of significant, outstanding commitment made by the person towards the betterment of the Lake Pedder Anglers Club and freshwater fishing at Lakes Pedder and Gordon. This award is the highest honour which can be bestowed on an angler by the association and therefore any nomination should be considered carefully prior to being submitted. In awarding life membership, it is expected that a member will have demonstrated a high degree of commitment and contribution against each of the key areas identified in the recommended criteria for life membership
- 2** Nominations are to be made in writing and should provide comments against each of the criterion appropriate, together with any other supporting comments that are considered relevant.
- 3** All nominations are to be forwarded to the secretary in the first instance at which stage they will be forwarded to the life membership standing committee for consideration. This committee comprises the executive committee members and one nominated club delegate and its recommendations are deemed to be approved.

Recommended Criteria for nomination and assessment

The following criteria are provided to assist in the consideration of nominees for life membership. The criteria are not exhaustive but provide examples of areas where the nominee has demonstrated commitment and against which a nominee's contribution can be measured.

- 1** Contribution and/or achievements at the club level. This could include, for example:
 - Overall contribution as a club member
 - Details of the nominee's involvement in Club management, for example works as –
 - Competition master/coordinator
 - Committee member
 - Executive member

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- Participation in club activities such as working bees, club competitions and functions etc.
- 2 Involvement at the association level. This could include for example contribution as
 - Club representative to STLAA or other bodies
 - Executive office holder and associated duties
 - Participation in association activities such as working committees, promotions and functions
 - 3 Details of any community and/or another involvement in the promotions and/or betterment of freshwater angling at Lakes Pedder and Gordon.

By-Law No 2.

Media Liaison Officer Guideline

This guideline has been developed to guide the committee and members in promoting the Lake Pedder Anglers Club and its activities in an appropriate manner that is aligned with the strategic direction of the Association.

- 1 All Media releases will be approved by the officers of Association for content and accuracy.
- 2 A Media Liaison Officer may be appointed by the committee from time to time as deemed appropriate by the committee.
- 3 The President is authorised to talk on behalf of the club unless he, or a majority of the committee give permission to someone else to talk on the club's behalf.

Procedure

- 1 A Media Liaison Officer position will be offered to a member in writing and the member must accept this position in writing.
- 2 The Media Liaison Officer position will hold office for one year and will be decided by the committee at the next general meeting conducted after the Annual General Meeting. A further term may be appointed at the committee's discretion.
- 3 The committee reserves the right to terminate the appointment at any time and will do this in writing to the media liaison officer.
- 4 The Media Liaison Officer may also terminate this position at any time in writing to the committee.
- 5 The committee will provide information to the Media Liaison Officer.
- 6 The content of all press releases are to be emailed to the officers of Association for comment prior to being released in the media, this includes club announcements regarding competitions and competition results in all forms of media.
- 7 Media for the purpose of this guideline relates to printed and electronic forms.

By-Law No 3.

Selection of Club Patron

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The executive and committee may recommend that a club patron be bestowed. Such recommendation is to be endorsed by a majority of two thirds of members present at the Annual General Meeting.

The Club Patron is an individual or organisation who provides as significant level of support to the Association.

The position of Club Patron will be for a term of three years.

Recommended Criteria for Club Patron

- 1** The Club Patron must show a continuing interest and support of the activities of the club

Procedure for appointment of Club Patron

- 1** A Club Patron position will be offered to an individual or company in writing and the nominated patron must accept this position in writing.
- 2** The Club Patron position will hold office for two years and will be decided by the committee at the next general meeting conducted after the Annual General Meeting. A further term may be appointed at the committee's discretion.
- 3** The committee reserves the right to terminate the appointment at any time and will do this in writing to the Club Patron.
- 4** The Club Patron may also terminate this position at any time in writing to the committee.