

**SOUTH AUSTRALIAN FIELD AND**  
**GAME ASSOCIATION INC.**

**CONSTITUTION**

**INCLUDING RULES APPLICABLE TO**  
**BRANCHES & CODE OF CONDUCT**

**Current & Updated on 22 August 2015**

# CONSTITUTION OF THE SOUTH AUSTRALIAN FIELD AND GAME ASSOCIATION INCORPORATED

## DEFINITIONS

<b>AGM:</b>	means the Annual General Meeting of the State Association OR the Branch or Club within the context of this Constitution.
<b>BRANCH:</b>	means any Branch or Club identified in the Constitution as a Branch or Club.
<b>ASSETS:</b>	means those assets that are owned by the State or the Branch. Items loaned are not assets until they are identified as being owned by the State, Branch or Club.
<b>BRANCH:</b>	means any Branch or Club that has accepted this Constitution as their operating Constitution.
<b>COMMITTEE:</b>	means the Members elected to manage a Branch or Club.
<b>STATE COUNCIL:</b>	means the Members elected to manage the State Association
<b>THE ACT:</b>	means the Associations Incorporation Act 1985
<b>MONTH:</b>	means a Calendar Month
<b>OPERATING YEAR</b>	means a Calendar year (1 <sup>st</sup> January to 31 <sup>st</sup> December)
<b>MEMBER:</b>	means any person who has paid a current year membership fee, or is a Honorary Member, of any Branch, Club and is automatically a State Association Member (South Australian Field and Game Association Inc.)

1. The name of the association shall be "**South Australian Field and Game Association Incorporated**" and shall hereafter throughout this Constitution (unless to do so would be inconsistent with the context) be referred to as either "**The State Association**" or "**the State Association**". The State Association shall be incorporated in the State of South Australia as a non-profit organisation.

## OBJECTS

2. The objects of the State Association shall be:
  - 2.1. the conservation of wetlands and the wise and sustainable use of natural resources;
  - 2.2. to develop South Australian facilities for game hunting in general by promoting wildlife management, research and conservation projects;
  - 2.3. to promote the sport of recreational hunting and shooting and inform and educate all field sportspersons in the value and ethics of their sport;
  - 2.4. to present proposals to and cooperate with Government Departments for the proper management of wildlife and fisheries for the benefit of all;
  - 2.5. to promote the sport of target shooting and in particular Australian Sporting Clays, Simulated Field Shooting, Compak Sporting, International Sporting and all other target shooting disciplines;
  - 2.6. to encourage the establishment of areas and facilities for competitions, to promote the safe storage, carriage and use of firearms, shooter training and good sportsmanship amongst members;

- 2.7. to promote public appreciation of the activities of the State Association and foster and maintain friendly relations between members of the State Association, landholders and the public;
- 2.8. to purchase, lease, improve, manage, exchange, mortgage, change, dispose of, turn to account, invest in or otherwise deal with any real or personal property;
- 2.9. to be a member of the national body which has similar objects to the State Association. (At the time of the adoption of this Constitution the national body which has similar objects to the State Association is the Field and Game Federation of Australia;
- 2.10. to affiliate with any organisations with similar aims and objects;
- 2.11. to adopt from time to time any additional objects and rules relative to and in the interests of the members of and the State Association; and
- 2.12. to promote firearm safety and training in accordance with South Australian Firearms Legislation and Regulations.

### **COMPOSITION**

3. The composition of the State Association shall comprise the members who shall from time to time be financial members of the incorporated Branches formed throughout South Australia.
  - 3.1. The State Council may determine from time to time in its absolute and unfettered discretion those organisations:
    - 3.1.1. that may become member Branches of the State Association; and
    - 3.1.2. with which the State Association will be affiliated.
  - 3.2. Each member Branch, by virtue of its membership of the State Association, agrees to honour any financial obligations imposed upon it by the State Council.

### **BRANCHES**

The following Branches represent the membership of the State Association (not in any hierarchal order or preference):

- 3.3. South Australian Field & Game Association - Southern Branch Inc.;
- 3.4. South Australian Field & Game Association - Central Branch Inc.;
- 3.5. South Australian Field & Game Association - Loxton Branch Inc.;
- 3.6. South Australian Field & Game Association - Renmark Berri Branch Inc.;
- 3.7. South Australian Field & Game Association - Barmera Moorook Branch Inc.;

- 3.8. South Australian Field & Game Association - Lake Bonney Sporting Clays Branch Inc.;
- 3.9. South Australian Field & Game Association - South East Branch Inc.;
- 3.10. South Australian Field & Game Association - Upper South East Branch Inc.;
- 3.11. South Australian Field & Game Association - Waikerie-Lowbank Branch Inc.

### **GENERAL MEETINGS**

4. The Annual General Meeting (hereafter referred to as “the AGM”) of the State Association shall be held in the month of February in each year. All financial members of the State Association and all Branches shall have a written notice of the meeting posted to them at least twenty one (21) calendar days before the AGM. The purpose of each AGM is, amongst other things, to:
  - 4.1. receive the annual reports and audited financial statements submitted by the officers of the State Association;
  - 4.2. receive the annual reports and audited financial statements of each Branch and the reports of each elected office bearer as required;
  - 4.3. elect office bearers for the ensuing year and for the purposes of this sub-clause 4(c) all elected offices of the State Association automatically become vacant at the AGM at which the office bearers shall be elected as follows:
    - 4.3.1. nominations for election to office for the ensuing twelve (12) calendar months must be in writing and received by the Secretary not less than seven (7) calendar days prior to the AGM and be signed by the proposer, a seconder and the nominee;
    - 4.3.2. election to office of members properly nominated in accordance with sub-clause 4(c)(i) above will take place at the AGM in respect of which the nominations are received;
    - 4.3.3. if no written nominations are received for a particular office in accordance with sub-clause 4(c)(i) above, the Chairperson of the AGM may call for verbal nominations for that office or those offices (which verbal nomination(s) must be seconded by another financial Member present at the AGM) from financial members present at the AGM;
    - 4.3.4. The Chairperson may accept nominations in respect of members not present at the AGM in reliance upon verbal assurances by and from both the proposer and the seconder that the nominee is prepared to and will accept the nomination;
  - 4.4. elect members to the Executive Committee as required;

- 4.5. elect delegates to the national body and any other bodies (if any) as required;
  - 4.6. vote upon any resolution or item of general business:
    - 4.6.1. that is relevant to the State Association;
    - 4.6.2. which is duly and properly submitted to the AGM in accordance with this Constitution; and
    - 4.6.3. in respect of which not less than thirty five (35) calendar days prior written notice has been given to the Secretary of the State Association; and
  - 4.7. consider and, if properly and validly approved, sanction and give effect to any duly made alteration(s) of or to this Constitution.
5. At all meetings of the State Association:
- 5.1. the President of the State Association shall be the Chairperson;
  - 5.2. if the President of the State Association from time to time is not present, the Vice-President of the State Association from time to time shall be the Chairperson;
  - 5.3. if the Vice-President of the State Association from time to time is not present, members may elect one of their number as the Chairperson for that meeting;
  - 5.4. the Chairperson's decision in respect of all and any points of order is final;
  - 5.5. the Chairperson's declaration of the result of any show of hands or ballot shall be both final and conclusive;
  - 5.6. the Chairperson shall have a casting vote in addition to a deliberative vote;
  - 5.7. the quorum for all AGM's and all and any Special Meetings of the State Association shall be fifteen (15) financial members of the State Association present and in person;
  - 5.8. all voting shall be by show of hands unless a ballot is required by the majority of those financial members of the State Association present;
  - 5.9. only financial members of the State Association may vote at AGM's and all and any Special Meetings of the State Association, ie: members who are financial for the membership year, a membership year being from and including the 1<sup>st</sup> of January to and including the 31<sup>st</sup> of December in a single calendar year;
  - 5.10. voting at AGM's shall be confined to members who were financial during the previous financial year and members become unfinancial as a result of the non-payment of membership dues on or before the 1<sup>st</sup> of February in each calendar year;

- 5.11. neither affiliated organisations nor their members are entitled to vote at either AGM's or Special Meetings of the State Association;
6. At all meetings of the Target Shooting Committee the Target Shooting Director shall be the Chairperson but if he or she is not present the written nominee of the Target Shooting Director shall be the Chairperson for that meeting.

### **SPECIAL MEETINGS**

7. A Special Meeting of the State Association shall be called at the written request of:
- 7.1. any three (3) of the Office Bearers of the State Association; or
- 7.2. any two (2) of the Branches of the State Association,

provided that the reason(s) in respect of which the Special Meeting is being called are succinctly and clearly set out in the written request.

A Special Meeting shall be convened not less than twenty one (21) calendar days and not more than two (2) calendar months after the receipt by the Secretary of such a written request.

### **COMMITTEE OF MANAGEMENT**

8. The powers of the State Association, both express and implied, shall be vested in and exercised by a committee of management of the State Association (hereafter referred to as "the State Council") which shall constitute the executive management body of the State Association. The State Council shall have jurisdiction, control, management and supervision over and in respect of all officers and sub-committees of the State Council and all and any members of the State Association from time to time.

The State Association will comply with Section 25, of the Associations Incorporation Act 1985, as amended.

9. The State Council will be comprised of:
- 9.1. the President;
- 9.2. the Immediate Past President;
- 9.3. the Vice-President;
- 9.4. the Secretary;
- 9.5. the Assistant Secretary;
- 9.6. the Treasurer;
- 9.7. the Target Shooting Director and Safety Officer;
- 9.8. the Habitat and Resources Director;

- 9.9. the Public Relations Officer and Publicity Officer;
- 9.10. the Coaching Director;
- 9.11. two Fisheries Officers; and
- 9.12. the Legislation Officer

from time to time of the State Association and each member of the State Council is to be elected at each AGM. In addition, the State Council includes the President of and two (2) delegates from each Branch of the State Association who are at that time office bearers of that Branch.

- 9.13. Any office bearing member of the State Council may also represent a Branch at meetings of the State Council but such office bearers shall be entitled to one (1) State Council vote only.
  - 9.14. Other members of the State Association may be co-opted by the State Council to serve on sub-committees of the State Council but such office bearers shall be entitled to one (1) State Council vote only.
10. The State Council:
- 10.1. shall be responsible for, amongst other things, promoting the objects and exercising the powers of the State Association;
  - 10.2. shall have the care, control, management and conduct of, amongst other
  - 10.3. things, all property and affairs of the State Association; and
  - 10.4. may enter into agreements, contracts or arrangements in relation to, amongst other things, all property and affairs of the State Association.
11. At all meetings of State Council eight (8) members thereof shall constitute a quorum and all matters shall be decided by a majority of votes, the Chairperson having a casting vote in addition to a deliberative vote.
12. Should any vacancy occur in the office bearers of the State Association (other than in the normal course of elections) the State Council shall have the power to fill such vacancy until the next AGM and the Member duly appointed by the State Council shall hold the office for the unexpired portion of his or her predecessor's term of office.
13. The State Council shall have the right to declare vacant the seat of a member of the State Council on account of that member of the State Council failing to attend three (3) consecutive meetings without prior written approval of absence.
14. Regular meetings of the State Council shall be held at such frequency, times and places as are necessary to properly manage the State Association and deal with all and any business and affairs of the State Association.

## **EXECUTIVE COMMITTEE**

15. The Executive Committee of the State Association shall consist of the President, the Secretary, the Treasurer and two (2) other members of the State Council elected at each AGM to run the day to day administrative affairs of the State Association and deal with all of the business of the State Association.

## **STATE TARGET SHOOTING COMMITTEE**

16. The Target Shooting Committee shall consist of:
- 16.1. a Chairperson (who shall be the Target Shooting Director from time to time);
  - 16.2. one (1) representative from each of the metropolitan Branches;
  - 16.3. one (1) representative of the Riverland Branches; and
  - 16.4. one (1) representative of the South-East Branches,
- and the Target Shooting Committee is required to meet or communicate as often as is, in the reasonable opinion of the Target Shooting Director from time to time, required to oversee target shooting sports in the State of South Australia.

All members of the Target Shooting Committee shall be:

- 16.5. accredited referees; and
- 16.6. nominated by their respective Branches within fourteen (14) days of each AGM of the State Association.

## **STATUS & DUTIES OF THE OFFICERS & STATE PRESIDENT**

17. The President of the State Association:
- 17.1. shall be the Chief Executive Officer of the State Association;
  - 17.2. may preside at all meetings of the State Association;
  - 17.3. shall be Chairperson of the State Council;
  - 17.4. shall convene regular meetings of the State Council;
  - 17.5. shall create such sub-committees as are considered reasonably necessary by the President and by the State Council;
  - 17.6. shall appoint the Chairperson of each sub-committee of the State Council;
  - 17.7. has the power to fill all and any vacancies;
  - 17.8. may attend, participate in and contribute to all meetings of all sub-committees of the State Council in an ex-officio capacity;



- 17.9. may call for regular sub-committee reports;
- 17.10. shall ensure that all sub-committees of the State Council function efficiently and cooperate with the Chairperson of each sub-committee towards that end; and
- 17.11. may be concerned with attendances at meetings of the State Council and the Branches of the State Association;

A person's occupancy of the office of President of the State Association shall be limited to three (3) consecutive terms (a total of 36 calendar months) after which time that person must relinquish the office of President of the State Association for a period of at least one (1) term (12 calendar months) before again being eligible for election to the office of President of the State Association.

### **IMMEDIATE PAST PRESIDENT**

- 18. The Immediate Past President of the State Association shall be a member of the State Council and act in an advisory capacity to both the State Council and the President of the State Association.

### **VICE - PRESIDENT**

- 19. The Vice-President of the State Association shall occupy the office of the President of the State Association if for any reason the President is unable to perform and discharge the duties of the office of the President of the State Association.

The duties of the office of the President of the State Association are deemed to have been performed having the same authority as the President.

If for any reason the office of the President of the State Association shall become vacant the Vice-President of the State Association shall hold that office until the next AGM of the State Association.

### **SECRETARY**

- 20. The Secretary of the State Association:
  - 20.1. shall be under the supervision, direction and control of the State Council;
  - 20.2. shall act as the liaison officer between the State Association, its Branches and all other bodies, persons or groups including governmental and semi governmental bodies;
  - 20.3. is required to keep a record of members and of members who have resigned or are expelled and ensure that records are kept of attendances at meetings and of correspondence;
  - 20.4. shall ensure that minutes are kept of meetings, resolutions adopted and all other activities of the State Association;

- 20.5. shall ensure that all matters which may affect the State Association are brought to the attention of the State Council;
- 20.6. assist the President of the State Association in convening meetings of both the State Council and the State Association; and
- 20.7. be the Public Officer of the State Association.

### **ASSISTANT SECRETARY**

- 21. The Assistant Secretary of the State Association shall generally assist the Secretary of the State Association but in particular shall oversee and ensure the accurate and contemporaneous recording of minutes of all meetings and the control of the central membership register of the State Association.

### **TREASURER**

- 22. The State Treasurer shall:
  - 22.1. keep accurate books of account giving a true and fair view of the financial affairs of the State Association;
  - 22.2. be responsible for the care of the funds of the State Association;
  - 22.3. receive all and any funds of the State Association and deposit those funds with the financial institution(s) mandated by the State Council from time to time;
  - 22.4. prepare for and tender to each:
    - 22.4.1. meeting of the State Council; and
    - 22.4.2. AGM of the State Association,  
a financial report in respect of the financial standing of the State Association and a register of the assets of the State Association, both of which must be as current as is practicable as at the date of each:
    - 22.4.3. meeting of the State Council; and
    - 22.4.4. AGM of the State Association; and
  - 22.5. keep all financial records, invoices and statements for a period of seven (7) calendar years after the end of each financial year and make them available for inspection as and when required to do so.

### **TARGET SHOOTING DIRECTOR & SAFETY OFFICER**

- 23. The Target Shooting Director shall:
  - 23.1. promote the sport of target shooting - and in particular the sports of Australian Sporting Clays, Simulated Field Shooting, Compak Sporting and

International Sporting - but without limiting the generality of the foregoing, all other target shooting disciplines;

- 23.2. be the Chairperson of the Target Shooting Committee;
  - 23.3. liaise with the various government and semi-government bodies concerned with target shooting sports;
  - 23.4. oversee the establishment of all and any shooting ranges;
  - 23.5. ensure that all and any shooting ranges conform with safety requirements and the various guidelines for shooting ranges promulgated by the SA Police Department from time to time;
  - 23.6. coordinate events and competitions throughout the State of South Australia including State Team Qualifications and State Championship events;
  - 23.7. be an accredited referee; and
  - 23.8. ensure that all events and competitions are carried out in accordance with the then current event rules and that Referee Examiners, Referees and other officials are appointed as and when required.
24. The Safety Officer shall:
- 24.1. ensure that all financial members of the State Association receive proper instruction on the safe storage, transport, handling and use of firearms;
  - 24.2. conduct such courses and tests as may be required from time to time with particular emphasis in respect of new, novice and junior shooters;
  - 24.3. ensure that all and any target shooting ranges are conducted and operated with safety in respect of all matters;
  - 24.4. visit each shooting range on at least an annual basis and communicate regularly with the safety officers of each Branch of the State Association;
  - 24.5. keep abreast of all and any insurances required;
  - 24.6. liaise with the SA Police Department in respect of their legislation and regulations;
  - 24.7. liaise with the Target Shooting Director and the Coaching Director.

### **HABITAT AND RESOURCES DIRECTOR**

25. The role of the Habitat and Resources Director encompasses all facets of wildlife management, research and conservation projects carried out by the State Association, Branches of the State Association and other entities or organisations including government, semi-government and other bodies or persons.

The Habitat and Resources Director:

- 25.1. is required to coordinate field survey and research reports;
- 25.2. is required to report to the State Council any requirements for or in relation to obtaining, retaining, improving or developing the habitat of waterfowl and other flora and fauna; and
- 25.3. shall be the Chairperson of any sub-committee appointed for these activities.

### **PUBLIC RELATIONS & PUBLICITY OFFICER**

26. The Public Relations Officer shall:

- 26.1. be concerned with providing information to members of the public and other bodies (including government and semi-government bodies) to ensure that they receive a balanced view of the activities of all hunters and firearms users and gain an appreciation of the equipment reasonably required in these activities;
- 26.2. where possible, ensure that unjust bias is suitably countered by reasoned arguments supporting responsible hunting activities and firearms ownership and use;
- 26.3. be concerned with attracting new membership and finance to support the aims of the State Association; and
- 26.4. promote the use of publications by the State Association together with logos, insignia, badges and emblems, etc. to broaden the public awareness of the State Association.

Publicity Officer shall:

- 26.5. be concerned with the establishment and maintenance of a library of publications, films, CD's, videos and other media which endorse, support or encourage the activities of the State Association;
- 26.6. liaise with government and semi government bodies in respect of any educational program or publication which promotes, amongst other things, conservation, the hunting and shooting sports and the activities of the State Association;
- 26.7. be responsible for the circulation of the above information and materials to the financial members of the State Association and encourage input of South Australian content into the magazine published by the National Body both by providing articles or soliciting suitable items of interest from the financial members of the State Association.

### **COACHING DIRECTOR**

27. The Coaching Director shall:

- 27.1. be concerned with the provision of adequate instruction and coaching to all financial members of the State Association including novice and junior members in the sport of target shooting;
- 27.2. shall be responsible for aiding and assisting in the improvement of the shooting skills of financial members of the State Association by arranging or conducting coaching sessions and seminars and promoting the accreditation of coaches in the various Branches of the State Association;
- 27.3. liaise with the National Coaching Director, the Target Shooting Director and the Safety Officer and coordinate coaching activities in the State; and
- 27.4. be an accredited referee.

### **TWO FISHERIES OFFICERS**

28. Two Fisheries Officers shall:

be concerned with the issues of amateur and recreational fishers generally. One Officer shall be concerned with Marine Salt water fishery, the other Officer concerned with fresh water fishery and each is required to keep abreast with scientific research and the effects of environmental change that impact on all forms of marine and fresh water species, to liaise with government, semi-government and other bodies or persons and legislation trends and how they affect members.

### **LEGISLATION OFFICER**

29. The Legislation Officer shall:

- 29.1. be concerned with all legislation or potential legislation together with the various political view points which affect conservation and the hunting and shooting sports;
- 29.2. draw the attention of the State Council to such matters and ensure that these items are adequately dealt with by the State Council;
- 29.3. be concerned with the nature, content and terms of this Constitution;
- 29.4. investigate and consider any proposed amendment(s) to this Constitution and report on any amendments required to the State Council and ensure that any amendments or additions are circulated to the financial members of the State Association.

### **FINANCES**

30. The financial year of the State Association shall be from the 1<sup>st</sup> of January in each calendar year to the 31<sup>st</sup> of December in that same calendar year.
31. The Annual membership subscription and any other per capita payment will be set by the State Council prior to the 31<sup>st</sup> of December each year and will be distributed between the State Association, the Branches and the National Body as determined by State Council from time to time.

32. A fee determined by the State Council will apply to all and any organisations wishing to affiliate themselves with the State Association.
33. All monies of the State Association shall be paid into the general account(s) of the State Association kept with such financial institution(s) as the State Association shall from time to time direct.
34. No monies shall be drawn from any financial institution account of the State Association unless so drawn either by or pursuant to a form of withdrawal or cheque instrument that is in each and every case:
  - 34.1. authorised by the State Council; and
  - 34.2. signed by any two (2) of the President, Vice-President, Secretary and Treasurer in office from time to time;
  - 34.3. All and any petty cash vouchers must be duly receipted and approved prior to payment by either the Treasurer or the Secretary from time to time; and
  - 34.4. All and any internet banking transactions:
    - 34.4.1. may be authorised in respect of any financial institution account of the State Association by the State Council; but
    - 34.4.2. can only be effected by either the Treasurer or the Secretary of the State Association from time to time; and
    - 34.4.3. must have original transaction receipts in respect of them presented to the Treasurer of the State Association as soon as is practicable after they are affected.
35. The books and accounts of the State Association shall be audited annually by a recognised accredited firm of auditors appointed at the AGM.
36. The State Council shall determine the methods by which its administration may be financed.

## **MEMBERSHIP**

37. Any person subscribing to the aims and objectives of the State Association shall be eligible for membership as a Member. Membership of the State Association will be divided into the following classes:
  - 37.1. **ORDINARY MEMBERSHIP** shall, subject to this Constitution, be available on a year to year basis and is conditional in all regards upon the payment of an ordinary membership subscription as fixed by the State Council from time to time;
  - 37.2. **FAMILY MEMBERSHIP** shall be available to an ordinary Member together with the spouse or partner of the ordinary Member and any child or children of the ordinary Member. Any such child or children shall be eligible for such membership until the age of eighteen (18) years has been

attained. **FAMILY MEMBERSHIP** shall be on a year to year basis and conditional upon payment of an Ordinary Membership Subscription together with an additional subscription as fixed by the State Council from time to time;

- 37.3. **JUNIOR MEMBERSHIP** shall be restricted to people under the age of eighteen (18) years but of or over the age of fifteen (15) years at the time of joining and shall be on a year to year basis and conditional upon the payment of the Junior Membership subscription as fixed by the State Council from time to time, and the Junior Membership status will remain in place during the year in which the Junior Member attains the age of eighteen (18) years. Junior

Members shall not have voting powers nor the right or ability to serve on the State Council;

- 37.4. **SUB-JUNIOR MEMBERSHIP** shall be restricted to people under the age of fifteen (15) years but of or over the age of twelve (12) years at the time of joining and shall be on a year to year basis and conditional upon the payment of the Sub-Junior Membership subscription (if any) as fixed by the State Council from time to time, and the Sub-Junior Membership status will remain in place during the year in which the Sub-Junior Member attains the age of fifteen (15) years. Sub-Junior Members shall not have voting powers nor the right or ability to serve on the State Council;

- 37.5. **PENSIONER SENIOR MEMBERSHIP** shall be restricted to a Member of the State Association who is both aged over sixty five (65) , either an aged or invalid pensioner (in accordance with the Commonwealth Government Legislation for the time being in force relating to social services, including Department of Veterans Affairs) or is a totally or permanently incapacitated pensioner (in accordance with the Commonwealth Government Legislation for the time being in force relating to the Repatriation of Discharged Service Personnel). Pensioner Senior Membership shall be on a year to year basis and conditional upon the payment of the Pensioner Senior Membership subscription as fixed by the State Council from time to time;

- 37.6. **HONORARY LIFE MEMBERSHIP** shall only be awarded to a Member in accordance with the following procedure:

37.6.1. the prospective Honorary Life Member is to be proposed and seconded by two financial members of the State Association to the State Council;

37.6.2. the State Council is to investigate the proposal which must be based on merit and for exceptional services rendered to the State Association;

37.6.3. if the prospective Honorary Life Member is approved by the State Council the proposal and both the proposer's and seconder's names shall appear on the Agenda of the next AGM of the State Association;

- 37.6.4. a vote by secret ballot shall be undertaken at the next AGM of the State Association; and
- 37.6.5. Honorary Life Members shall be exempt from the payment of membership subscriptions but Honorary Life Members shall enjoy the normal voting power of ordinary members and may serve on committees of both the State Association and the State Council if elected thereto;
- 37.6.6. **HONORARY BRANCH LIFE MEMBERSHIP** a Branch may bestow Honorary Life Membership on any Member who has given exceptional service to the particular Branch. Both the proposer's and seconder's names shall appear on the Agenda of the next AGM of the Branch where a secret ballot will be conducted with a majority approval.
- 37.6.7. If the nomination is approved, the respective Branch is then required to notify the State Secretary of such condition and the Branch is then required to pay all State and National capitation fees on behalf of that Honorary Branch Life Member; No more than 2 persons may be nominated in any operating year.
- 37.6.8. These names will then be recorded on the financial report to the State Treasurer without the 20% being applied for the Branch.
- 37.6.9. The Branch Honorary Life Members will enjoy all rights and privileges of a full Member.
- 37.7. **ASSOCIATE MEMBERSHIP** shall be restricted to any person who is a guest or a Member of either a club or a Branch. Associate members may be admitted to use and enjoy the facilities and property of the State Association on such terms and conditions as shall be determined by the State Council from time to time for a period not greater than one (1) calendar year, one (1) day at a time but on no more than six (6) occasions in a calendar year. No Associate Member shall be admitted to the facilities and property of the State Association unless accompanied by the Member of the State Association introducing them and such Member shall be responsible for the payment of any entrance or other fee payable., the guest's proper and orderly behaviour and ensuring that they shall enter their full name and address in the Members' book. Any Member of the State Council may refuse a request for admission as an Associate Member. Associate Members shall not have voting powers nor the right or ability to serve on the State Council; and
- 37.8. **PATRONAGE** The State Council may at any time appoint any number of persons of distinguished position or attainment to be a patron of the State Association. An elected Patron of the State Association shall not have any voting rights and may not seek office in the State Council and is exempt from the payment of any membership subscriptions.

A visitor to any facilities and property of the State Association or any Branch of the State Association may only participate in three (3) shooting activities before that person must join



the State Association by payment of the appropriate joining fee, if any, and the appropriate membership subscription.

38. Membership of the State Association shall entitle a Member to all rights and privileges and render the Member subject to all obligations which membership of the State Association confers or implies. Without limiting the generality of such rights and obligations:
- 38.1. the rights of Ordinary Members, Senior Pensioner Members and Honorary Life Members shall include:
    - 38.1.1. eligibility to seek any office of the State Association or any Branch; and
    - 38.1.2. the right to vote in all matters requiring a vote of the membership; and
  - 38.2. the obligations of membership shall include:
    - 38.2.1. regular attendances at events, activities and competitions of the State Association;
    - 38.2.2. the prompt payment of membership fees as the State Association or any Branch may charge or levy, which fees may include Branch and State Association membership fees and shall be fixed annually by the State Council; and
    - 38.2.3. the display of conduct reflecting and promoting a favourable image of the State Association in the community in particular and in the State of South Australia in general.
39. Every applicant for admission as an Ordinary, Family, Junior, Sub-Junior or Pensioner Senior Member shall apply in the form as approved by the State Council from time to time. Whenever possible the applicant shall be proposed and seconded by either an Ordinary Member or an Honorary Life Member who shall vouch from their personal knowledge for the eligibility and fitness of the applicant. Each applicant must satisfy the requirements of the SA Police Department Firearms Branch before being accepted as a Member of the State Association.
- 39.1. each application form shall be completed and signed by the applicant(s) giving particulars of his, her or their name(s) in full, place(s) of residence, occupation(s) and date(s) of birth together with other such information as may be reasonably prescribed by the State Council from time to time. The proposer and seconder will also sign the membership application form. Compliance with the Firearms Branch regulations is also required.
  - 39.2. any applicant who has been suspended or expelled from any other State or Territory Association, which State Association is a Member of the National Body, is not eligible to be admitted as a Member of the State Association.
40. An applicant will be admitted after due consideration and recommendation by the Committee of Management of any Branch and after the President or Secretary of the

State Association acknowledges the acceptance of the applicant on the approved form. A Branch committee of management may refer any application to the State Association. The decision of State Council as to whether any such applicant should be admitted or not shall be final.

- 40.1. when an application for membership is not made through a particular Branch, the applicant shall be made a Member of the Branch as determined by the normal place of residence of the applicant vis-à-vis the various Branches' designated territories which exist at the time. An applicant may make a written request to be admitted as a Member of a particular Branch provided sufficient reason is given which is reasonably acceptable to the State Association.
- 40.2. upon admission as a Member of the State Association the new Member shall be sent a written notice of membership signed by the authorised office bearer. The new Member shall be furnished, upon request in this regard, with a copy of this Constitution and upon payment of the joining fee (if any) and the first membership subscription, the new Member shall become a Member and be entitled to all the benefits and privileges of membership and be bound by this Constitution and their name will be entered upon the Register of members. If the joining fee (if any) and the membership subscription are not paid within one (1) calendar month after the posting of the notice of acceptance as aforesaid the election of the new Member may be terminated.
41. Any Member of the State Association of good standing may, on application, be permitted to become a Member of more than one Branch of the State Association. For the purposes of the State Association the person will be regarded as a Member of the primary Branch and will be due only for one payment of the State Association per capita levy in each calendar year. The Member may hold office in his or her primary Branch only.
42. Every Member of the State Association shall from time to time advise any change in their address to the Secretary of their Branch where their name is registered in the Register of members.
43. Prior to the 1<sup>st</sup> day of December in each year a notification of renewal of membership shall be forwarded to the last known address of all financial members from the previous year. The annual membership subscriptions and other annual fees shall become due and payable to the Secretary of the State Association or the Branch on or after the 1<sup>st</sup> of January in each year. The non receipt of a renewal notice does not excuse a Member from the obligation to pay the annual membership subscriptions and fees on or before the due date.
- Members are unfinancial as of the 1<sup>st</sup> January, which unfinancial status is alleviated by one (1) calendar month's advance notice and the opportunity to renew a membership of the State Association prior to its expiry.
44. Any Member from the previous year who fails to pay their annual membership subscription on or before the fourteenth (14<sup>th</sup>) of February next after it has become due, shall from that date be regarded as an unfinancial Member. By the 1<sup>st</sup> of February in each year such unfinancial members may have sent to them by the

Secretary of the Branch on which members' register they appear a written notice calling attention to their unfinancial status. In this case, if a members' subscription shall not be paid within one (1) calendar month thereafter, or some other stipulated time after the posting of such a notice, or in any case if it has not been paid by the 1<sup>st</sup> of March of that year, they shall cease to be a Member of both the State Association and the Branch to which they belonged and their name shall be removed from the register of members. The names and addresses of non-financial members must be forwarded in writing to the SA Police Department Firearms Branch within 28 days of a Member becoming unfinancial. If a Member shall at any time after such an occurrence of becoming unfinancial provide the State Association with a satisfactory explanation as to their reason for becoming unfinancial, they may be re-admitted to membership of the State Association without the payment of a further joining fee.

45. Members may resign their membership by giving to the Secretary a notice in writing to that effect. Every such notice shall be deemed to take effect on the date expressed therein but if there is no date expressed it shall take effect on the date on which it is received by the Secretary.

### **BRANCHES**

46. No person shall be eligible to hold office in a Branch unless they are an active and financial Member of the State Association and in good standing. They may hold office only in their primary Branch.
47. Branches of the State Association may be organised and chartered in any municipality or area in the State of South Australia with the consent of the State Council, including those areas where established Branches may already exist. The designated territories of all Branches will be as decided by the State Council from time to time, and are not required to be specifically defined by boundaries. The territories are designated for administrative purposes only and each Branch shall be known by the name approved by the State Council from time to time.
48. Application for affiliation may be made to the State Association by any group, club or assembly which has been duly organised and has elected officers. An application, duly signed by or on behalf of the committee of management of such body, shall be accompanied by such fees as determined by the State Council from time to time. Upon approval by the State Council a certificate signed by the President and the Secretary of the day of the State Association may be issued to such an affiliated group, club or assembly. The acceptance of an affiliated group, club or assembly shall be a deemed ratification of and agreement on its part to be bound by the policies and objects of the State Association and such rights and privileges as shall be stipulated by the State Association provided however an affiliation may be cancelled at any time by the State Council without notice or without having to give reasons for such cancellation.
49. The State Council shall have full power and authority to sanction the organisation and charter of all and any Branches and the affiliation of all clubs under such rules and regulations as it may prescribe from time to time subject to the provisions of this Constitution. All Branches so organised or chartered and all affiliated clubs shall be under the exclusive jurisdiction of the State Council.

50. Any Branch or body which shall fail to meet, satisfy or discharge any obligation to the State Association may, in the discretion of State Council, be placed in status quo or have its charter or affiliation cancelled. Any Branch that is placed in status quo shall forfeit all and any rights and privileges pending a final determination of its status by the State Council.
51. No Branch may resign from the State Association and any affiliated group, club or assembly may resign from the State Association and such resignation shall become effective upon the acceptance thereof by the State Council. The State Council may withhold its acceptance of a resignation, however, until:
  - 51.1. all and any debts to the State Association have been paid;
  - 51.2. all State Association's funds and property have been returned to it;
  - 51.3. the certificate of affiliation with the State Association had been returned;  
and
  - 51.4. the right to use any emblem or other insignia of the State Association has been surrendered.
52. No Branch of the State Association shall solicit funds or anything of material or commercial value in the territory of any other Branch except with the prior written approval of such Branch. However, nothing in this clause shall preclude solicitation in cooperative projects among Branches which have been approved by the State Association or the Branches involved.
53. The Branches may be divided into single or multiple territories as may be approved by the State Association from time to time. Provided that the members of the State Association satisfy the State Council that there is a need to either establish other Branches, to subdivide an existing Branch or merge with another Branch, the State Association shall appoint a Member or members to form, divide, dissolve or merge such Branch as the case may be. Whenever any existing territory is to be modified or extended or a new Branch territory formed, unless there shall be in existence an executive controlling body comprised of members, the members nominated as aforesaid shall direct and supervise the formation of a committee of management for that new Branch territory.
54. Any Branch which either wishes to amalgamate with another Branch or subdivide an existing territory in any way shall first submit for approval to the State Council a map showing the proposed location of the new territories. In the event of the State Council approving such a re-zoning proposal it shall become effective upon the date specified by the State Council.
55. The name of a proposed Branch shall be approved by the State Council and shall be prefaced by the official name of the State Association.
56. Branches may take appropriate action in respect of all matters consistent with but subject to this Constitution and shall adopt the policies, directions and resolutions recommended by the State Association.

57. Subject in all regards to the provisions of this Constitution and the powers granted thereby, each Branch:
- 57.1. shall supervise the administration of that Branch's affairs; and
  - 57.2. may either elect or nominate such officers, convene and then hold such meetings, collect and administer such funds, authorise such expenditures and exercise such other administrative powers as are provided for in this Constitution.
58. Each Branch shall have a President, an Immediate Past President, a Vice-President, a Secretary, an Assistant Secretary and a Treasurer and at least four (4) and not more than eight (8) other committee members who shall be elected in accordance with the procedures provided for in this Constitution.
59. Meetings of Branch committees shall be held in accordance with this Constitution.
60. The AGM of an Branch must take place in November of each year (or at such other time as may be approved by the State Council in writing from time to time) and within one (1) calendar month of each AGM of an Branch the Secretary of the Branch shall deliver:
- 60.1. a copy of the minutes of the AGM of that Branch to the State Association;
  - 60.2. a copy of the Treasurer's report of that Branch for the past fiscal year as tabled to the AGM by the Treasurer of that Branch; and
  - 60.3. remit the names of all office bearers elected to the executive committee of the Branch.
61. A Branch may only adopt a Constitution which is consistent with this Constitution as amended from time to time and no Branch shall adopt, amend, alter or repeal a Constitution unless the proposed document, amendment(s) or alteration(s) have been first:
- 61.1. tabled before the State Council; and
  - 61.2. approved at the next AGM or Special Meeting of the State Association.

### **DUTIES OF BRANCHES**

62. The duties of each Branch are, amongst other things, to:
- 62.1. hold regular meetings on not less than four (4) occasions in each calendar year;
  - 62.2. keep a register of members in a written register as approved and prescribed by the State Council from time to time;
  - 62.3. annually collect from each of its members monetary funds that are sufficient to cover:
    - 62.3.1. the annual membership fees of the State Association;

- 62.3.2. the annual membership fees of the Branch; and
- 62.3.3. such other expenses as are incidental to the administration of the Branch;
- 62.4. encourage regular attendances at events and meetings of both the Branch and the State Association;
- 62.5. carry on and conduct activities that are consistent in all regards with the advancement of the objects and policies of the State Association;
- 62.6. submit reports to the State Association containing such information as may be called for by the State Association from time to time;
- 62.7. as and when called upon to do so, make available for inspection by or on behalf of the State Association all and any books and records kept by the Branch;
- 62.8. report annually to the State Association the true financial situation and circumstances of the Branch;
- 62.9. annually elect office bearers; and
- 62.10. elect two (2) delegates to attend all meetings of the State Council (in addition to the President of the Branch whose election is automatic).

### **AMENDMENTS TO THE CONSTITUTION**

- 63. This constitution document:
  - 63.1. shall be the only Constitution of the State Association; and
  - 63.2. shall come into force and have full force and effect forthwith upon its adoption by the State Association.
- 64. This constitution document, and in particular the two (2) paragraphs under the heading of “Amendments to the Constitution” shall not be altered, varied, amended, added to or repealed unless:
  - 64.1. not less than seventy five percent (75%) of State Association members present at a meeting specially convened for that purpose are in favour of such alteration, variation, addition or repeal;
  - 64.2. all State Association members have been given prior notice in writing; and
  - 64.3. the notice in writing is dispatched to them by the Secretary of the State Association not less than one (1) calendar month prior to the meeting at which all and any such alterations, variations or additions or the repeal of this constitution document is voted upon by State Association members.
  - 64.4. a financial Member may vote at any Annual General Meeting or at a Special General meeting for or against a motion or motions to amend this Constitution by either attending in person at the place where the meeting is

held or by postal vote. The personal vote by Members in attendance shall be by secret ballot;

64.4.1. a postal vote confers authority on a financial Member the right to vote for or against any motion to amend the Constitution by following the postal vote procedure;

64.4.2. upon receipt by the Secretary of a notice requesting a meeting to amend the Constitution the Legislation Officer shall prepare:

64.4.2.1. a voting paper (ballot paper) following the general form as the case may require set out below,

64.4.2.2. sealable envelopes to accommodate the ballot paper in the form approved by the Legislation Officer;

64.4.2.3. a postal voting guide.

64.4.3. the sealable envelopes prior to dispatch to financial Members shall on the outside-

64.4.3.1. have printed in bold black letters the words “**POSTAL VOTING BALLOT PAPER INSIDE**”;

64.4.3.2. be consecutively numbered;

64.4.3.3. have printed the Member’s name, address and date of birth;

64.4.3.4. have panels printed indicating where the Member is to sign and insert the date of signing;

64.5. the Secretary shall:-

64.5.1. arrange for the ballot paper to be placed in the sealable envelopes;

64.5.2. send by post to each financial Member:

- the Notice of Motion requesting the meeting of Members to consider the motion to amend the Constitution;
- the sealable envelope containing the ballot paper;
- an additional envelope addressed to the Secretary;
- a postal voting guide;

64.6. upon receipt of the ballot paper by the financial Member the financial Member shall have the choice to exercise his or her right to cast a postal vote by:

64.6.1. removing the ballot paper from inside the sealable envelope;

64.6.2. marking one check box only for each proposed motion to change the Constitution with either a “X” or “√” to either accept or reject the proposed motion or motions;

- 64.6.3. signing the sealable envelope and write on it the date of signing,
  - 64.6.4. placing the ballot paper in the sealable envelope and sealing the envelope;
  - 64.6.5. delivering the sealed envelope to the Member's Branch Secretary or Branch President no later than 2 days prior to the date of the meeting; or
  - 64.6.6. delivering the sealed envelope to any Office Bearer of State Council; or
  - 64.6.7. placing the sealed envelope in the provided self-addressed envelope with the Secretary's address marked on it and posting it to the Secretary in sufficient time to reach the Secretary prior to the meeting;
- 64.7. all sealed envelopes containing the ballot paper must be received by the State Secretary at least one half of one hour before the commencement of the meeting at which the postal vote is to exercised;
- 64.8. at the meeting the Chairperson shall appoint 2 scrutineers to:
- 64.8.1. scrutinise all votes at the meeting;
  - 64.8.2. inspect every sealed envelope containing the ballot paper to ensure that:-
    - the Member's signature and the date signed are on the sealed envelope;
    - there has been no interference with the sealed envelope and/or the ballot paper;
    - the person making the postal vote is a financial Member;
  - 64.8.3. if either the signature or the date or both are missing from the sealed envelope or if the sealed envelope has been interfered or tampered with the postal vote is invalid;
  - 64.8.4. each sealed envelope containing the ballot paper is to be opened, the ballot paper removed and each secret ballot paper separately counted by the scrutineers in a manner in front of the Members attending the meeting so that the integrity of the secret postal and personal vote is retained;
  - 64.8.5. on completion of the counting the scrutineers shall inform the Chairman of the total of each type of the votes in favour of or against the amendment or amendments to the Constitution and of the number of informal voters;
  - 64.8.6. any ballot paper that has one or more motions not voted upon is invalid.





## PROPERTY

65. The property, assets and income of the State Association, whatever they may be and however they may be derived, shall be the property of the State Association and may only be applied towards or in the course of the promotion of the objects of the State Association and no portion thereof shall be paid or transferred either directly or indirectly by way of dividend, bonus or otherwise by way of profit to members of the State Association however nothing herein in this clause shall prevent the payment in good faith of:

65.1. remuneration to any officers or servants of the State Association or any Member in return for services actually rendered; or

65.2. interest on money borrowed from any Member of the State Association.

Should any Branch for any reason whatsoever cease to function, operate or exist the Treasurer, Member or person holding or controlling the Branch's money, records or property shall forthwith on demand by or on behalf of the State Council hand, deliver, transfer or pay the Branch's money, records or property to the State Association.

66. If any Branch becomes defunct or is abandoned:

66.1. that Branch's money, records and property shall be transferred to the State Association to be held in trust by it pending the revival of the Branch; and

66.2. every reasonable effort shall be exerted and applied by both the State Association and the State Council towards the revival of such Branch, but if, notwithstanding the best and reasonable endeavours of both the State Association and the State Council, the Branch is not revived after a lapse of six (6) calendar months, the State Association shall, after deduction of its reasonable costs, charges and expenses, apply the residue then remaining for the benefit of another Branch within South Australia having objects that are the same as or similar to those of the defunct Branch before it became defunct or was abandoned.

67. No property or asset of the State Association that has a value of **\$1,000.00** or more shall be disposed of without prior written approval from the State Council.

68. The State Council may in its absolute and unfettered discretion from time to time:

68.1. purchase or lease in the name of the State Association such real estate and personal property (with or without buildings erected thereon) as shall in the opinion of the State Council be suitable for the purposes of the State Association and/ or its Branches;

68.2. erect such building or buildings as may in the opinion of the State Council be suitable for the purposes of the State Association and/ or its Branches;

68.3. alter, adapt, add to, take down or rebuild any existing buildings and sell, hire, let or re-let any assets - either real estate or personal property - as may in the reasonable opinion of the State Council be required to render the same suitable for such purposes;

68.4. furnish, decorate, fit up and maintain all and any buildings and furnishings so that they are fit for occupation and use in accordance with the purposes of the State Association and/ or its Branches; and

68.5. let or sell any land or other property reasonably deemed by it to be undesirable, unnecessary, redundant, excessive or a liability,

and all and any monies necessary to give effect to the above purposes shall be appropriated by the State Council from the monetary or other assets of the State Association from time to time.

69. The State Council shall allow the property or premises of the State Association to be used in such a manner as it considers reasonably necessary for or ancillary to the lawful objects and purposes of the State Association or any of its Branches.

70. If at any time the State Association, either at an AGM or a Special Meeting, shall pass a resolution authorising the State Council to borrow money for the purpose of the State Association, the State Council shall thereafter be empowered to borrow such amount of money - either at one time or from time to time - and at such rates of interest, in such form or manner and upon such security as shall be necessary. All members of the State Association, whether voting on any such resolution or not and all persons becoming members of the State Association after the passing of such resolution, shall be deemed to have assented to the borrowing as if they had voted in favour of such a resolution.

### **OFFICIAL PUBLICATIONS**

71. The State Association shall have exclusive jurisdiction, control and supervision over all official publications of the State Association or any of its Branches.

72. An official magazine and/or newspaper of the State Association shall be included in the annual subscription (if any) and the cost thereof shall be levied and collected on an annual basis with membership fees.

### **COMMON SEAL**

73. The Common Seal of the State Association shall not be affixed to any agreement, deed or other document without the prior authority of a specific resolution of the State Council in that regard and to that effect. All documents requiring execution by or on behalf of the State Association shall be sealed with the Common Seal and countersigned by either the President or the Secretary from time to time and one (1) other Member of the State Council.

### **SEAL HOLDERS**

74. The Secretary of the State Association from time to time shall be the lawful and proper custodian of the Common Seal of the State Association.

### **NAME, EMBLEM, INSIGNIA OR BADGE**

75. The name, emblem, insignia or badge of the State Association and each Branch of the State Association:

- 75.1. shall be of a design approved by the State Council from time to time;
- 75.2. shall not be used for any purpose or purposes except that purpose or those purposes expressly authorised by:
  - 75.2.1. this Constitution; or
  - 75.2.2. the policies of the State Association; and
- 75.3. shall not be used by any individual or entity without the prior written consent of the State Council.

### **TERMINATION OF MEMBERSHIP**

- 76. The State Council may in its absolute and unfettered discretion terminate the membership of any:

- 76.1. Member; or
- 76.2. affiliated body; or
- 76.3. Branch,

but any decision(s) to terminate any membership or affiliation must be passed by a resolution approved by two thirds (2/3<sup>rds</sup>) of the members of the State Council present and voting in respect of any such decision(s).

- 77. Every Member of the State Association undertakes to comply with and be bound by this Constitution as amended from time to time and any refusal or neglect to do so shall render such Member liable to expulsion.

- 78. The State Council shall have the power to censure, suspend or expel any Member and/or terminate any membership or affiliation:

- 78.1. for, as a result of or in relation to any proven conduct which, in the reasonable opinion of the State Council:

- 78.1.1. is unbecoming of a Member;
- 78.1.2. is discreditable or injurious to the character, purposes or interests of the State Association; or
- 78.1.3. renders the Member unfit to associate with other members of the State Association; or

- 78.2. who fails to comply with any reasonable directions or requests of, from or on behalf of the State Council or such other body, person or persons (regulatory, government or otherwise) in authority within a reasonable time,

but before any Member is or can be censured, suspended, expelled or otherwise disciplined in accordance with this Constitution as amended from time to time by the State Association, their alleged conduct shall be subject to a proper enquiry by the State Council and the Member will be given an opportunity to:

78.3. defend themselves; and

78.4. at their option and cost in all regards (and if appropriate) justify and/or explain their proven or admitted conduct,

but if a majority of the office holders of the State Council are of the opinion that the Member has engaged in such proven conduct or action as aforesaid the State Council may, in its absolute and unfettered discretion and as it thinks fit in the circumstances, censure, suspend, expel or discipline the Member.

79. An expelled Member; or

79.1. any Member who fails to comply with any censure, penalty or suspension imposed by the State Council,

shall have their name removed from the register of members and shall thereafter cease to be a Member of both the State Association and all and any of its Branches.

80. Any Member who:

80.1. is expelled in accordance with this Constitution as amended from time to time; or

80.2. otherwise ceases to be a Member of the State Association,

shall forfeit all and any rights to any claim upon or in respect of any property or funds of the State Association and any of its Branches by reason or as a result of a former membership of the State Association.

81. Consequent upon the suspension or expulsion of any Member the State Association shall immediately advise the National Body together with its member States and Territories.

## APPEALS

82. For the purpose of this clause and the following three (3) clauses “an appellant” means a person whose:

82.1. application for membership has been rejected; or

82.2. membership has been either suspended or terminated, by the State Council.

83. An appellant may, within twenty one (21) calendar days of:

83.1. the rejection of their application for membership; or

83.2. the suspension or termination of their membership of the State Association, lodge with the Secretary of the State Association written notice of an appeal against:

83.3. the rejection of their application for membership; or

- 83.4. the suspension or termination of their membership of the State Association, as the case may be, clearly and succinctly setting out the grounds of appeal to be argued by the appellant but provided in all regards that the written notice of an appeal is accompanied by:
  - 83.5. a conditionally refundable appeal fee in that amount which is five hundred percent (500%) of the then current annual membership fees; and
  - 83.6. a written and irrevocable acknowledgement that the appellant is and will be liable for the entire cost - on an indemnity basis - of calling an extraordinary meeting of the State Council in the event of the appellant's grounds of appeal being rejected by the State Council.
84. Consequent upon the receipt by the Secretary of a written notice of an appeal that is in all regards in strict accordance with the preceding clause of this Constitution, the Secretary shall convene an extraordinary meeting of the State Council which shall be held not later than one (1) calendar month after receipt of the written notice of an appeal.
85. If the appellant's grounds of appeal are upheld at an extraordinary meeting of the State Council, the conditionally refundable appeal fee shall be refunded to the appellant in full; but
- 85.1. if the appellant's grounds of appeal are rejected by an extraordinary meeting of the State Council the appellant shall forfeit the entirety of the conditionally refundable appeal fee and immediately be liable to pay the entire cost - on an indemnity basis of calling the extraordinary meeting of State Council.

## **INTERPRETATION OF THIS CONSTITUTION**

86. In the event of:
- 86.1. any doubt, uncertainty or difficulty arising in relation to the meaning or intent; or
  - 86.2. any question arising in relation to the interpretation,
- of any clause of this Constitution, the State Council has the power to pronounce a decision in relation thereto and its decision shall be final and binding on all members of the State Association.
87. In the absence of some specific guidance in this Constitution upon or in respect of any particular matter or issue, all and any:
- 87.1. committee meetings;
  - 87.2. AGM's;
  - 87.3. special meetings; and
  - 87.4. extraordinary meetings

of the State Association, the State Council and any Branch shall be conducted in accordance with rules of order that are commonly accepted and used from time to time in the course of the conduct of meetings in general.

In or in respect of any situation not specifically or generally provided for by this Constitution regarding, amongst other things, practices, procedures and administration, the general rules of practice, procedure and administration that are commonly accepted and used from time to time in the course of the conduct of companies and associations in general shall be adopted and applied in any particular case but with such modification, if any, as the circumstances from time to time warrant.

## **RULES APPLICABLE TO BRANCHES OF THE SOUTH AUSTRALIAN FIELD AND GAME ASSOCIATION INC.**

88. The name of an Branch of The State Association shall be to the effect of:
- 88.1. “The (Suburb / Area / Town / Locality) Branch.”
89. All Branches of The State Association shall be subject in all regards to the terms and provisions of the Constitution and By-laws (if any) of The State Association as amended from time to time.
90. The objects of all Branches of The State Association shall be the same as the objects of The State Association as amended from time to time.

### **MEMBERSHIP OF BRANCHES**

91. Membership of Branches shall be available to all members of the State Association who are resident in the territory designated to an Branch by The State Association from time to time together with others who may reside outside of the territory designated but who have been accepted by the State Association and shall be divided into the classes of Ordinary Members, Family Members, Honorary Life Members, Junior Members, Sub Junior Members and Senior Members, as prescribed by the Constitution of the State Association.
92. A Branch may grant membership to a Member of another Branch on a transfer basis. The transferring Member shall make written application to both:
- 92.1. the Secretary of the Branch of which the transferring Member desires to be a Member for a transfer of membership; and
- 92.2. the Secretary of the Branch of which the transferring Member is currently a Member for termination of membership of that Branch, but the transferring Member must be in good standing in the Branch of which the transferring Member is currently a Member before any such written application can be made.
93. A Branch, may, on application, grant secondary (associate) membership to a Member of another Branch provided that all regular annual membership fees fixed by the relevant Branch from time to time have been paid in advance by the Member

who is desirous of being granted secondary (associate) membership. For the purposes of the State Association, the Member who is desirous of being granted secondary (associate) membership will be regarded as a Member of the primary Branch and may not hold any office in the secondary Branch.

94. Members of Branches shall pay such annual membership fees as are or may be fixed from time to time by the committee of Branches **in addition to** the annual membership fees payable to the State Association and all monies shall be paid in advance and at such times and places as either the State Council or the Branch committees respectively shall determine from time to time.
95. The Secretaries of the Branches shall remit to the State Association all annual membership fees payable to the State Association at the times specified by the State Association from time to time.

### **MANAGEMENT OF BRANCHES**

96. The day to day management and administration of the affairs of a Branch shall be vested in a committee of management which shall be, comprise and constitute the executive body of the Branch. The committee of management shall consist of:
- 96.1. a President;
  - 96.2. the Immediate Past President;
  - 96.3. a Vice President;
  - 96.4. a Secretary;
  - 96.5. an Assistant Secretary;
  - 96.6. a Treasurer; and
  - 96.7. at least four (4) and not more than eight (8) other committee members as shall be elected.
97. The term of the President's occupancy of office shall be limited to five (5) consecutive twelve (12) calendar month terms (sixty {60} months) after which time that person must relinquish office for a period of one (1) twelve (12) calendar month term (twelve {12} months) before again being eligible for election as the President of a Branch.
98. Regular meetings of the committee of management of a Branch shall be held:
- 98.1. at such times and places as the committee of management of a Branch shall determine from time to time; but
  - 98.2. on not less than four (4) occasions in each calendar year.
99. Special meetings of the committee of management of a Branch shall be held:
- 99.1. when called by the President of that Branch; or



- 99.2. when requested by three (3) or more members of the committee of management of that Branch; and
- 99.3. at such time and place as the President of that Branch shall determine.
100. At all meetings of the committee of management of a Branch, six (6) members thereof shall be and comprise a quorum and all matters shall be decided by a majority of votes and in the event of a deadlock the President shall have a casting vote in addition to a deliberative vote. All voting shall be by show of hands unless a ballot is required by the majority of those members of the committee of management of a Branch present.
101. The committee of management of a Branch shall:
- 101.1. authorise all monetary expenditure by or on the part of an Branch;
- 101.2. not incur or create any indebtedness beyond the current income and/or monetary assets of the Branch; and
- 101.3. not authorise the disbursement of Branch funds for any purpose that is inconsistent with the business, purposes and/or policies of the State Association.
102. As a strict pre-condition to their coming into existence, all Branches of The State Association acknowledge that the State Council has the power to, amongst other things, modify, override or rescind any:
- 102.1. action of a committee of management of a Branch; or
- 102.2. resolution of any officer of a Branch,
- insofar as such action or resolution shall be inconsistent with this Constitution or the business, purposes and/or policies of the State Association.
103. The committee of management of a Branch:
- 103.1. shall open an account or such number of accounts with a financial institution or with financial institutions for the deposit of funds of the Branch as is considered appropriate from time to time;
- 103.2. shall have the books, accounts, records, activities and operations of the Branch audited annually by an auditor with accountancy qualifications appointed at the AGM of the State Association or, in the absolute and unfettered discretion of the State Association, more frequently; and
- 103.3. may require an accounting or conduct an audit of the handling of the funds, assets or other resources of a Branch by either any officer of the committee of management of a Branch or the State Association,
- and, upon making a written request in this regard, any financial Member of a Branch in good standing may, at a reasonable time and place determined by the committee of management of a Branch, inspect any such audit or accounting.

104. The committee of management of a Branch shall submit reports upon or in respect of all matters of finance, expenditure, policies and new business to the State Association whenever reasonably requested in writing to do so by The State Association.
105. The committee of management of a Branch shall, at the AGM of the Branch, name and appoint two (2) office bearers and their proxies as delegates to attend meetings of the State Council and shall within fourteen (14) days thereafter advise the State Council in writing of such appointments. The Immediate Past President of a Branch is, at his or her option, the third delegate of a Branch.
106. All elected offices comprising the committee of management of a Branch at their AGM automatically hold office until the 31<sup>st</sup> December of each year. The newly elected Officers will take office on the 31<sup>st</sup> December following the AGM of a Branch.
107. The officers comprising the committee of management of a Branch shall be elected from nominations for election to office for the ensuing twelve (12) calendar months that are:
  - 107.1. in writing;
  - 107.2. received by the Secretary of a Branch not less than seven (7) calendar days prior to the AGM; and
  - 107.3. signed by the proposer, a seconder and the nominee.
108. Elections in respect of officers comprising the committee of management of an Branch will take place at the AGM of the Branch. A quorum for the Branch AGM, or Special Meetings of Branches shall be eight (8) or 50% of their total financial members for the preceding 12 Months. If no written nominations are received for a particular position then the Chairperson of the AGM of the Branch may call for other nominations from financial members present at the AGM of the Branch.
109. The Chairperson of the AGM of the Branch may accept nominations in respect of members not present at the AGM of the Branch in reliance upon verbal assurances by and from both the proposer and the seconder that the nominee is prepared to and will accept the nomination.
110. Should any vacancy occur in the office bearers of the committee of management of a Branch (other than in the normal course of elections) the committee of management of a Branch shall have the power to fill such vacancy until the next AGM of the Branch and the Member duly appointed by the committee of management of a Branch shall hold the office for the unexpired portion of his or her predecessor's term of office.
111. The amongst other things Secretary of a Branch shall, in conjunction with the Treasurer of the Branch,:
  - 111.1. create and maintain current a register of members of the Branch;
  - 111.2. maintain proper records;

- 111.3. convene meetings of both the committee of management of a Branch and members of a Branch; and
- 111.4. record proceedings at all and any such meetings.
- 112. The Treasurer of a Branch shall, amongst other things:
  - 112.1. create and maintain correct books of account clearly showing the financial position of the Branch;
  - 112.2. be responsible for the care of the funds, assets or other resources of the Branch; and
  - 112.3. be required to keep all invoices, accounts and receipts of the Branch for a period of seven (7) years and make them available for inspection by or on behalf of the State Council or the State Association as and when required.
- 113. No monies shall be drawn from any financial institution account of a Branch unless so drawn either by or pursuant to a form of withdrawal or cheque instrument that is, in each and every case:
  - 113.1. authorised by the committee of management of the Branch; and
  - 113.2. signed by any two (2) of the President, Vice-President, Secretary and
  - 113.3. Treasurer in office from time to time;
  - 113.4. All and any petty cash vouchers must be duly receipted and approved prior to payment by either the Treasurer or the Secretary from time to time; and
  - 113.5. All and any internet banking transactions:
    - 113.5.1. may be authorised in respect of any financial institution account of the Branch by the committee of management of the Branch; but
    - 113.5.2. can only be effected by either the Treasurer or the Secretary of the Branch from time to time; and
    - 113.5.3. must have original transaction receipts in respect of them presented to the Treasurer of the Branch as soon as is practicable after they are affected.
- 114. After election to office, the members of the committee of management of a Branch shall be nominated to perform similar duties to and liaise with, the respective officers of the State Association for:
  - 114.1. Target Shooting;
  - 114.2. Conservation and Research
  - 114.3. Public Relations;
  - 114.4. Safety;

- 114.5. Coaching;
  - 114.6. Education and Publicity;
  - 114.7. Fisheries; and
  - 114.8. Legislation.
115. Only financial members of a Branch may be elected to office or vote at AGM's or special meetings of the Branch.

### **MEETINGS OF BRANCHES**

116. The AGM of a Branch - in respect of which AGM members of that Branch shall have a written notice of the meeting posted to them at least twenty one (21) calendar days before the AGM - must take place in November of each year (or at such other time as may be approved by the State Council in writing from time to time) and within one (1) calendar month of each AGM of a Branch the Secretary of the Branch shall deliver copies of:
- 116.1. the minutes of the AGM of that Branch to the Secretary of the State Association;
    - 116.1.1. the progressive Treasurer's report of that Branch for the current year to date (as tabled to the AGM by the Treasurer of that Branch);
    - 116.1.2. the final report of financial accounts capable of being audited of that Branch for the past financial year by the 15<sup>th</sup> January to the state treasurer, the treasurer to organize these accounts to be audited by the listed state auditor in accordance with legal requirements; and
    - 116.1.3. a register of the assets of that Branch current as at the then just held AGM,to the Treasurer of the State Association; and
  - 116.2. a list of the names of all office bearers elected to the committee of management of the Branch to the Secretary of the State Association.
117. The business to be transacted at the AGM of a Branch shall be:
- 117.1. the reading of the written notice convening the AGM;
  - 117.2. the reading and confirmation of the minutes of the previous AGM and/or special meeting(s) if any;
  - 117.3. the presentation of financial accounts of the Branch;
  - 117.4. consideration and adoption of the financial accounts of the Branch;
  - 117.5. the reading of the annual reports of the office bearers of the Branch;

- 117.6. receiving nominations for all offices of the Branch;
  - 117.7. the election of office bearers of the Branch;
  - 117.8. transacting any other business affecting the welfare and/or day to day operations of the Branch and the State Association, and any business to be transacted at any AGM of a Branch must be in the hands of the Secretary of the Branch no later than seven (7) days before the convening of such meeting for inclusion in the agenda of the AGM of the Branch.
118. A Special Meeting of a Branch shall be:
- 118.1. called at the written request of any five (5) of the office bearers of the Branch provided that the reason(s) in respect of which the Special Meeting is being called are succinctly and clearly set out in the written request; and
  - 118.2. convened not less than twenty one (21) calendar days and not more than two (2) calendar months after the receipt by the Secretary of such a written request.

### **FINANCIAL YEAR OF BRANCHES**

119. The financial year of a Branch shall be from the 1<sup>st</sup> of January in each calendar year to the 31<sup>st</sup> of December in that same calendar year.

### **PROPERTY OF BRANCHES**

120. Branches are entitled in their own right to own assets both real and personal wherever, whenever and however derived independent of the State Association, and:
- 120.1. income of a Branch, wherever and however derived, shall at all times be owned by and belong to the recipient Branch;
  - 120.2. all, assets both real and personal acquired by Branches shall at all times be owned by and belong to the respective Branches
  - 120.3. shall not form part of the general assets or revenue of the State Association;
  - 120.4. all, assets both real and personal acquired and including money received by Branches shall be recorded in the respective Branches' name;
  - 120.5. all, assets both real and personal acquired by Branches and/or income shall be applied towards, amongst other things, the promotion of the objects of the Branches;
  - 120.6. no portion of the assets both real and personal acquired by Branches and/or income thereof shall be in any way, shape or form paid or transferred, either directly or indirectly, by way of dividend, bonus or otherwise to any Member or Members of a Branch or the State Association provided that nothing in this sub-clause shall prevent the payment in good faith of remuneration to any officers or servants of a Branch or any Member of the State Association in return for services actually rendered, nor prevent the

payment of interest on money borrowed from any Member of a Branch or the State Association;

### **TERMINATION OF MEMBERSHIP BY BRANCHES**

121. The committee of management of a Branch shall not have the power to terminate the membership of a Member of either a Branch or The State Association, the power to terminate the membership of a Member of either a Branch or the State Association vesting in and being the exclusive jurisdiction and domain of the State Council in accordance with and pursuant to Clauses 76 to 85 inclusive of this Constitution.

### **CODE OF CONDUCT**

122. The Code of Conduct published by the Field & Game Federation of Australia Incorporated from time to time shall form part of this Constitution to be observed and complied with by all members. Any breach of the Code of Conduct by a Member is to be treated as a breach of this Constitution.

### **WINDING UP OF THE ASSOCIATION**

123. The association may be wound up in the manner provided in the Act.