

# ANNEXURE "A"

Lodged in the Office of the  
Commissioner for  
Consumer Protection on the  
11 DEC 2007

## CONSTITUTION AND RULES

OF

### Hellenic Outdoor Sports & Recreation Association of Western Australia. (Inc)

*THIS IS THE ANNEXURE OF 11 PAGES MARKED "A"  
REFERRED TO IN FORM 1  
SIGNED BY ME & DATED 11/12/2007  
[Signature]*

**THIS IS A TRUE COPY OF THE ASSOCIATIONS RULES**

## **CONSTITUTION AND RULES**

### **1. NAME**

- 1.01 The name of the Association shall be the "Hellenic Outdoor Sports & Recreation Association of Western Australia (Inc)" and shall hereinafter throughout the Constitution and Rules, be referred to as the Association.
- 1.02 The Association shall be incorporated in the State of Western Australia.

### **2. OBJECTS**

The objects of the Association are:

- 2.01 To develop facilities for Clay Target Shooting and other activities that will promote community health and well being amongst the Hellenic, other ethnic and local communities. Also the promotion of wildlife conservation and management projects available to the association.
- 2.02 to develop the capacity for the Hellenic and general community at large the availability to participate in outdoor sports and recreational activities with the view of fostering and promoting Hellenic Cultural values & spirit.
- 2.03 To inform and educate the field sportsman in the value and ethics of this sport and others.
- 2.04 By united voice present proposals to and cooperate with Government Departments for increased awareness of community health as well as management of wildlife programmes.
- 2.05 To foster and maintain friendly relations between members of the Association, Landholders and the Public.
- 2.06 To promote the sport of shooting and public appreciation in the activities of the Association.
- 2.07 To purchase, take on lease, improve, manage, exchange, mortgage, change dispose of, turn to account, invest or otherwise deal with any real or personal property. (The property and income of the Association shall be applied solely towards the promotion of the objects or Purposes of the Association and no part of that property or income may be paid or otherwise Distributed, directly or indirectly, to members of the Association, except in good faith in the promotion of those objects or purposes).
- 2.08 To affiliate with other outdoor organisations having similar aims or objectives.
- 2.09 To adopt from time to time any additional objects and rules relative to and in the interests of the Association.
- 2.10 To support financially if thought fit any other associations or organisations be it educational, private or institutional.

### **3. MEMBERSHIP**

- 3.01 The Association shall consist of several class of members being as follows :- Foundation Members, Life Members, Adult Members, Junior Membership, and Family Membership. The subscription for each category shall be determined by the Executive committee in accordance with the rules of the constitution as they relate to subscriptions. The Association shall also make provision for Associate Memberships as it see's fit.

- 3.02 Any person subscribing to the aims and objects of this Association shall be eligible for membership as an ordinary member.
- 3.03 Every applicant for membership shall be proposed by one full member and seconded by a second full member, both of whom shall sign the Proposal for Membership form, which shall also be signed by the applicant and which shall constitute an undertaking by the applicant if elected to abide by and comply with the rules of the Association.
- 3.04 Upon receipt of a Proposal form for Membership from any applicant the Secretary shall produce the proposal form :  
- to the next meeting of the Executive Committee at which the proposal for membership shall be considered and a vote taken to elect or reject the proposed member.
- 3.05 No person shall be elected for membership of the Association unless the provisions of paragraphs 3.03 and 3.04 hereof shall have been followed.
- 3.06 The Executive Committee may hold an election of members whenever it thinks fit provided that it shall hold such an election at intervals of not more than three (3) months.
- 3.07 Each applicant for membership shall submit with his Proposal form the amount of the annual subscription then in force.
- 3.08 Any member who in the opinion of the majority of members of the Executive Committee commits any breach of the objects of the Association, or brings into disrepute the public image of the Association shall have his membership terminated in writing by the Secretary, effective as of the date of the Secretary's notification. Any paid subscriptions shall not be refundable.
- 3.09 Any member may resign his membership by giving to the Secretary notice in writing to that effect. Every such notice shall be deemed to take effect on the date expressed therein.

#### **4. SUBSCRIPTIONS**

- 4.01 The amount of the annual subscription for each calendar year of the Association shall be fixed by a duly convened meeting of the Executive Committee provided that such meeting takes place not less than thirty (30) days prior to the due date of annual subscriptions.
- 4.02 Annual subscriptions shall fall due on the first day of January in each year.
- 4.03 Any person elected to membership of the Association who pays the annual subscription by the thirty first day of January in each year shall be deemed a financial member of the Association for the whole of the ensuing calendar year commencing on the first day of January.
- 4.04 Any member who fails to pay his subscription by the thirty first day of January after being duly notified in writing may at the discretion of the Executive Committee be struck off the list of members of the Association and shall thereupon cease to be a member the Association. Any such former member shall remain liable for all unpaid subscriptions owing by him and after payment of such overdue subscriptions shall be eligible to be re-selected as a member of the Association.

## **5. EXECUTIVE COMMITTEE**

- 5.01 The corporate powers of this Association, expressed or implied, shall be vested in and exercised by the "Executive Committee" which shall constitute the executive body of this Association.
- 5.02 The Executive Committee shall comprise of the President, Immediate Past President, Vice-President, Secretary, Treasurer, and two (2) Directors.
- 5.03 Any financial member of the Association who desires to stand for election as a member of the Executive Committee of the Association shall submit to the Secretary not less than 14 days before the date of the Annual General Meeting a nomination of candidacy specifying the office to which the candidate seeks election, signed by the candidate and by two (2) other financial members of the association. All voting shall be by a show of hands unless a ballot shall be required by a majority of those present.
- 5.04 The Officers of the Executive Committee shall be elected for a term of office of twelve (12) months commencing from the date of the Annual General Meeting until the subsequent Annual General Meeting.
- 5.05 Only financial members of the Association may vote in the election of Officers and members of the Executive Committee.
- 5.06 The Executive Committee shall meet not less than once every 2 months on a day and at a time appointed by the President. A special meeting may be provided if three (3) members of the Committee shall requisition a meeting for the purpose of discussing any particular matter or matters described in such requisition, then the President shall within seven (7) days convene a special meeting of the Executive Committee.

## **6. PROCEEDINGS OF EXECUTIVE COMMITTEE**

- 6.01 A quorum for meetings shall consist of five (5) members of the Executive Committee of the Association. *(see amendment 21.2 6/2/93)*
- 6.02 All decisions shall be by majority vote.
- 6.03 In the event of an equality of votes the Chairman of the meeting shall have a casting as well as a deliberative vote.
- 6.04 Voting shall be by a show of hands unless any member requires a secret ballot.
- 6.05 Any member who without the permission of the Executive Committee is absent from three (3) consecutive meetings of the Executive Committee or being absent from two (2) consecutive meetings attends one meeting and is thereafter absent from the next following meeting shall be deemed to be dismissed from the Executive Committee. A vacancy may also occur thru natural causes such as illness or death. Also a committee member may be dismissed and their position become vacant for participating in any unlawful act, breach of constitution or for performing an act unbecoming a member of the association.
- 6.06 In the event a vacancy upon the Executive Committee shall occur such vacancy may be filled by appointment to the Executive Committee of any person approved by the Executive Committee. In the event that the office of President, Vice-President, Secretary, or Treasurer

shall fall vacant during the term of office of the Executive Committee then the Executive Committee may appoint any member of that Committee to that office.

- 6.07 Members of the committee who have any direct or indirect pecuniary interest in a matter being considered by the committee must declare that interest and not take part in any deliberations or voting on that matter.

## **7. POWERS OF THE EXECUTIVE COMMITTEE**

7.01 The Executive Committee shall the following powers:-

- (a) To purchase, take on lease, hire, in exchange or otherwise lands, buildings, easements or real or personal property which may be required for the purposes of or conveniently used in connection with any objects of the Association and to sell, lease, mortgage, give in exchange or dispose of the same or any part or parts thereof from time to time and to grant easements in, through, over or upon any land and to acquire easements or rights over any other land PROVIDED THAT no interest in any land held by the Association may be sold transferred or disposed of without the consent of a General Meeting.
- (b) To borrow money on mortgage on the security of the whole or any portion of the real or personal property of the Club with security or without giving any security for same.
- (c) To invest all or any funds of the Association on any security for the time being authorised by the law for the investment of trust funds and from time to time vary such investments.
- (d) To make such grants as it may consider necessary or desirable for the attainment of the objects of the Association.
- (e) To appoint and remove officers and employees except such as may be appointed or removed only by General Meeting of Members.
- (f) To accept or reject any application by any Association or person for the hiring of any premises under the control of the Association.
- (g) To appoint sub-committees or delegate any of its powers herein referred.
- (h) To receive all rentals payable by any Association or person hiring the premises of the Association.
- (i) To make, rescind, or suspend any regulations relating to the Associations premises or as to any other matters whatsoever and to prescribe monetary or other penalties for the breach of any regulations by any member provided that any regulations made shall not be inconsistent with these Rules.

## **8. DUTIES OF THE PRESIDENT**

8.01 The President shall:

- (a) Cause the Secretary to convene all meetings of the Executive Committee and all General Meetings of the Association.

- (b) Act as Chairman of every meeting both of the Executive Committee and any General Meeting of the Association.
- (c) Represent the Association at all times.
- (d) Have a deliberative as well as a casting vote at all meetings of the Executive Committee and of the Association in General Meeting.
- (f) Sign all documents with the Secretary or the Treasurer

## **9. DUTIES OF THE VICE-PRESIDENT**

- 9.01 The Vice-President shall exercise the powers and perform the duties of the President at any meeting or on any occasion at which the President is not present.  
If both the President and Vice-President are absent from any meeting of the Executive Committee or any General Meeting of the Association then the remaining members of the Executive Committee shall appoint one of their number to act as Chairman of that meeting.

## **10 DUTIES OF THE SECRETARY AND PUBLIC OFFICER**

10.1 The Secretary shall:

- (a) Keep in the English language minutes of the Annual and other General Meetings of the Association and of all meetings of the Executive Committee.
- (b) Maintain a Register of members of the Association.
- (c) At the direction of the President or upon receipt of any requisition for a meeting signed by three members of the Executive Committee convene a meeting of the Executive Committee.
- (d) Present to the Executive Committee all correspondence received by the Association and dispatch all such correspondence on behalf of the Association as the Executive Committee may require.
- (e) Together with the President and/or Treasurer execute all documents of a formal nature on behalf of the Association.
- (f) Shall act as Public Officer of the Association for the purpose of the Associations Incorporation Act and any other Act.

## **11. DUTIES OF THE TREASURER**

11.1 The Treasurer shall:

- (a) Keep correct accounts and books showing the financial affairs of the Association and the particulars usually shown in books of account of a like nature which said accounts and book shall be kept in the English language.
- (b) Collect all subscriptions and other income of the Association.

- (c) Maintain appropriate receipt books.
  - (d) Prepare and present to the Executive Committee not less than once a month a statement of the financial position of the Association.
  - (e) Prepare and present the balance sheet and a Statement of Income and Expenditure to the Annual General Meeting of the Association in respect of the previous financial year.
  - (f) Be responsible for any monies received by him and any payments made without the approval of the Executive Committee.
  - (g) Together with the President or the Secretary execute all documents of a formal nature on behalf of the Association.
- 11.2 The Treasurer may have at his disposal for miscellaneous minor expenditures a sum not exceeding \$200.00 provided always that the Treasurer may not without the approval of the Executive Committee incur expenditure exceeding \$50.00 in respect of any one item.
- 11.3 the treasurer will also be responsible for the custody of records, books, documents etc. if for any reason the treasurer is unable to do so the responsibility will fall to the secretary

## 12 GENERAL MEETINGS

- 12.1 Seven days notice of every General Meeting of the Association shall be given to every member entitled to vote by circular through the post, unless any other means of advertisement or notification is decided upon by the Executive Committee. Such advertisement, circular or notification shall contain notice of any business proposed to be transacted at the meeting and in the case of an election for the Executive Committee shall provide for the distribution of ballot papers.
- 12.2 A Quorum at a General Meeting (whether an annual or a special general meeting) shall be constituted by not less than 60 per centum of the financial members of the Association, or as in accordance with rule 12.3.
- 12.3 If a quorum shall not be present within thirty (30) minutes of the time for which the meeting is called the meeting shall be delayed for 30 minutes, and those members present shall constitute the quorum.
- 12.4 All resolutions passed at a General Meeting (other than a resolution for the amendment of this Constitution or for the dissolution of the Association) shall be passed by a simple majority of members.
- 12.5 Voting shall be by show of hands unless a poll shall be demanded.
- 12.6 Only financial members and members of the Association may vote at any General Meeting of the Association. No proxies shall be permitted.

## 13. SPECIAL RULES FOR ANNUAL GENERAL MEETINGS

- 13.1 The Annual General Meeting of the Association shall be held within 4 months from the end of

The financial year ending December 31<sup>st</sup>.

**13.2 At the Annual General Meeting:**

- (a) The minutes of the previous Annual or Special General Meeting shall be read and confirmed.
- (b) The President, Treasurer and Secretary shall report to the Association.
- (c) Provided that the Financial Statements prepared by the Treasurer shall have been approved by the Auditors appointed at the preceding Annual General Meeting, shall approve the Financial Statements of the Association.
- (d) Appoint an auditor (who shall be a member of the Association) and who shall during the ensuing financial year audit the accounts of the Association and have power to call for the production of all books, papers, accounts and documents relating to the affairs of the Association.
- (e) In the event that any office shall be unfilled or insufficient nominations are received for membership upon the Executive Committee the financial members of the Association shall elect such officer or officers and such additional members of the Executive Committee as may be required.

**14. SPECIAL GENERAL MEETINGS**

- 14.1 A special meeting may perform any acts which may be performed by an Annual General Meeting and in addition may, if the Notice of convening the Special General Meeting contains notice thereof, declare any office upon the Executive Committee vacant and may elect other members to fill such offices.
- 14.2 No business shall be transacted at a Special General Meeting except that referred to in the Notice convening such meeting.
- 14.3 Upon not less than ten financial members of the Association requesting that such a Special General Meeting be convened to discuss any matter or matters described in such request the Executive Committee shall cause a Special General Meeting to be convened within (30) days from the date on which such request is received.

**15. FINANCES OF THE ASSOCIATION**

- 15.1 The financial year shall be from the 1st of January to the 31st of December next.
- 15.2 The annual subscriptions and any other per capita tax shall be affixed by the Executive Committee prior to December 31st each year.
- 15.3 All moneys of the Association shall be paid into the general account of the Association at such bank as the Executive Committee shall from time to time direct.
- 15.4 No moneys shall be drawn from this account save by cheques signed by any one (1) of the following:

*PRESIDENT, SECRETARY, or TREASURER*



No cheque shall be signed or money withdrawn unless such withdrawn has been sanctioned by the Executive Committee by a majority vote.

- 15.5 The books and accounts of the Association shall be audited annually by two auditors with accountancy knowledge, appointed at the Annual General Meeting.

## **16. DUTY TO DELIVER UP BOOKS**

- 16.1 The Executive Committee and every member thereof shall deliver to its or his successor all books, papers, documents and registers within seven(7) days of the election of a new Executive Committee or any officer thereon.
- 16.2 the inspection of the associations records, documents and books shall be made available on request to any fully paid up member of the association.

## **17. AMENDMENT OF CONSTITUTION**

- 17.1 No provision of this Constitution shall be rescinded, altered or suspended nor shall any addition to this Constitution be made otherwise than at an Annual or Special General Meeting.
- 17.2 Notice of any motion to rescind, alter, suspend or add to any provision of the Constitution or these Rules shall be given to all financial members in the Notice Convening the Meeting at which such motions proposed to be moved.
- 17.3 Any rescission, alteration, suspension or addition to this Constitution shall be passed by the majority of not less than one-fourth of the financial members of the Association.

## **18. INTERPRETATION OF THIS CONSTITUTION AND RULES**

- 18.1 The decision of the Executive Committee upon the interpretation of this Constitution or any regulation or by-law made by the Executive Committee shall be final.

## **19. SEAL**

- 19.1 The Common Seal of the Association shall remain in the custody of the Secretary and shall not be affixed to any deed or instrument without a resolution of the Executive Committee to that effect. All documents or instruments requiring execution or authentication by the Association shall be sealed with the Common Seal and signed by the President, Secretary and Treasurer of the Executive Committee.

## **20. DISSOLUTION OF THE ASSOCIATION**

- 20.1 The Association may be dissolved by a three-fourths majority of financial members present at a special meeting called for that purpose provided that no such resolution shall be deemed valid unless passed by not less than one-fourth of the financial members of the Association at the date of such meeting.
- 20.2 Upon the passing of a resolution to dissolve the Association the meeting shall forthwith appoint by simple majority a Committee of three members of the Association for the purpose of carrying into effect the dissolution of the Association. Any premises owned by

the Association together with the contents, furniture, fittings, fixtures and decorations thereof and any plant or equipment owned by the Association shall be sold by public auction. The balance of the Associations assets shall be converted in to money. After payment of all just debts and any expenses properly incurred in and about the dissolution of the Association the balance shall be paid to such other incorporated associations subscribing in principle to similar objects as the Associations or any other incorporated association or charity as deemed fit by the dissolution committee.

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