

Adopted dd/mm/yyyy

## **TUGGERANONG DOG TRAINING CLUB INCORPORATED**

# **CONSTITUTION**

## **PART 1 Preliminary**

### **1. NAME**

The Name of the Club shall be "**Tuggeranong Dog Training Club**" herein after referred to as "the Club".

### **2. INTERPRETATION**

- (a) In this Constitution, unless a contrary intention appears:
- (i) "Act" means the "Associations Incorporation Act 1991";
  - (ii) "Regulation" means the "Associations Incorporations Regulation 1991";
  - (iii) "Registrar-general" has the meaning defined in the Registrar-General Act 1993;
  - (iv) "Club" means the "Tuggeranong Dog Training Club Incorporated";
  - (v) "financial year" means the year ending on 30th June;
  - (vi) "member" means a member of the Club of any class set out in this Constitution and as described herein;
  - (vii) "Committee member" means a member of the Committee;
  - (viii) "Public Officer" means a Committee member appointed as such in accordance with the provisions of, and for the purposes of, the Act.
  - (ix) a reference to a function includes a reference to a power, authority or duty;
  - (x) a reference to the exercise of a function includes, where the function is a power, authority or duty, a reference to the exercise of the power or authority or the performance of the duty;
  - (xi) words in the singular shall include the plural, and words in the plural shall include the singular.
- (b) The Legislation Act 2001 applies to this Constitution in the same manner as those provisions would so apply if this Constitution was an instrument made under the Act.

### **3. AFFILIATION**

The Club may from time-to-time affiliate with any other legal entity having similar objects to those of the Club.

## **PART 2 Objects**

### **4. OBJECTS**

- (a) The primary objects of the Club are to:
- (i) provide members with the skills and techniques to train their dog to be a well-mannered social companion which will meet the needs of the member and their family, as well as those of the wider community;
  - (ii) promote community awareness of responsible dog ownership;
  - (iii) foster interest in the training of companion dogs and to make the handling of trained dogs popular;
  - (iv) promote and undertake activities in connection with dog trials and training.
- (b) In addition to the primary objects of the Club, other objects and purposes of the Club shall include:
- (i) the purchase, taking on lease or in exchange, and the hiring or otherwise acquiring of any real or personal property that may be deemed necessary or convenient for any of the objects or purposes of the Club;
  - (ii) the construction, maintenance, and alteration of building or works necessary or convenient for any of the objects or purposes of the Club;
  - (iii) the taking of such steps from time to time as the Committee or the members in general meeting may deem expedient for the purpose of procuring contributions to the funds of the Club, whether by the way of donation, subscription, or otherwise;
  - (iv) the publishing, using any media technology, of such documents as the Committee or the members in general meeting may think desirable for the promotion of the objects and the purposes of the Club;

- (v) the borrowing and raising of money either with or without security, in such manner and on such terms as the Committee may think fit or as may be approved or directed by resolution passed at a general meeting;
- (vi) the repayment of money so raised or borrowed or the payment of a debt or liability of the Club by giving mortgages, charges or securities upon or over all or any of the real or personal property of the Club;
- (vii) subject to the provisions of the Trustee Ordinance 1957, the investment of any moneys of the Club not immediately required for any of its objects or purposes in such a manner as the Committee may from time to time determine;
- (viii) the making of gifts, subscriptions, or donations to any of the funds, authorities, or institutions to which paragraph (a) of sub-section (1) of section 78 of the Income Tax Assessment Act 1936 of the Commonwealth relates;
- (ix) the establishment and support or aiding in the establishment or support, of any other legal entity formed with objects consistent with any of the primary objects of the Club;
- (x) the doing of all such other lawful things as are incidental or conducive to the attainment of the primary objects of the Club or any of the objects and purposes specified in the foregoing sub-sections (i)-(viii).

## **PART 3 Rules**

### **5. *CONSTITUTION***

- (a) The Club shall be conducted in accordance with this Constitution.
- (b) This Constitution may only be amended by special resolution of a general meeting in accordance with the Act.
- (c) An alteration of this Constitution is of no effect until a copy of the revised Constitution has been received and registered by the Registrar-general.

### **6. *COMMITTEE***

- (a) The Committee of the Club shall consist at any one time of a minimum of eight (8) and a maximum of eleven (11) full members (together “the Committee”).
- (b) The Committee shall include four (4) office-bearer roles of President, Vice-President, Secretary, Treasurer respectively (together “the Executive Committee”).

## **7. *ELECTION OF COMMITTEE MEMBERS***

- (a) Nomination of candidates for election as Committee members, including for office bearer roles, shall be:
  - (i) made in writing on the prescribed form, signed by two (2) full members and accompanied by the written consent of the candidate endorsed on the form; and
  - (ii) delivered to the Secretary before the date fixed for the Annual General Meeting at which the election is to take place.
- (b) If insufficient nominations are received to fill all vacancies on the Committee, the candidates nominated shall be deemed to be elected, and further written or oral nominations shall be received at the annual general meeting.
- (c) The election of Committee members shall be by ballot if the number of nominations received exceeds the number of vacancies to be filled. Election to a contested Committee position shall be by simple majority.
- (d) In the event of equality in the number of votes for the last available position for an ordinary Committee member, a re-ballot for the position shall take place. If equality of voting occurs in the re-ballot, this position shall be decided by lot.
- (e) Committee members shall be elected at the Annual General Meeting and shall hold office until the next succeeding Annual General Meeting.
- (f) Vacancies on the Committee may be filled temporarily by the Committee until the next Annual General Meeting and such temporary Committee members shall exercise all the rights and privileges of elected members.

## **8. *THE DUTIES OF THE COMMITTEE MEMBERS***

- (a) The President shall chair all Committee and general meetings. The President shall when necessary, speak publicly on behalf of the Club. The President shall present a report to the Annual General Meeting.
- (b) The Vice-President shall, in the absence of the President, act in this position and shall, for this purpose, have all the rights, powers and duties, and perform all the functions of, the President.
- (c) If the President and Vice-President are absent, one of the remaining members of the Committee may be chosen by the other members present to preside.

- (d) The Secretary shall perform all the secretarial functions for the club and in particular keep and maintain:
  - (i) the register of members, unless the Committee determines that this function shall be undertaken by another Committee member;
  - (ii) all correspondence records;
  - (iii) minutes of proceedings of meetings of the Committee and of the Club;
  - (iv) all necessary records of the affairs of the Club; and
  - (v) a record of awards made at all trials conducted by the Club, unless the Committee determines that this function shall be undertaken by another Committee member;
- (e) The Treasurer of the Club shall:
  - (i) collect and receive all moneys due to the Club and make all payments authorised by the Club;
  - (ii) keep correct accounts and books showing the financial affairs of the Club with full details of all receipts and expenditure connected with the activities of the Club;
  - (iii) ensure that the Club's financial records are reviewed each year.
- (f) Members of the Committee shall perform such other functions as the Committee from time to time determines.
- (g) The Executive Committee may make decisions in matters of urgency connected with the management of the affairs of the Club during the intervals between meetings of the Committee, and shall report thereon to the next meeting of the Committee for ratification.
- (h) A person may not hold simultaneously more than one position on the Executive Committee.
- (i) There shall be a Committee meeting at least once in each two (2) months. Minutes shall be taken of all the proceedings of the Committee and shall be open to inspection by any member upon application to the Secretary.
- (j) A quorum at a Committee meeting shall be five (5) Committee members.

- (k) If a Committee member becomes bankrupt or applies to take or takes advantage of any law relating bankrupt or insolvent debtors or compounds with the Committee member's creditors, they are required to advise the Committee of this and resign from the Committee.
- (l) Voting at Committee meetings:
  - (i) Voting shall be by a show of hands. If the need arises, and in accordance with this Constitution, a ballot may be held. A simple majority of Committee members present shall be sufficient for any resolution, unless otherwise provided for by this Constitution;
  - (ii) Each Committee member present at a meeting of the Committee or of any Sub-Committee appointed by the Committee (including the person presiding at the meeting) is entitled to a single vote but, in the event of an equality of votes on any question, the person presiding may exercise a second or casting vote;
  - (iii) Subject to section 8(j), the Committee may act notwithstanding any vacancy on the Committee;
  - (iv) Any act or thing done or suffered, or purporting to have been done or suffered, by the Committee or by a Sub-Committee appointed by the Committee, is valid and effectual notwithstanding any defect that may afterwards be discovered in the appointment or qualification of any member of the Committee or Sub-Committee.

**9. THE OFFICE OF A COMMITTEE MEMBER SHALL BECOME VACANT**

- (a) For the purposes of this Constitution, a vacancy in the office of a member of the Committee occurs if:
  - (i) the member:
    - (1) dies;
    - (2) becomes of unsound mind;
    - (3) resigns the office by notice in writing to the Club;
    - (4) becomes unfinancial by way of failure to pay any fees, subscriptions or other charges as provided for in this Constitution.
    - (5) is absent for three (3) consecutive meetings without leave of absence;

- (6) becomes bankrupt or applies to take or takes advantage of any law relating bankrupt or insolvent debtors or compounds with the Committee member's creditors.
- (ii) a resolution declaring a Committee member's office to be vacant is passed by three-quarters of the members present at a duly convened general meeting.
- (b) The Committee shall continue to act notwithstanding any vacancies in its number.

## **10. REMOVAL OF COMMITTEE MEMBERS**

The full members and life members in general meeting may by resolution, and subject to section 50 of the Act, remove any member of the Committee from the office of member of the Committee before the expiration of the member's term of office.

## **11. POWERS OF THE COMMITTEE**

The business of the Club shall be managed by the Committee which shall have power, subject to any direction by a general meeting, to:

- (a) generally manage the affairs of the Club so as to carry out its objects;
- (b) pay the charges and expenses incidental to the conduct and management of the Club;
- (c) borrow for the purpose of the Club, if necessary pledging security for any such borrowing;
- (d) set up Sub-Committees to deal with such matters as may be referred to them by the Committee. All such Sub-Committees shall be chaired by a member of the Club appointed for that purpose by the Committee. This chairperson shall report all relevant matters from the Sub-Committee to the Committee;
- (e) interpret any question arising out of this Constitution;
- (f) prescribe fees and subscriptions payable by Club members;
- (g) bind the Club through signature of legal instruments. All such instruments to be signed by the President, and either the Secretary or Treasurer;
- (h) approve applications for membership. The Committee may delegate this function to one (1) of its members;

- (i) make, amend, or repeal by-laws (not inconsistent with this Constitution) for the proper conduct of the Club's activities and the internal management of the Club;
- (j) stipulate methods, means and times (including means of communication) for the holding of the Annual General Meeting, General Meetings and Committee Meetings.

## **12. PUBLIC OFFICER**

- (a) The Committee shall appoint one of its members to be the Public Officer of the Club.
- (b) Where the Public Officer will be unavailable to fulfill that role for a continuous period of three (3) months or longer, the Committee shall appoint another Committee member as the Public Officer.
- (c) The Public Officer must be a resident of the Australian Capital Territory. The duly appointed Public Officer shall notify the Registrar-general of the appointment within one (1) month. Any change of residential address of the appointee shall likewise be notified to the Registrar-general within one (1) month.
- (d) The Public Officer acts as the point of contact between the Club and the ACT Government.

## **13. INCOME AND PROPERTY**

- (a) The income and property of the Club shall be applied solely to the promotion of its objects and no part thereof shall be paid or transferred directly or indirectly by way of dividend, bonus, or otherwise by way of pecuniary profit to any member provided that remuneration may be paid in good faith to officers and servants of the Club or other persons in return of service actually rendered to the Club.
- (b) The Club shall not appoint a person who is a member of the Committee to any office of the Club to the holder of which there is payable any remuneration or other benefit by way of salary, other than the repayment of out-of-pocket expenses.

## **14. MEMBERSHIP**

- (a) The Club shall compile and keep a register of members, including their addresses and other relevant contact details. Any member who changes their address and/or contact details shall as soon as possible thereafter notify the Club in writing. Subject only to this Constitution, no person shall be entitled to exercise the rights and privileges of a member unless their name appears on the register of members as a member for the time being of the Club.



- (b) The members shall consist of 4 classes, namely:
  - (i) full members;
  - (ii) limited members (refer to following sub-section(c));
  - (iii) honorary members; and
  - (iv) life members.
- (c) The Committee may, in accordance with this Constitution and with the Act, establish or abolish any category of limited membership. In so doing, the Committee must define the purpose, benefits and privileges of such category. Limited members shall not have the right to become a member of the Committee, nor to vote on any matter at any General or Annual General Meeting of the Club.

## **15. MEMBERS**

- (a) All persons who are prepared to acknowledge this Constitution as binding upon them shall be eligible for either full or limited membership upon application on the prescribed form.
- (b) Applications for either full membership or limited membership (as applicable) must be made using the prescribed form, and all prescribed fees due must be paid before the application will be considered. A person whose application has been successful shall become a Member of the class of membership applied for and shall be entitled to the relevant benefits and privileges of that membership class and shall be bound by this Constitution, a copy of which shall be made available to them on demand. Those persons whose application has not been successful will be notified and monies refunded.
- (c) Only full members and life members are entitled to participate and vote in General Meetings and in Annual General Meetings. Limited members and honorary members are not entitled to participate and vote in General Meetings and in Annual General Meetings.
- (d) Full membership and life membership also entitles one member and one (1) dog to participate in one (1) of the types of activities provided by the Club (eg either obedience classes or one of the dog sports activities). A full member may participate in more than one (1) activity, or have an additional dog participate in any of the activities provided by the Club by paying an additional fee, such fee to be determined by the Committee.
- (e) Persons residing in the same household as a full member or limited member may also utilise the Club's facilities, as appropriate to the level of membership, upon acknowledging in whatever manner the Committee determines from time to time, that they will be bound by this Constitution.

The member must provide the Club with the details of those persons residing with them who utilise the Club's facilities, if so requested by the Club.

## **16. LIFE MEMBERS**

- (a) Life membership may be conferred on a member who is considered to have rendered outstanding services to the Club, or for other good and sufficient reason. The Committee may take such action in its own right, or upon consideration of a written nomination signed by at least five (5) full members.
- (b) A Life Member shall not be required to pay any subscription, but shall be entitled to all the benefits and privileges of full membership, including full voting rights at General Meetings and Annual General Meetings.

## **17 HONORARY MEMBERS**

- (a) Honorary Membership may be conferred on such persons and for such periods as the Committee may determine.
- (b) Honorary members shall not be required to pay any subscription, but they shall not be eligible for election to office on the Committee or to vote as members.

## **18 MEMBERSHIP ENTITLEMENTS NOT TRANSFERABLE**

A right, privilege or obligation which a person has by reason of their membership of the Club:

- (a) is not capable of being transferred or transmitted to another person;
- (b) terminates upon cessation of the person's membership.

## **19. CESSATION OF MEMBERSHIP**

A person ceases to be a member of the Club if the person:

- (a) dies, or in the case of a body corporate, is wound up;
- (b) resigns from membership of the Club;
- (c) is expelled from the Club; or
- (d) fails to pay all annual fees due within two (2) months of the due date (refer section 27(b)).

## **20. RESIGNATION OF MEMBERSHIP**

- (a) A member who has paid all amounts payable by the member to the Club may resign from membership of the Club by first giving notice (being not less than one (1) month or, if the Committee has determined a shorter period, that shorter period) in writing to the Committee of the member's intention to resign and, upon the expiration of the period of notice, the member ceases to be a member.
- (b) Where a person ceases to be a member, the Secretary or another Committee member shall make an appropriate entry in the register of members, recording the date on which the member ceased to be a member.

## **21. DISCIPLINING OF MEMBERS & DISPUTE RESOLUTION**

- (a) Where the Committee is of the opinion that a member:
  - (i) has refused or neglected to comply with a provision of this Constitution; or
  - (ii) has wilfully acted in a manner prejudicial or damaging to the interests of the Club;

the Committee may, by resolution:

  - (iii) expel or disqualify the member from the club; or
  - (iv) suspend the member from such rights and privileges of membership of the club as the Committee may determine for a specified period.
- (b) A resolution of the Committee under section 21(a) is of no effect unless the Committee, at a meeting held not earlier than fourteen (14) days and not later than twenty-eight (28) days after service on the member of a notice under section 21(c), confirms the resolution in accordance with this section.
- (c) Where the Committee passes a resolution under section 21(a), the Secretary or another Committee member shall, as soon as practicable, cause a notice in writing to be served on the member:
  - (i) setting out the resolution of the Committee and the grounds on which it is based;

- (ii) stating that the member may address the Committee at a meeting to be held not earlier than fourteen (14) days and not later than twenty-eight (28) days after service of the notice;
- (iii) stating the date, place and time of the meeting, and advising that the member may do either or both of the following:
  - (1) attend and speak at that meeting; or
  - (2) submit to the Committee, at or prior to the date of that meeting, written representations relating to the resolution.
- (d) Subject to section 50 of the Act, at a meeting of the Committee mentioned in section 21(b), the Committee shall:
  - (i) give to the member mentioned in section 21(a) an opportunity to make oral representation;
  - (ii) give due consideration to any written representations submitted to the Committee by that member at or prior to the meeting; and
  - (iii) by resolution determine whether to confirm or to revoke the resolution of the Committee made under section 21(a).
- (e) Where the Committee confirms a resolution under section 21(d), the Secretary or another Committee member shall within seven (7) days after that confirmation, by notice in writing, inform the member of that confirmation and of the member's right of appeal under section 22.
- (f) A resolution confirmed by the Committee under section 21(d) does not take effect:
  - (i) until the expiration of the period within which the member is entitled to appeal against the resolution where the member does not exercise the right of appeal within that period; or
  - (ii) where within that period the member exercises the right of appeal, unless and until the Club confirms the resolution in accordance with section 22(d).
- (g) Notwithstanding anything contained in clauses 21(a)–(f) above, any dispute between a member and another member (in their capacity as members) of the association, or a dispute between a member or members and the Committee or the association, are to be resolved in accordance with section 65B(2)-(4) of the Act, at all times adhering to the rules of natural justice as set out in section 50 of the Act.

## **22. *RIGHT OF APPEAL OF DISCIPLINED MEMBERS***

- (a) A member may appeal to the Club in general meeting against a resolution of the Committee which is confirmed under section 21(d), within seven (7) days after notice of the resolution is served on the member, by lodging with the Secretary a notice to that effect.
- (b) Upon receipt of a notice under section 22(a), the Secretary or another Committee member shall notify the Committee which shall convene a general meeting of the Club to be held within twenty-one (21) days after the date on which the Secretary received the notice or as soon as possible after that date.
- (c) Subject to section 50 of the Act, at a general meeting of the Club convened under section 22(b):
  - (i) no business other than the question of the appeal shall be transacted;
  - (ii) the Committee and the member shall be given the opportunity to make representations in relation to the appeal orally or in writing, or both; and
  - (iii) the members present shall vote by secret ballot on the question of whether the resolution made under section 21(d) shall be confirmed or revoked.
- (d) If the meeting passes a special resolution in favour of the confirmation of the resolution made under section 21(d), that resolution is confirmed.

## **23. *GENERAL MEETINGS***

- (a) The general meeting of the Club is a meeting of full and life members convened by the Committee or at the request in writing to the Committee by ten (10) or more full members of the Club. The general meeting shall be the controlling body of the Club.
- (b) The Committee may, whenever it thinks fit, convene a general meeting of the Club.
- (c) The decisions of any general meeting of the Club shall be final and shall remain in force unless and until duly varied, amended or annulled at a subsequent general meeting.
- (d) Subject to section 23(f), upon any question arising at a general meeting of the Club, a member has a single vote only.

- (e) All votes shall be given in person at general meetings and the annual general meeting of the Club.
- (f) In the case of an equality of votes on a question at a general meeting, the person presiding is entitled to exercise a second or casting vote.
- (g) A requisition for a general meeting:
  - (i) shall state the purpose or purposes of the meeting;
  - (ii) shall be signed by at least ten (10) full members making the requisition;
  - (iii) shall be lodged in writing with the Secretary; and
  - (iv) may consist of several documents in a similar form, each signed by one (1) or more of the members making the requisition.
- (h) If the Committee fails to convene a general meeting within one (1) month after the date on which a requisition for the meeting is lodged with the Secretary, any one (1) or more of the members who made the requisition may convene a general meeting to be held not later than three (3) months after that date.
- (i) A general meeting requisitioned in accordance with section 23(g) shall be convened as nearly as is practicable in the same manner as general meetings are convened by the Committee. No other business other than that notified in the notice of the meeting shall be transacted at such a meeting.
- (j) Any full member wishing to move a resolution at any general meeting shall give notice thereof in writing to the Secretary not less than fourteen (14) days before the date of such meeting, provided that motions proposed within a shorter time than required by this section, may be resolved if the general meeting so decides.
- (k) The quorum at any general meeting shall be ten (10) full members. In the absence of a quorum, the Chairman shall convene another general meeting, such meeting to take place within two (2) weeks. At such a meeting, resolutions may be passed notwithstanding the absence of the prescribed quorum.
- (l) Full members and life members only present shall be entitled to vote at any general meeting.

**24. VOTING**

- (a) No full member shall be entitled to vote at any meeting unless they are over eighteen (18) years of age and all monies due to the Club by that member have been paid.
- (b) Resolutions at all general meetings shall be carried by simple majority except in the case of a motion for an amendment to this Constitution, the confirmation of a conditional suspension or dismissal of a member of the Committee, which shall require a three-quarter majority of those full members and life members present and voting.
- (c) Voting at all meetings shall be by show of hands, except for the provisions of section 22(c)(iii), section 7(c) and section 7(d).

**25. ANNUAL GENERAL MEETING**

- (a) An annual general meeting of the Club must be held:
  - (i) within sixty (60) days from the 1st July each year upon a date and time to be fixed by the Committee; or
  - (ii) otherwise as required by law.
- (b) The annual general meeting shall inter alia:
  - (i) confirm the minutes of the preceding annual general meeting and of any general meeting held since that meeting;
  - (ii) receive and consider the annual report of the Committee;
  - (iii) receive and consider a balance sheet and statement of accounts for the preceding financial year;
  - (iv) elect the incoming Committee for the ensuing year;
  - (v) decide on any resolution which may be duly submitted to the meeting.

**26. NOTICE**

- (a) The Secretary of the Club must, at least fourteen (14) days before the date fixed for holding a general meeting of the Club, using any media technology which can reasonably be accessed by members, publish a public notice specifying the place, day and time for the holding of the meeting, and the nature of the business to be dealt with at the meeting.

- (b) If the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the Club, the secretary must, at least twenty-one (21) days before the date fixed for the holding of the general meeting, using any media technology which can reasonably be accessed by members, publish a public notice specifying the place, day and time for the holding of the meeting, the nature of the business to be dealt with at the meeting, and the intention to propose the resolution as a special resolution.
- (c) No business other than that specified in the notice calling a general meeting may be transacted at the meeting except, for an annual general meeting, business that may be transacted under section 25(b)(v).
- (d) A full member or life member desiring to bring any business before a general meeting may give written notice of that business to the secretary who must include that business in the next notice calling a general meeting given after receipt of the notice from the member.

## **27. FINANCE**

- (a) The financial year shall commence each year on the first day of July.
- (b) Except as provided in section 28(b), all members of the Club shall pay the relevant joining, subscription, training or other types of fees as determined by the Committee from time to time. As at financial year 2021-2022 a one-off joining fee of \$70.00 is payable by any new member, on top of an annual membership fee of \$120.00 payable by all full members. A limited annual membership fee of \$80.00 is payable by limited members.
- (c) The Committee is entitled to revise the fee structure annually in response to any changes in the CPI, any change in maintenance, repair or running costs incurred by the Club or any other change to any other cost or fee the Committee determines.
- (d) All fees, other than the joining fee, are annual fees, which shall be due on the anniversary date on which the member joined the Club, unless otherwise determined by the Committee.
- (d) The Club shall have such bank accounts as the Committee may determine. Cheques drawn on these accounts shall be signed by any two of the President, Vice-President, Secretary and Treasurer.

## **28. ANNUAL SUBSCRIPTIONS**

- (a) The annual subscriptions for the following year shall be determined by the Committee.



- (b) A member who provides a voluntary service to the Club as an Instructor or the like (as determined by the Committee) is not required to pay the relevant fees as described in section 27(b).

## **29. MEMBERS' LIABILITIES**

The liability of a member to contribute towards the payment of the debts and liabilities of the Club or the costs, charges and expenses of the winding up of the Club is limited to the amount, if any, unpaid by the member in respect of membership of the Club as required by section 27(b).

## **30. REVIEWER**

- (a) The accounts of the Club shall be reviewed annually by a qualified accountant appointed by the Committee. The reviewer shall not be a member of the Club. The review shall be carried out before presentation of accounts to the annual general meeting.
- (b) The reviewer shall be appointed by the Committee at its first meeting after the Annual General Meeting, and shall hold office until the next succeeding annual general meeting and is eligible for re-appointment, subject to section 30(a).
- (c) In their report, and in certifying to the accounts, the reviewer shall state:
  - (i) whether he has obtained the information required;
  - (ii) whether, in their opinion, the accounts are properly drawn up so as to present fairly, in all material respects, the financial position of the Association according to the information at their disposal, the explanations given to them and as shown by the books of the Club;
  - (iii) whether the Rules relating to the administration of the funds of the Club have been observed.
- (d) The Treasurer shall cause to be delivered to the reviewer a list of all accounts, books and financial records of the Club.

## **31. SEAL OF CLUB**

- (a) The common seal of the Club must be kept in the custody of the Secretary.
- (b) The common seal must not be attached to any instrument except by the authority of the Committee and the attaching of the common seal must be attested by the signatures either of two (2) members of the Committee or of one (1) member of the Committee and of the Secretary.

### **32. CUSTODY OF BOOKS**

Subject to the Act, the Regulation and this Constitution, the Secretary shall keep in his custody, or under his control, all records, books, and other documents relating to the Club.

### **33. INSPECTION OF BOOKS**

The records, books and other documents of the Club shall be open to inspection at a place in the Australian Capital Territory, free of charge, by a member of the Club at any reasonable hour.

### **34. DISSOLUTION OF THE CLUB**

- (a) The Club may be wound up in accordance with the Act.
- (b) The Club may be wound up at a general meeting called for that purpose by a special resolution passed by a majority of three quarters of the full members present and voting thereon.
- (c) On the dissolution or the completion of the winding up of the Club, any surplus property of the Club is, subject to any lease or trust arrangements affecting the property or part of it, taken to:
  - (i) vest in another association (whether incorporated or not) that complies with section 34(d), and that has previously been nominated by special resolution of the Club; or
  - (ii) vest in the Registrar-general, if no association, fund, authority or institution has been nominated in accordance with section 34(c)(i).
- (d) an association is taken to comply with section 34(c)(i) if it:
  - (i) has objects substantially the same as the objects of the former association; and
  - (ii) is not carried on for the object of securing pecuniary gain for its members; and
  - (iii) has a provision in its rules requiring any surplus property of the association to be passed, on the dissolution or winding-up of the association, to another association that:
    - (1) has objects substantially the same as the first-mentioned association; and
    - (2) is not carried on for the object of securing pecuniary gain for its members.
- (e) If, for sub-section 34(c)(i), the former association has nominated another association or a fund, authority or institution, by special resolution, the former association must lodge with the Registrar-general a notice in writing, signed by at least two (2) members of the committee of the former association, certifying that the special resolution was duly passed.

**35. CLAIMS AGAINST CLUB**

No member of the Club shall have any claim or right of action whatsoever against:

- (a) the Club; or
- (b) the Committee of the Club or any member of that Committee; or
- (c) any Sub-Committees of the Committee or any members of such Sub-Committees; or
- (d) any employee, agent or member of the Club in respect of any act, matter or thing done or omitted to be done in good faith and purporting to be done in accordance with this Constitution.