

Part 1 Preliminary

1. Definitions

(1) In this constitution:

Director-General means the **Director-General of the Department of Services, Technology and Administration.**

Ordinary committee member means **a member of the committee, who is not an office-bearer of the association,**

Secretary means:

- a) the person holding office under this constitution as secretary of the association, or
- b) If no such person holds that office – the public officer of the association.

Special general meeting means a general meeting of the association other than an annual general meeting.

The Act means **the Associations Incorporation Act 2009.**

The Regulation means **the Associations Incorporation Regulation 2010.**

(2) In this constitution:

- a) a reference to a function includes a reference to a power, authority and duty, and
- b) A reference to the exercise of a function includes, if the function is a duty, a reference to the performance of the duty.

(3) The provisions of the Interpretation Act 1987 apply to and in respect of this constitution in the same manner as those provisions would so apply if this constitution were an instrument made under the Act.

1. NAME

The name of the association is Australian Independent Cat Council, hereinafter referred to as 'the Association' or AICC

2. OBJECTIVES

- To safeguard and protect healthy relationships between cats and their owners but promoting responsible pet ownership to individuals, Clubs, Companies and Local and National Government
- To encourage and promote responsible breeding practices to our members through both education and our Code of Ethics.
- To establish and maintain a Registry of cats and pedigree cats including the classification of breeds.
- To provide efficient and accurate professional service to our Members and the wider public if appropriate in a friendly and respectful manner via quality driven, innovative and efficient administration.
- To promote, conduct and attend the exhibition and showing of pedigree and non-pedigree cats under our show rules and regulations.
- To conduct a professional and educational judges course

Part 2 Membership

1) Membership generally

(1) A person is eligible to be a member of the association if:

- i. the person is a natural person and
- ii. the person has been nominated and approved for membership of the association in accordance with clause 3

(2) A person is taken to be a member of the association if:

The person is a natural person and

The person was

In the case of an unincorporated body that is registered as the association – a member of that unincorporated body immediately before the registration of the association, or

In the case of an association that is amalgamated to form the relevant association – a member of that association immediately before the amalgamation or

In the case of a registrable corporation that is registered as an association – a member of the registrable corporation immediately before that entity was registered as an association.

(3) A person is taken to be a member of the association if the person was one of the individuals on whose behalf an application for registration of the association under section 6 (1) (a) of the Act was made.

All annual fees fall due 1st January each year. Memberships received on and after 1st October shall be carried forward to the next ensuing year.

Memberships to the association shall consist of the following categories:

Full ordinary membership

Associate Membership

Junior Membership

Affiliate Membership

Full ordinary members – adults that have an ongoing interest in cats and their welfare. Full members who are financial with the association are entitled to one vote. Full members are entitled to register a Prefix/Cattery name.

Associate members – adults other than a full member who are interested in cats. They shall have no voting rights nor shall they be eligible for election to office bearers positions but can have speaking rights at a General Meeting. Associate members are not entitled to register a Prefix/Cattery name.

Junior members – any person under 18 year of age interested in cats. Junior members have no voting rights nor shall they be eligible for election to office bears positions but can have speaking rights at a General Meeting. Junior members are not entitled to register a Prefix/Cattery name

Affiliate members – is reserved for Club only who have been approved for affiliation to the association and whose objective are in keeping with those of the associations. Affiliate members do not have voting rights

2) Nomination for membership

A nomination of a person for membership of the association:

Must be made in writing in the form set out in Appendix 1 to this constitution, and

Must be lodged with the secretary or registrar of the association.

As soon as practicable after receiving a nomination for membership, the secretary or registrar must refer the nomination to the committee which is to determine whether to approve or to reject the nomination.

As soon as practicable after the committee makes that determination, the secretary must:

Notify the nominee, in writing, that the committee approved or rejected the nomination (whichever is applicable), and

If the committee approved the nomination, request the nominee to pay (within the period of 28 days after receipt by the nominee of the notification) the sum payable under this constitution by a member as entrance fee and annual subscription.

The secretary or registrar must, on payment by the nominee of the amounts referred to in sub clause (3) (b) within the period referred to in that provision, enter or cause to be entered the nominee's name in the register of members and, on the name being so entered, the nominee becomes a member of the association.

Cessation of membership

- i. A person ceases to be a member of the association if the person:
- ii. Dies, or

- iii. Resigns membership, or
- iv. Is expelled from the association or
- v. Fails to pay the annual membership fee under clause 8 (2) within 1 month after the fee is due

3) Membership entitlements non transferable

A right, privilege or obligation which a person has by reason of being a member of the association:

Is not capable of being transferred or transmitted to another person, and

Terminates on cessation of the person's membership

4) Resignation of membership

A member of the association may resign from membership of the association by first giving to the secretary written notice of at least 10 days (or such other period as the committee may determine) of the members intention to resign and on the expiration of the period of notice, the member cease to be a member.

A member of the association may resign from membership of the association where said member has outstanding amounts payable the financial responsibility continues.

If a member of the association ceases to be a member under sub clause 2.3, and in every other case where a member ceases to hold membership, the public officer must make an appropriate entry in the register of members recording the date on which the member ceased to be a member.

5) Register of members

The public officer of the association must establish and maintain a register of members of the association specifying the name, postal or residential address, email address and contact number of each person who is a member of the association together with the date on which the person became a member.

The register of members must be kept in New South Wales:

At the main premises of the association, or

If the association has no premises, at the associations official address

The register of members must be open for inspection, free of charge, by any member of the association at any reasonable hour upon application in writing to the committee by any member of the association. The application in writing must state:

The primary purpose for inspection,

Any secondary purpose for inspection, and

To whom the information is to be provided to and the basis for providing the information to them.

What measures are in place to protect the information contained within the copied portion of the register? This includes the method and location of storage of the copy and the method of destruction of the copy upon completion of the primary purpose for the copy.

Upon application in writing to the committee, a member of the association may obtain a copy of any part of the register on payment of a fee of \$1 for each page copied

If a member requested that any information contained on the register about the member (other than the members name) not be available for inspection that information must not be made available for inspection.

A member must not use information about a person obtained from the register to contact or send material to the person, other than for:

The purposes of sending the person a newsletter, a notice in respect of a meeting or other event relating to the associations or other material relating to the association or

Any other purpose necessary to comply with the requirement of the Act or the Regulation.

6) Fees and subscriptions

A member of the association must, on admission to membership, pay to the association an annual membership fee as determined by the committee:

Before 1 January in each calendar year,

A member of the association who fails to pay the annual membership fee within 30 days of the due date shall automatically cease to be a member

The annual membership fee shall be non-refundable.

A member whose annual subscription is unpaid is not entitled to vote at any meeting of the association until such fees are paid.

7) Members' liabilities

The liability of a member of the association to contribute towards the payment of the debts and liabilities of the association or the costs, charges and expenses of the winding up of the association is limited to the amount, if any, unpaid by the member in respect of membership of the association as required by clause 2.7.

8) Resolution of internal disputes

- i. Disputes between members (in their capacity as members) of the association, or a dispute between a member or members and the association, are to be referred to the committee in the first instance.
- ii. The committee may require the members of the association in dispute to provide written statements outlining the issues in dispute in detail along with a fee of \$50
- iii. The committee may hold a meeting, subject to clause 3.6 to put forward a resolution of the dispute. The disputing members of the association may attend the meeting.
- iv. Acceptance by the disputing members of the proposed resolution put forward by the committee shall be binding.
- v. If the committee cannot satisfactorily resolve the dispute, the dispute shall be referred to a Community Justice Centre for mediation in accordance with the Community Justice Centres Act 1983.
- vi. If a dispute is not resolved by mediation within 3 month of the referral to the community justice centre, the dispute is to be referred to arbitration.

The Commercial Arbitration Act 1984 applies to any such dispute referred to arbitration.

9) Disciplining of members

A complaint may be made to the committee by any person about a member of the association who has:

- refused or neglected to comply with a provision or provisions of this constitution, or
- Wilfully acted in a manner prejudicial to the interests of the association.

The committee may refuse to deal with a complaint if it considers the complaint to be trivial or vexatious in nature.

If the committee decides to deal with the complaint, the committee:

- must cause notice of the complaint to be served on the member concerned; and
- must give the member at least 14 days from the time the notice is served within which to make submissions to the committee in connection with the complaint, and
- Must take into consideration any submissions made by the member in connection with the complaint.

The committee may, by resolution, expel the member from the association or suspend the member from membership of the association if, after considering the complaint and any

submissions made in connection with the complaint, it is satisfied that the facts alleged in the complaint have been proved and the expulsion or suspension is warranted in the circumstances.

The committee may, by resolution, expel the member from the association or suspend the member from membership of the association if, after considering the complaint and any submissions made in connection with the complaint, it is satisfied that the facts alleged in the complaint have been proved and the expulsion or suspension is warranted in the circumstances.

If the committee expels or suspends a member, the secretary must, within 7 days after the action is taken, because written notice to be given to the member of the action taken, of the reasons given by the committee for having taken that action and of the member's right of appeal under clause 2.11.

The expulsion or suspension does not take effect:

- i. Until the expiration of the period within which the member is entitled to appeal against the resolution concerned, or
- ii. If within that period the member exercises the right of appeal, unless and until the association confirms the resolution whichever is the later.

10) Right of appeal of disciplined member

A member may appeal to the association in general meeting against a resolution of the committee, within 7 days after notice of the resolution is served on the member, by lodging with the secretary a notice to that effect.

- i. The notice may, but need not, be accompanied by a statement of the grounds on which the member intends to rely for the purposes of the appeal.
- ii. On receipt of a notice from a member the secretary must notify the committee which is to convene a general meeting of the association to be held within 28 days after the date on which the secretary received the notice.

At a general meeting of the association convened under subclause 3:

- i. No business other than the question of the appeal is to be transacted, and
- ii. The committee and the member must be given the opportunity to state their respective cases orally or in writing, or both, and
- iii. The members present are to vote by secret ballot on the question of whether the resolution should be confirmed or revoked.

The appeal is to be determined by a simple majority of votes cast by members of the association.

Part 3 the Committee

1) Powers of the committee

Subject in the Act, the Regulation and this constitution and to any resolution passed by the association in general meeting, the committee:

- i. Is to control and manage the affairs of the association, and
- ii. May exercise all such functions as may be exercised by the association, other than those functions that are required by this constitution to be exercised by a general meeting of members of the association, and
- iii. Has power to perform all such acts and do all such things as appear to the committee to be necessary or desirable for the proper management of the affairs of the association.
- iv. appoint a Registrar annually
- v. appoint a Public officer annually
- vi. appoint a Liaison officer annually
- vii. appoint a Complaints officer annually
- viii. appoint a Show secretary annually

2) Composition and membership of committee

3) The committee is to consist of

- i. the office bearers of the association, and
- ii. at least 3 ordinary committee members, each of whom is to be elected at the annual general meeting of the association under clause 4.2 (iii)

4) The total number of committee members is to be 10

5) The office bearers of the association are to be:

- i. The president
- ii. The vice president

- iii. The treasurer
- iv. The secretary
- v. The public officer
- vi. The publicity officer
- vii. The Registrar
- viii. 3 general committee members elected by the members
- ix. 1 representative for each affiliate association, nominated by that association.

A committee member may hold up to 2 offices

Each member of the committee is, subject to this constitution, to hold office until the conclusion of the annual general meeting following the date of the member's election but is eligible for re-election.

President - shall preside at all meetings of the Club and the Executive Committee and perform duties relevant to the office. If in cases of a hung vote has the deciding vote.

Vice President - shall act on behalf of the President on occasions of his/her absence or at his/her request.

Secretary - It is the duty of the secretary to ensure:

- i. The Secretary of the association must, as soon as practicable after being appointed as secretary, lodge notice with the association of his or her address.
- ii. to keep minutes of all meetings and electronic communiqués
 - a) of all appointments of office-bearers and members of the committee,
 - b) of the names of members of the committee present at a committee meeting or a general meeting, and
 - c) Of all proceedings at committee meetings and general meetings.
 - d) Minutes of proceedings at a meeting must be signed by the chairperson of the meeting or by the chairperson of the next succeeding meeting.
- iii. To share correspondence in regards to information relevant for Complaints Officer, Liaison Officer, Registrar and the Show Secretary positions.

Treasurer - It is the duty of the treasurer of the association to ensure:

- i. Issue of accounts,
- ii. Receive and disburse all finances associated with the operations of the Club.
- iii. Finances of the Club shall be secured in an approved account and the Treasurer shall present a summary of income and expenses to each meeting of the Club and to Club Executive Committee meetings.
- iv. No applications for credit or operational debts may be incurred without committee and/or member approval
- v. All cheques or other forms of payment must be endorsed by the committee, prior to payment being made

- vi. An annual statement of account shall be presented to the Annual General Meeting of the Association.
- vii. No two members of the same family sign the one cheque
- viii. Treasurer maintains custody of the books and financially relevant records

Publicity Officer - It is the duty of the publicity officer to ensure

- I. To use electronic or traditional media in advertising events of the association that may be of interest to the general public or other interested parties.
- II. A regular newsletter is prepared and arrange for its circulation, and any other items of Club interest, including the results of competitions to the media.

Public Officer

It is the duty of the Public Officer to ensure:

All annual statements are lodged with the Department of Fair Trading, within the specified time frame

Subject to this constitution, each member of the committee shall hold office for a term of two years.

Thereafter each member of the committee is, subject to this constitution, to hold office until the conclusion of the biannual general meeting following the date of the member's election. In the event of a casual vacancy occurring in the membership of the committee, the committee may appoint a member of the association to fill the vacancy and the member so appointed is to hold office, subject to this constitution, until the conclusion of the annual general meeting next following the date of the appointment.

8) Election of members

In order to strengthen continuity of experience within the committee the elections for office bearers will be biannual for 2 year terms.

Elections for Vice-President, Secretary and Publicity Officer will occur in odd years and President and Treasurer will occur in even years.

Register to be appointed annually

Public Officer to be appointed annually

Liaison Officer to be appointed annually

Complaints Officer to be appointed annually

Show Secretary to be appointed annually

Nominations of candidates for election as office-bearers of the association or as ordinary committee members:

- i. The ballot for the election of office-bearers and ordinary committee members of the committee is to be conducted at the annual general meeting in such usual and proper manner as the committee may direct.
- ii. To be eligible for nomination for a committee position the nominee must have been a continuous financial member of AICC for a period of not less than one (1) full year.
- iii. must be made in writing, signed by two members of the association and accompanied by the written consent of the candidate (which may be endorsed on the form of the nomination), and
- iv. Must be delivered to the secretary of the association at least 30 days before the date fixed for the holding of the annual general meeting at which the election is to take place.
- v. If the number of nominations received is equal to the number of vacancies to be filled the persons nominated are taken to be elected.
- vi. If the number of nominations received exceeds the number of vacancies to be filled a ballot is to be held.
- vii. If insufficient nominations are received to fill all vacancies on the committee, the committee may call for nominations from the floor the candidates nominated are to receive more than 50% of the vote to be elected for position/s with no nominations or where a nominated candidate fails to achieve more than 50% of the available voting power at the annual general meeting.
- viii. a candidate or members present may request a secret ballot for all or any of the positions up for election

9) Casual Vacancies

In the event of a casual vacancy occurring in the membership of the committee the committee may appoint a member of the association to fill the vacancy and the member so appointed is to hold office, subject to this constitution, until the conclusion of the annual general meeting next following the date of the appointment.

A casual vacancy in the office of a member of the committee occurs if the member:

- i. dies, or
- ii. ceases to be a member of the association, or

- iii. becomes an insolvent under administration within the meaning of the Corporations Act 2001 of the Commonwealth, or
- iv. resigns office by notice in writing given to the secretary, or
- v. is removed from office under clause 3.4, or
- vi. becomes a mentally incapacitated person, or
- vii. is absent without the consent of the committee from 3 consecutive meetings of the committee or
- viii. is convicted of an offence involving fraud or dishonesty for which the maximum penalty on conviction is imprisonment for not less than 3 months or
- ix. Is prohibited from being a director of a company under Part 2D.6 (Disqualification from managing corporations) of the Corporations Act 2001 of the Commonwealth.

10) Removal of a Committee member

- i. The association in a general meeting may, by a resolution remove any member of the committee from the office held by said member before the expiration of the member's term of office and may by resolution appoint another person to hold office until the expiration of the term of office of the member so removed.
- ii. If a member of the committee to whom a proposed resolution referred to in subclause 1 makes representations in writing to the secretary or president (at least 14 days prior to the scheduled date of such meeting) and requests that the representation be notified to the members of the association, the secretary or the president may send a copy of the representations to each member of the association or, if the representations are not sent, the member is entitled to require that the representations be read out at the meeting at which the resolution is considered.

11) Committee Meetings and quorum

The committee must meet at least 3 times in each period of 12 months at such place and time as the committee may determine. Such meetings may be conducted face-to-face, electronically, telephone conference or as may be determined suitable by the committee.

- i. Additional meetings of the committee may be convened by the president or by any member of the committee.
- ii. Oral or written notice of a meeting of the committee must be given by the secretary to each member of the committee at least 48 hours (or such other period as may be unanimously agreed on by the members of the committee) before the time appointed for the holding of the meeting.
- iii. Notice of a meeting given under subclause 4.4 must specify the general nature of the business to be transacted at the meeting and no business other than that business is to be

transacted at the meeting, except business which the committee members present at the meeting unanimously agree to treat as urgent business.

- iv. Sixty percent (60%) of the members of the committee constitute a quorum for the transaction of the business of a meeting of the committee.
- v. No business is to be transacted by the committee unless a quorum is present and if, within half an hour of the time appointed for the meeting, a quorum is not present, the meeting is to stand adjourned to the same place and at the same hour of the same day in the following week.
- vi. If at the adjourned meeting a quorum is not present within half an hour of the time appointed for the meeting, the meeting is to be dissolved.
- vii. At a meeting of the committee:
- viii. The president or, in the president's absence, the vice-president is to preside, or
- ix. If the president and the vice-president are absent or unwilling to act, one of the remaining members of the committee as may be chosen by the members present at the meeting to preside

12) Delegation by committee to sub-committee

The committee may, by instrument in writing, delegate to one or more sub-committees (consisting of such member or members of the association as the committee thinks fit) the exercise of such of the functions of the committee as are specified in the instrument, other than:

- i. This power of delegation, and
 - ii. A function which is a duty imposed on the committee by the Act or by any other law.
- i. A function the exercise of which has been delegated to a subcommittee under this rule may, while the delegation remains; be exercised from time to time by the sub-committee in accordance with the terms of the delegation.
 - ii. A delegation under this clause may be made subject to such conditions or limitations as to the exercise of any function, or as to time or circumstances, as may be specified in the instrument of delegation.
 - iii. Despite any delegation under this clause, the committee may continue to exercise any function delegated. No applications for credit may be undertaken or debts incurred in the name of the Association without prior committee and/or member approval.

- i. Any act or thing done by a sub-committee acting in the exercise of a delegation under this rule has the same force and effect as it would have if it had been done by the committee.
- ii. The committee may, by instrument in writing, revoke wholly or in part any delegation under this clause.
- iii. A sub-committee may meet and adjourn, as it thinks proper.
- iv. At least one member of the committee shall hold an ex-officio role on all sub committees

12) Voting and decisions

- i. Questions rising at a meeting of the committee or of any subcommittee appointed by the committee are to be determined by a majority of the votes of member of the committee or subcommittee present at the meeting.
- ii. Each member present at a meeting of the committee or of any subcommittee appointed by the committee (including the person presiding at the meeting) is the entitled to one 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 clause 3.6 (iv), the committee may act despite any vacancy on the committee
- iv. Any act or thing done, or purporting to have been done by the committee or by a sub committee appointed by the committee , is valid and effectual despite any defect that may afterwards be discovered in the appointment or qualification of any member of the committee or sub committee
- v. Any act or thing done, or purporting to have been done, by any member of the committee or by a sub committee appointed by the committee with the intent to defraud becomes the sole responsibility of the perpetrator.

Part 4 General meeting

1) Annual General Meetings – holding of

With the exception of the first annual general meeting of the association, the association must, at least once in each calendar year and within the period of 6 months after the expiration of each financial year of the association, convene an annual general meeting of its members.

The association must hold its first annual general meeting:

Within the period of 18 months after its incorporation under the Act, and

Within the period of 6 months after the expiration of the first financial year of the association.

Clauses (i) and (ii) have effect subject to any extension or permission granted by the Commissioner under section 26(3) of the Act.

2) Annual general meetings – calling of and business at

- i. The annual general meeting of the association is, subject to the Act and to clause 4.1, to be convened on such date and at such place and time as the committee thinks fit.
- ii. In addition to any other business which may be transacted at an annual general meeting, the business of an annual general meeting is to include the following:
 - a. To confirm the minutes of the last preceding annual general meeting and of any special general meeting held since that meeting,
 - b. To receive from the committee reports on the activities of the association during the last preceding financial year,
 - c. To elect office-bearers of the association, and ordinary members of the committee. This can be done via physical or electronic means.
 - d. To receive and consider the financial statement which is required to be submitted to members under section 26(6) of the Act.

An annual general meeting must be specified as such in the notice convening it.

1) Special general meetings – calling of

- i. .The committee may, whenever it thinks fit, convene a special general meeting of the association

- ii. The committee must, on the requisition in writing of at least 5 per cent of the total number of members, convene a special general meeting of the association.
- iii. A requisition of members for a special general meeting:
 - a. must state the purpose or purposes of the meeting, and
 - b. must be signed by the members making the requisition, and
 - c. must be lodged with the secretary, and
 - d. May consist of several documents in a similar form, each signed by one or more of the members making the requisition.
- iv. If the committee fails to convene a special general meeting to be held within 1 month after that date on which a requisition of members for the meeting is lodged with the secretary, any one or more of the members who made the requisition may convene a special general meeting to be held not later than 3 months after that date.
- v. A special general meeting convened by a member or members as referred to in clause 4.3 must be convened as nearly as is practicable in the same manner as general meetings are convened by the committee and any member who consequently incurs expenses is entitled to be reimbursed by the association for any expense so incurred.

2) Notice

- i. Except if the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the association, the secretary must, at least 14 days before the date fixed for the holding of the general meeting, give a notice to each member specifying the place, date and time of the meeting and the nature of the business proposed to be transacted at the meeting.
- ii. If the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the association, the secretary must, at least 21 days before the date fixed for the holding of the general meeting, cause notice to be given to each member specifying, in addition to the matter required under clause 4.1, the intention to propose the resolution as a special resolution.
- iii. No business other than that specified in the notice convening a general meeting is to be transacted at the meeting except, in the case of an annual general meeting, business which may be transacted under clause 4.3 (3).
- iv. A member desiring to bring any business before a general meeting may give notice in writing of that business to the secretary, no less than 28

days prior, who must include that business in the next notice calling a general meeting given after receipt of the notice from the member.

3) Quorum for General meetings

- i. No item of business is to be transacted at a general meeting unless a quorum of members entitled under this constitution to vote is present during the time the meeting is considering that item.
- ii. Five members (being members entitled under this constitution to vote at a general meeting) be present either in person or via electronic means constitute a quorum for the transaction of the business of a general meeting.
- iii. If within half an hour after the appointed time for the commencement of a general meeting a quorum is not present, the meeting:
 - a. if convened on the requisition of members, is to be dissolved, and
 - b. in any other case, is to stand adjourned to the same day in the following week at the same time and (unless another place is specified at the time of the adjournment by the person presiding at the meeting or communicated by written notice to members given before the day to which the meeting is adjourned) at the same place.
- iv. If at the adjourned meeting a quorum is not present within half an hour after the time appointed for the commencement of the meeting, the members present (being at least 3) is to constitute a quorum.

4) Presiding member

- i. The president or, in the president's absence, the vice-president, is to preside as chairperson at each general meeting of the association.
- ii. If the president and the vice-president are absent or unwilling to act, the members present must elect one of their numbers to preside as chairperson at the meeting.

5) Adjournment

- i. The chairperson of a general meeting at which a quorum is present may, with the consent of the majority of members present at the meeting, adjourn the meeting from time to time and place to place, but no business is to be transacted at an adjourned meeting other than the business left unfinished at the meeting at which the adjournment took place.

- ii. If a general meeting is adjourned for 14 days or more, the secretary must give written or oral notice of the adjourned meeting to each member of the association stating the place, date and time of the meeting and the nature of the business to be transacted at the meeting.
- iii. Except as provided in clauses (i) and (ii), notice of an adjournment of a general meeting or of the business to be transacted at an adjourned meeting is not required to be given.

6) Making of decisions

- i. i. A question arising at a general meeting of the association is to be determined on a show of hands and, unless before or on the declaration of the show of hands a poll is demanded, a declaration by the chairperson that a resolution has, on a show of hands, been carried or carried unanimously or carried by a particular majority or lost, or an entry to that effect in the records of the minute book of the association, is evidence of the fact without proof of the number or proportion of the votes recorded in favour of or against that resolution.
- ii. At a general meeting of the association, a poll may be demanded by the chairperson or by at least 3 members present in person or by proxy at the meeting.
- iii. If a poll is demanded at a general meeting, the poll must be taken;
 - a) immediately in the case of a poll which relates to the election of the chairperson of the meeting or to the question of an adjournment, or
 - b) In any other case, in such manner and at such time before the close of the meeting as the chairperson directs, and the resolution of the poll on the matter is taken to be the resolution of the meeting on that matter.

7) Special resolution

A resolution of the association is a special resolution:

- i. if it is passed by a majority which comprises at least three-quarters of such members of the association as, being entitled under this constitution so to do, vote in person or by proxy at a general meeting of which at least 21 days' written notice specifying the intention to propose the resolution as a special resolution was given in accordance with these rules, or
- ii. Where it is made to appear to the Commissioner that it is not practicable for the resolution to be passed in the manner specified in paragraph (i) if the resolution is passed in a manner specified by the Commissioner.

8) Voting

On any question arising at a general meeting of the association a member has one vote only.

All votes must be given personally at a General Meeting or by post for Annual General Meeting.

In the case of an equality of votes on a question at a general meeting, the chairperson of the meeting is entitled to exercise a second or casting vote.

A Member is not entitled to vote at any general meeting of the association unless all money due and payable by the member or proxy to the association has been paid, other than the amount of the annual subscription payable in respect of the then current year.

A member is not entitled to vote at any general meeting of the association if the member is under 18 years of age

9) Postal and Proxy Voting

i. Each member is to be entitled to one postal vote for an Annual General Meeting this must be received by the secretary no later than 24 hours before the time of the meeting in respect of which the postal vote is provided.

ii No postal votes that have been altered in any way will be accepted. (eg liquid paper, photocopies).

iii The association may hold a postal ballot to determine any issue or proposal (other than an appeal under clause 2.11)

iv A postal ballot is to be conducted in accordance with Schedule 3 to the regulation.

v No proxy votes are permitted.

Part 5 Miscellaneous

1) **Insurance** - The association may effect and maintain insurance.

2) **Funds** – source

- i. The funds of the association are to be derived from entrance fees and annual subscriptions of members, donations and, subject to any resolution passed by the association in general meeting, such other sources as the committee determines.
- ii. All money received by the association must be deposited as soon as practicable and without deduction to the credit of the association's bank account.
- iii. The association must, as soon as practicable after receiving any money, issue an appropriate receipt.

3) **Funds** – management

- i. Subject to any resolution passed by the association in general meeting, the funds of the association are to be used in pursuance of the objectives of the association in such manner as the committee determines.
- ii. All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments must be signed by any 2 members of the committee or employees of the association, being members or employees authorised to do so by the committee.
- iii. No 2 members from the same family may co-sign cheques, drafts, bills of exchange, promissory notes and other negotiable instruments

4) **Change of name, objects and constitution**

An application to the Director-General for registration of a change in the Associations name, the statement of objects or constitution may be altered, rescinded or added to only by a special resolution of the association.

5) **Authorised signature**

The public officer is the Authorised signatory for the association

6) **Custody of books**

Except as otherwise provided by this constitution, the public officer must keep in his or her custody or under his or her control all records, books and other documents relating to the association.

7) **Inspection of books**

The following documents must be open to inspection, free of charge, by a member of the association at any reasonable hour:

- a) Records, books and other financial documents of the association

- b) This constitution
- c) Minutes of all committee meetings and general meetings of the association.

A member of the association may obtain a copy of any of the documents referred to in subclause (1) on payment of a fee of \$1 for each page copied.

The records, books and other documents of the association must be open to inspection, free of charge, by a member of the association at any reasonable hour.

Application is to be made in writing to the committee by any member of the association. The application in writing must state:

- i) the primary purpose for inspection,
- ii) any secondary purpose for inspection, and
- iii) to whom the information is to be provided to and the basis for providing the information to them.
- iv) What measures are in place to protect the information contained within the copied portion of the register? This includes the method and location of storage of the copy and the method of destruction of the copy upon completion of the primary purpose for the copy.

8) Service of notices

It is the responsibility of the individual member to notify the secretary, in writing, of any change to contact details. Failure to do so, on the part of the member, will negate any responsibility on behalf of the committee for non-delivery of notices.

- i. For the purpose of this constitution, a notice may be served on or given to a person:
 - a) by delivering it to the person personally, or
 - b) by sending it by pre-paid post to the address, which appears in the member registration list, of the person, or
 - c) By sending it by facsimile transmission or some other form of electronic transmission to an address specified by the person for giving or serving the notice.
- ii. For the purpose of this constitution, a notice is taken, unless the contrary is proved, to have been given or served:
 - a) in the case of a notice given or served personally, on the date on which it is received by the addressee, and
 - b) in the case of a notice sent by pre-paid post, on the date when it would have been delivered in the ordinary course of post, and
 - c) in the case of a notice sent by facsimile transmission or some other form of electronic transmission, on the date it was sent, or if the machine from which the transmission was sent produces a report indicating that the notice was sent on a later date, on that date.

9) Financial year

The financial year of the association is

- a) The period of time commencing on the date of incorporation of the association and ending on the following 31 December and
- b) Each period of 12 months after the expiration of the previous year of the association commencing on 1 January and ending on the following 31 December.

10) Voluntary Cancellation of the Association.

An association incorporated under the Associations Incorporation Act 1984 (the Act), may apply to the Commissioner to

Voluntarily cancel its incorporation. The procedures required by the Act in order to voluntarily cancel the incorporation of an association must be followed

A resolution pursuant to 4.3 for the holding of a special general meeting with the intention of winding up the Association shall be called.

An incorporated association must pass a special resolution that:

- i. approves the application to have the incorporation of the association cancelled by the Commissioner, and
- ii. Determines how the surplus property of the association will be distributed.
- iii. Provide a statutory declaration verifying that the association is able to pay or meet the association's debts and liabilities (if any). The statutory declaration must be signed by two members of the committee of the association and witnessed by a Justice of the Peace.

11) Affiliations

- i. The Association may affiliate with any other organisation or body where such affiliation is judged to contribute to fulfilling the Objects of the Association
- ii. A General Meeting shall have the power by Ordinary Resolution only, to affirm an affiliate provided that proposed affiliation was set out in the notice of the meeting.
- iii. All affiliations will be reviewed at the Annual General Meeting,

Application for Membership

Australian Independent Cat Council.

Membership Application Form

Details of Applicant

Surname _____ First _____

Postal Address

Address _____

Suburb _____

State _____ Post Code _____

Residential Address Please note if your postal address is a PO Box then you must supply a residential suburb.

Suburb _____

State _____ Post Code _____ Email _____

Phone _____

Interests of Applicant (tick appropriate box) I own cats I show cats I breed the following cats _____

New Membership Fee's

- Full ordinary membership
- Pensioner ordinary membership
- Associate Membership
- Junior Membership - Limited membership rights

Please select one of the above

I _____ hereby apply to become a member of the above named incorporated association. In the event of my admission as a member, I agree to be bound by the rules of the association for totality of my membership. I understand that this application will not be valid until passed by the committee and fees paid upon acceptance.

(BREEDER CODE OF ETHICS)

I understand that by signing this membership application form,

I agree to abide by the Breeder Code of Ethics and all rules of the AICC

Signature of Applicant* _____

Date _____.

Typed name(s) qualifies as signature(s) in an emailed document

Signature of Parent/Guardian if applicant is under 18 years of age

_____ Date _____.

Name of Parent/Guardian: _____

Please make cheques payable to:

Australian Independent Cat Council Inc. (please do not abbreviate)

Direct Debit is preferred

BSB

Acc. No

Return to:

The Secretary, AICC Inc.