

CONSTITUTION

CAMPBELLTOWN & DISTRICTS LAPIDARY CLUB Inc.

PART 1 DEFINITIONS

- 1) In this constitution, except so far as the context or subject matter otherwise indicates or requires:-

“Ordinary Member” means a member of the committee who is not an office bearer of the club as referred to in Rule 15(2).

Secretary means-

- a) The person holding the office under these rules as secretary of the club; or
- b) Where no such person holds this office – the Public Officer of the club.

“Special General Meeting” means a general meeting of the club other than the Annual General Meeting.

“The Act” means the Associations Incorporation Act, 2009.

“The Regulation” means the Associations Incorporation Act, 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, where a function is a duty, a reference to the performance of the duty.

- 3) The provisions of the Interpretation Act, apply to and in respect of these Rules in the same manner as those provisions would so apply if this Constitution were an instrument made und

PART 2 NAME OF THE CLUB

1) The name of the club will be;

“THE CAMPBELLTOWN AND DISTRICTS LAPIDARY CLUB Incorporated”
Referred to in this Constitution as the “Club”

2) The Club colours shall be RED, GREEN and YELLOW.

PART 3 OBJECTIVES

1) The objectives of the Club shall be:-

- a) To promote amongst its members and other interested persons and bodies their knowledge and practice of the art of lapidary.
- b) To organise, conduct and participate in activities connected with lapidary, including trips to gem fields and mineral deposits.
- c) To provide suitable accommodation, facilities and equipment so that members may further their knowledge and practice of lapidary.
- d) To obtain, record and make available to members and to such other persons and bodies as the club may decide, information which will further their knowledge and practice of lapidary, including details as to location of gem and mineral deposits.
- e) To raise subscriptions or donations or in any other manner which may seem expedient, funds to provide for the promotion and furtherance of the foregoing objectives of the Club.
- f) To invest the monies of the Club not immediately required for the purpose on or upon such investments or securities as may be thought fit.

PART 4 MEMBERSHIP

1) **Membership Categories:-**

- a) Ordinary - Individual
- Family
- Pensioner
- Student
- b) Life Members.
- c) Honorary Members.

2) **Patron.**

The Club may from time to time appoint any person deemed suitable to be Patron of the Club.

3) **Membership Qualifications.**

A person is eligible to be a member of the Club if, but only if:-

- a) The person is a person referred to in Clause 6 a), b), c) or d) of the Act and has not ceased to be a member of the Club at any time after incorporation of the Club under the Act or
- b) The person is a natural person who:-
 - i) Has been nominated for membership of the club as provided by Rule 5 and
 - ii) Has been approved for membership of the Club by the committee of the Club.
- 4) When they consider the circumstances so warrant, the committee may, by resolution passed at a general meeting confer Honorary Membership upon a person and such Honorary member shall enjoy all the privileges of the membership of the Club
- 5) Where they consider there are special circumstances which so warrant, the committee may by resolution passed at a general meeting confer Honorary Life Membership upon any person and such Honorary Life Member shall enjoy all the privileges of the Club.

6) **Nomination for Membership**

- 1) A nomination of a person for membership of the Club:-
 - a) Shall be made by a member of the Club in writing in the form set out in Appendix I to this constitution; and
 - b) Shall be lodged with the Secretary of the Club.
- 2) As soon as practicable after receiving a nomination for membership, the Secretary shall refer the nomination to the committee which shall determine whether to approve or reject to nomination.
- 3) Where the committee determines to approve nomination for membership, the secretary shall, as soon as practicable after that determination, to notify the nominee of that approval and request the nominee to pay within 28 days after receipt by the nominee of the notification the sum payable under these rules by a member as entrance fee and annual subscription.
- 4) The secretary shall, on payment by the nominee on the amounts referred to in Clause 6 (3) within the period referred to on that clause, may enter the nominee's name in the register of members and, upon the name being entered, the nominee becomes a member of the Club.

7. **Cessation of membership**

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

- a) Dies.

- b) Resigns that membership.
- c) Is expelled from the Club; or
- d) Fails to pay the annual membership fee under clause 10 () within 2 calendar months after the fee is due.

8. Membership Entitlements Not Transferable

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

- a) Is not capable of being transferred or transmitted to another person: and
- b) Terminates upon cessation of the person's membership.

9. Resignation of Membership

a) A member of the Club is not entitled to resign that membership except in accordance with this rule.

b) A member of the Club who has paid all amounts payable by the member to the Club in respect of the member's membership may resign from membership of the Club first by giving notice (being not less than one (1) month or not less than such period as the committee may determine) in writing to the secretary, of the member's intention to resign and, upon the expiration of the period of the notice, the member ceases to be a member.

c) Where a member of the Club ceases to be a member pursuant to clause 9(b) and in every case where a member ceases to hold membership, the secretary shall make an appropriate entry in the register of members, recording the date on which the member ceased to be a member.

10) Register of Members

a) The public officer of the club shall establish and maintain a register of members of the Club specifying the name and address of each person who is a member of the club, together with the date on which each person became a member,

b) The register of members shall be kept at the principal place of administration of the Club and shall be open for inspection, free of charge, by any member of the club at any reasonable hour.

c) A member of the Club may obtain a copy of any part of the register on the payment of a fee, as decided by the committee.

d) If a member requests any information on the register about the member (other than the member's name) not be available for inspection, that information must not be made available for inspection.

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

i) the purposes of sending the person a newsletter, a notice in respect of a meeting or other event relating to the Club or other material relating to the Club, or

ii) *any other purpose necessary to comply with the requirement of the Act or Regulation.*

11) Fees, Subscriptions etc

a) A member of the Club, shall upon admission to the membership pay to the Club a fee of \$1.00 or, where some other amount is determined by the committee, of that other amount.

b) In addition to any amount payable by the member under clause 10(a), a member shall pay to the club an annual membership fee of \$2.00 or, where some other amount is determined by the committee, of that other amount:-

i) Except as provided by paragraph (i), before the 1st July in each calendar year; or

ii) where a member becomes a member on or after 1st July in any calendar year—upon becoming a member and before 1st July in each succeeding calendar year.

12) Members Liabilities.

The liability of a member of the Club to contribute towards the payment of the debts and liabilities of the Club, or the cost, 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 Clause 11

13) Resolution of Disputes

a) *A dispute between a member and another member (in their capacity as members) of the Club, or a dispute between a member or members and the Club, are to be referred to a Community Justice Centre for mediation in the Community Justice Centres Act 1983.*

b) *If a dispute is not resolved by mediation within 3 months of the referral to a community justice centre, the dispute is to be referred to arbitration.*

c) *The Commercial Arbitration Act 1984 applies to any such dispute referred to arbitration,*

14) Disciplining of Members.

a) a complaint may be made to the committee by any person that a member of the Club:

i) has refused or neglected to comply with the provision or provisions of the constitution, or

ii) has wilfully acted in a manner prejudicial to the interests of the Club.

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

d) *If the committee decides to deal with the complaint, the committee:*

i) must cause notice of the complaint to be served on the member concerned, and

ii) 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

iii) must take into consideration any submissions made by the member in connection with the complaint.

- e) The committee may, by resolution, expel the member from the Club or suspend the member from membership of the Club if, after considering the complaint and any submissions made in connection with the complaint, if it is satisfied that the facts alleged in the complaint have been proved and the expulsion or suspension is warranted in the circumstances.*
- f) If the committee expels or suspends a member, the secretary must, within 7 days after the action is taken, cause 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 15.*
- g) 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 Club confirms the resolution under clause 15,

which ever is the later.

15 Right of Appeal of Disciplined Member

- a) A member may appeal to the Club in the general meeting against the resolution of the committee which is confirmed under rule 14 within 7 days after notice of the resolution is served on the member by lodging with the secretary a notice to that effect.*
- b) 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.*
- c) Upon receipt of the notice from a member under clause (a), the secretary shall, notify the committee which shall convene a general meeting of the Club to be held within 28 days after the date on which the secretary received the notice.*
- d) At a general meeting of the Club convened under clause 3:*
 - 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 state their respective cases orally or in writing, or both; and*
 - iii) the members present shall vote by secret ballot on the question of whether the resolution be confirmed or revoked.*
- e) If at the general meeting the club passes a special resolution in favour or the confirmation of the resolution, the resolution is confirmed.*

PART 5 THE COMMITTEE

16) Powers etc of the Committee

The committee shall be called the Committee of Management of the Club and, subject to the Act, the Regulations and this Constitution and to any resolution passed by the Club in general meeting:-

- i) shall control and manage the affairs of the Club;
- ii) may exercise all functions as may be exercised by the Club other than those functions that are required by these rules to be exercised by a general meeting of members of the Club; 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 Club

17) Constitution and Membership

a) Subject in the case of the first members of the committee to section 21 of the Act, the committee shall consist of:-

- i) the office bearers of the Club; and
- ii) 4 ordinary members, one of which will be the publicity officer/web master each of whom shall be elected at the annual general meeting of the Club pursuant the clause 18

b) The office bearers of the Club shall be:-

- i) the president
- ii) 2 vice presidents
- iii) the treasurer
- iv) the secretary.

c) Each member of the committee shall, subject to this constitution hold office until the conclusion of the annual general meeting following the date of the members election, but is eligible for re-election for a maximum three consecutive terms.

d) In the event of a casual vacancy occurring to the membership of the committee, the committee may appoint a member of the club to fill the vacancy and the member so appointed shall hold office, subject to these rules, until the conclusion of the annual general meeting next following the date of appointment.

18) Election of Members

a) Nominations of candidates for election as office bearers of the Club or as ordinary members of the committee:-

i) shall be made in writing, signed by 2 members of the Club and accompanied by the written consent of the candidate (which may be endorsed on the form of nomination); and

ii) shall be delivered to the secretary of the Club not less than 7 days before the date fixed for the holding of 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' nominations shall be deemed to be elected and further nominations shall be received at the annual general meeting.

c) If insufficient further nominations are received any vacant positions remaining on the committee shall be deemed to be casual vacancies.

d) If the number of nominations received is equal to the number of vacancies to be filled, the persons nominated shall be deemed to be elected.

e) If the number of nominations received exceeds the number of vacancies to be filled, a ballot shall be held.

f) The ballot for the election of office bearers and ordinary members of the committee shall be conducted at the annual general meeting in such usual and proper manner as the committee may direct.

g) A nomination of a candidate for election under this clause is not valid for election to another office at the same election

h) A person nominated as a candidate for election as an office bearer or as an ordinary committee member of the Club must be a member of the Club.

19) Secretary

a) The secretary of the Club shall, as soon as practicable after being appointed secretary, lodge notice with the Club of his or her address.

b) It is the duty of the secretary to keep minutes of:-

i) All appointments of office bearers and members of the committee;

ii) the names of members of the committee present at a committee meeting or general meeting; and

iii) all proceedings at committee meetings and general meetings.

c) Minutes of proceedings at a meeting shall be signed by the chairperson of the meeting or by the chairperson of the next succeeding meeting.

20) Treasurer

a) It is the duty of the treasurer of the Club to ensure:-

- i) all money due to the Club is collected and received and all payments authorised by the Club are made; and
- ii) correct books and accounts are kept showing the financial affairs of the Club including full details of all expenditure connected with the activities of the Club.

21 Casual Vacancies.

For the purpose of these rules., a casual vacancy is the office of a member of the committee occurs if the member:-

- i) dies;
- ii) ceases to be a member of the Club;
- iii) becomes an insolvent under the administration within the meaning of the Corporations Act 2001 of the Commonwealth, or
- iv) resigns office by notice in writing given to the secretary;
- v) is removed from office under clause 22,
- vi) becomes of unsound mind or a person whose person or estate is liable to be dealt with in any way under the law relating to mental health, or
- vii) is absent without consent of the committee from all meetings of the committee held during a period of 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) under the Corporations Act 2001 of the Commonwealth.*

22) Removal of Committee Members.

a) The Club in a general meeting may by resolution remove any member of the committee from the office of a member before the expiration of the members 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.

b) Where a member of the committee to whom a proposed resolution referred to in clause 22(a) relates, makes representations in writing to the secretary or president (not exceeding a reasonable length) and requests that the representations be notified to the members of the Club, the secretary or the president may send a copy of the

representations to each member of the Club or, if there are not sent, the member is entitled to require that the representations be read out at the meeting at which the resolution is considered.

23 Meetings and Quorum

- a) The committee shall meet at least 3 times in each period of 12 months at such a place and time as the committee may determine.
- b) Additional meetings of the committee may be convened by the president or by any member of the committee.
- c) Oral or written notice of a meeting of the committee shall be given by the secretary to each member of the committee at least 48 hours (or such other period as may be unanimously agreed upon by the members of the committee) before the time appointed for the holding of the meeting.
- d) Notice of a meeting given under clause (c) shall specify the general nature of the business to be transacted at the meeting and no business other than that business shall be transacted at the meeting, except business which the committee members present at the meeting unanimously agree to treat as urgent business.
- e) Any 3 members of the committee constitute a quorum for the transaction of the business of a meeting of the committee.
- f) No business shall 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 stands adjourned to the same place and at the same hour of the same day in the following week.
- g) If at the adjourned meeting a quorum is not present within half an hour of the time appointed for the meeting, the meeting shall be dissolved.
- h) At the meeting of the committee:-
 - i) the president or, in the president's absence, one of the vice presidents shall preside; or
 - ii) if the president or the vice presidents are absent or unwilling to act such one of the remaining members present at the meeting shall preside.

24 Delegation by Committee to Sub-Committee

- a) The committee may, by instrument in writing, delegate to one or more sub-committees (consisting of such member or members of the Club 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.
- b) A function the exercise of which has been delegated to a sub-committee under this rule may, while the delegation remains unrevoked, be exercised from time to time by the sub-committee in accordance with the terms of the delegation.

- c) A delegation under this section may be made subject to such conditions or limitations as to the exercise of any function the subject thereof, or as to time or circumstances, as may be specified in the instrument of delegation.
- d) Notwithstanding any delegation under this rule, the committee may continue to exercise any function delegated.
- e) Any act or thing done or suffered by a subcommittee 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 or suffered by the committee.
- f) The committee may, by instrument in writing, revoke wholly or in part any delegation under this rule.
- g) The sub-committee may meet and adjourn as it thinks proper.

25 Voting and Decisions

- a) Questions arising at a meeting of the committee or of any sub-committee appointed by the committee shall be determined by a majority of the voted of the members of the committee or sub-committee present at the meeting.
- b) Each 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 one vote but, in the event of any equality of the votes on any question, the person presiding may exercise a second casting vote.
- c) Subject to clause 23 (e), the committee may act notwithstanding and vacancy on the committee
- d) Any act or thing done or suffered, or purporting to have been done or suffered , by the committee or 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.

PART 6 GENERAL MEETINGS

26 Annual General Meetings – Holding Of

- a) With the exception of the first annual general meeting of the Club, the Club shall, at least once in each calendar year and within the period of 6 months after the expiration of each financial year of the Club, convene an annual general meeting of its members.
- b) The Club shall hold its first annual general meeting:-
 - i) within the period of 6 months after the expiration of the first financial year of the Club
 - ii) *within such later time as may be allowed by the Director- General or as prescribed by the Regulation.*

27 Annual General Meetings – Calling Of and Business At.

- a) The annual general meeting of the Club shall, subject to the Act and to Clause 26, be convened on such a date and at such a place and time as the committee thinks fit.
- b) In addition to any other business which may be transacted at an annual general meeting shall be:-
 - i)to confirm the minutes of the last preceding annual general meeting and of any special general meeting held since that meeting;
 - ii)to receive from the committee reports upon the activities of the Club during the last preceding financial year;
 - iii)to elect office bearers of the Club and ordinary members of the committee; and
 - iv)to receive and consider the financial statement which is required to be submitted the members under the Act.

28 Special General Meeting – Calling Of

- a) The committee may, whenever it thinks fit, convene a special general meeting of the Club.
- b) The committee shall, on the requisition in writing of not less than 5 percent of the total number of members, convene a special general meeting.
- c) A requisition of members of a special general meeting:-
 - i. Shall state the purpose of the meeting;
 - ii. Shall be signed by the members making the requisitions;
 - iii. Shall be lodged with the secretary; and
 - iv. May consist of several documents in a similar form, each signed by one or more of the members making the requisition.
- d) If the committee fails to convene a special general meeting to be held within one month after the date on which the 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.
- e) A special general meeting convened by a member or members as referred to in subclause (d) shall be convened as nearly as is practicable in the same manner as general meetings are convened by the committee.

29 Notice

- a) Except where the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the Club, the secretary shall, at least 14 days before the date fixed for the general meeting, cause to be sent by pre-paid post to each member at the members address appearing in the register of the members, a notice specifying the place, date and time of the meeting and the nature of the business to be transacted at the meeting
- b) Where the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the Club, the secretary shall, at least 21 days before the date fixed for the holding of the general meeting, cause notice to be sent to each member in the manner provided in sub-clause (a), specifying, in

addition to the matter required under sub-clause (a), the intention to propose the resolution as a special resolution.

- c) No business other than that specified in the notice convening a general meeting shall be transacted at the general meeting except, in the case of an annual general meeting, business which may be transacted pursuant to clause 27 (b).
- d) A member desiring to bring any business before a general meeting may give notice in writing of that business to the secretary who shall include that business in the next notice calling a general meeting given after receipt of the notice from the member.

30 Quorum For General Meetings

- a) No item of business shall be transacted at a general meeting unless a quorum of members entitled under these rules to vote is present during the time the meeting is considering that item.
- b) Five members present in person (being members entitled under this Constitution to vote at a general meeting) constitute a quorum for the transaction of business of a general meeting.
- c) If within half an hour after the appointed time for commencement of a general meeting is not present, the meeting if convened upon the requisition of members shall be dissolved and in any other case shall be adjourned to the same day in the following week and at the 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 the members given before the day to which the meeting is adjourned) at the same place.
- d) 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 not less than 3) shall constitute a quorum.

31 Presiding Member

- a) The president, or in the president's absence, one of the vice-presidents shall preside as chairperson at each general meeting of the Club
- b) If the president and the vice-presidents are absent from a general meeting or unwilling to act, the members present shall elect one of their members to preside as chairperson at the meeting.

32 Adjournment.

- a) The chairperson of a general meeting at which a quorum is present may, with the consent of the majority of members present at that meeting, adjourn the meeting from time to time and place to place, but no business shall be transacted at the adjourned meeting other than the business left unfinished at the meeting at which the adjournment took place.
- b) Where a general meeting is adjourned for 14 days or more, the secretary shall give written notice of the adjourned meeting to each member of the Club stating the place, date and time of the meeting and the nature of the business to be transacted at the meeting.

- c) Except as provided in sub-clauses (a) and (b), notice of an adjournment of a general meeting or of business to be transacted at an adjourned meeting is not required to be given

33 Making of Decisions

a) A question arising at a general meeting of the Club shall be determined on a show of hands and unless before or on the declaration of the show of hands a poll is determined, 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 minute book of the Club is evidence of the fact without proof of the number or proportion of the votes recorded in favour of or against that resolution

b) At a general meeting of the Club, a poll may be demanded by the chairperson or by not less than 5 members present in person, shall decide that the question should be determined by a poll.

c) If the question is to be determined by a poll, the poll is to be conducted in accordance with the directions of the chairperson

34 Special Resolutions

A special resolution may only be passed by the Club in accordance with Section 39 of the Act.

35 Voting

- a) On any question arising at a general meeting of the Club a member has one vote only
- b) In the case of equality of votes on a question at a general meeting, the chairperson of the meeting is entitled to exercise a second or casting vote.
- c) *A member is not entitled to vote at any general meeting of the Club unless all money due and payable by the member to the Club has been paid.*
- d) *A member is not entitled to vote at any general meeting of the Club.*

35. Proxy Votes Not Permitted

Proxy voting must not be undertaken at or in respect of a general meeting.

36. Postal Ballots

a) The Club may hold a postal ballot to determine any issue or proposal (other than an appeal under clause 15).

b) A postal ballot is to be conducted in accordance with Schedule 3 to the Regulation.

PART 5 MISCELLANEOUS

37. Insurance

- a) The Club shall effect and maintain insurance.
- b) In addition to the insurance required under sub-clause (a), the Club may effect and maintain other insurance

38. Funds – Source.

- a) The funds of the Club shall be derived from entrance fees and annual subscriptions of the members, donations and subject to any resolution passed by the Club in general meeting, such other sources as the committee determines.
- b) All money received by the Club shall be deposited as soon as practicable and without deduction to the Club's bank account.
- c) The Club shall as soon as practicable after receiving money, issue an appropriate receipt.

38 Funds – Management

- a) Subject to any resolution passed by the Club in general meeting, the funds of the Club shall be used in pursuance of the objects of the Club in such a manner as the committee determines.
- b) All cheques, draft, bills of exchange, promissory notes and other negotiable instruments shall be signed by any 2 members of the committee or employees of the Club, being members or employees authorised to do so by the committee.

39. Change of Name, Objects and Constitution.

An application to the Director General for registration of a change in the Club name, objects or constitution in accordance with section 10 of the Act is to be made by the public officer or a committee member.

40. Common Seal.

- a) The common seal of the Club shall be kept in the custody of the public officer.
- b) The common seal shall not be affixed to any instrument except by the authority of the committee and the affixing of the common seal shall be attested by the signatures of 2 members of the committee or of 1 member of the committee and of the public officer or secretary.

40. Custody of Books

Except as otherwise provided by these rules, the public officer shall keep in his or her custody or under his or her control all records, books and other documents relation to the Club.

41. Inspection of Books.

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

i)Records, books and other financial documents of the Club,

ii)*This constitution,*

iii)*Minutes of all committee meetings and general meetings of the Club.*

b)A member of the Club may obtain a copy of any of the documents referred to in sub-clause (a) on payment of a fee of not more than \$1.00 for each page copied.

42 Service of Notices.

a) For the purpose of this constitution, a notice may be served on or given to a person:-

- i. By delivering it to the person personally, or
- ii. By sending it by pre-paid post to the address of the person, or
- iii. *By sending it to by facsimile transmission or some other form of electronic transmission to an address specified by the person for giving or serving notice.*

b) For the purpose of this constitution, a notice is taken m unless the contrary is proved, to have been given or served.

- i. In the case of a notice given or served personally, on the date on which it is received by the addressee, and
- ii. In the case of a notice sent by pre-paid post, on the due date on when it would have been received by the addressee, and
- iii. *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 the transmission was produces a report indication that the notice was sent on a later date, on the date.*

43. Financial Year

The financial year of the Club is:-

- a) *The period of time commencing on the date of incorporation of the Club and ending the following 30th June, and*
- b) *Each period of 12 months after the expiration of the previous financial year of the Club, commencing in 1st July and ending on the following 30th June.*

44.Surplus Property

a) At the first general meeting of the Club, the Club shall pass a special resolution nominating an incorporated Club or Association in which to vest its surplus property in the event of the winding up or cancellation of the incorporation of the Club.

b) The Incorporated Club or Association so nominated shall be one which fulfils the aims and objectives of this Club.

45. Code of Ethics

- a) Private property shall not be entered without the prior permission of the owner or other responsible person entitled to grant such permission. All conditions of entry and requests made by the person granting permission shall be strictly observed
- b) Stock shall not be interfered with, all gates shall be left as found, camp sites kept and left clean, all garbage disposed of, and fires extinguished. All diggings will be filled, in the normal course.
- c) Protected native fauna, flora and bird life shall not be interfered with in any way.
- d) Firearms and/or explosives shall not be carried or used on official Club trips, except with the special permission of the management committee and then only subject to such conditions as the committee may impose.
- e) All possible safety precautions, both as regards oneself and others shall be observed at all times.
- f) all participants shall comply with all the instructions of the Trip Leader, and no member may leave the group without first informing the Trip Leader.
- g)The greatest care is to be taken when working a site, to avoid any unnecessary damage there to, and to conform with all official directions that might be given from time to time.

