

## Rules of the Western Australian Family Bushwalking Club Inc

### Name of Association

1. The name of the Association is the Western Australian Family Bushwalking Club Incorporated.

### Definitions

2. In these rules, unless the contrary intention appears-  
“adult” refers to a person of 18 years of age or more;  
“child” refers to a person of less than 18 years of age;  
“member” means a member of the Association;  
“special resolution” has the meaning given by section 24 of the Act;  
“the Act” means the Associations Incorporation Act 1987;  
“the Association” means the Association referred to in rule 1;  
“the Committee” means the Committee of Management of the Association referred to in subrule 9 (1);  
“the President” means the President referred to in rule 9 (1) (a);  
“the Secretary” means the Secretary referred to in rule 9 (1) (b);  
“the Treasurer” means the Treasurer referred to in rule 9 (1) (c);

### Objects

3. (1) The objects of the Association are:
  - (a) to organise bushwalks that are suitable for families with children and
  - (b) to provide opportunities for family activities that encourage appreciation, enjoyment and respect of the bush.
- (2) The property and income of the Association shall be applied solely towards the promotion of the objects of the Association and no part of that property or income may be paid or otherwise distributed, directly or indirectly, to members, except in good faith in the promotion of those objects.

### Membership of the Association

4. (1) Membership of the Association is open to adult members of families comprising one or more adults and one or more children.
  - (2) (a) An adult member of a family who wishes to join the association shall apply to the Committee in writing. The application shall be in the form that the Committee from time to time directs, and shall state the names of the adult members of the family, and the names and dates of birth of the child members of the family. The application shall be signed by the applicant and shall be accompanied by the applicable subscriptions and fees.
  - (b) In the event that more than two adult members of a family apply to become members of the Association, those family members shall nominate the two adult members of the family who, in accordance with rule 16 (1) shall be entitled to vote at a general meeting.
- (3) The Committee members shall consider each application under subrule (2) at a Committee meeting and shall at that Committee meeting or a subsequent Committee meeting either accept or reject the application.
- (4) In the event that the Committee sees fit to reject the application under subrule (3) all monies paid by the applicant will be refunded.

- (5) In the event that the Committee sees fit to reject the application under subrule (3) the Committee shall be under no obligation to provide reasons for the rejection.

### Register of members of the Association

5. (1) The Secretary or a Committee member so delegated by the Committee shall on behalf of the Association keep and maintain the register of members in accordance with section 27 of the Act.

### Subscriptions of members of the Association

6. (1) The Committee shall from time to time determine the amount of the subscription to be paid by each member and the date on which each member's subscription falls due.
  - (2) Each member shall pay to the Treasurer on or before the due date determined under subrule (1) the amount of the subscription determined under subrule (1)
  - (3) A member whose subscription is not paid within 3 months after the due date determined under subrule (1) ceases on the expiry of that period to be a member, unless the Committee decides otherwise.

### Resignation of members of the Association

7. (1) A member may resign from the Association by delivering notice in writing stating an intention to resign to the Secretary or another Committee member. The member ceases to be a member on that delivery.

### Suspension or Expulsion of members of the Association

8. (1) If the conduct of a member of the Association or of a child belonging to a member of the Association's family is, in the opinion of the Committee, prejudicial to the interests of the Association, the Committee may consider suspension or expulsion of that member. Any action shall be decided at a meeting of the committee.
  - (2) The member whose suspension or expulsion is being considered may attend this meeting for the purpose of being heard.
  - (3) The Committee may suspend or expel the member if it thinks fit and shall notify the member who is suspended or expelled within seven days.
  - (4) (a) There shall be a right of appeal against a decision to suspend or expel a member.
    - (b) Any request for an appeal must be made in writing to a member of the Committee within 14 days of notification of the decision.
    - (c) A special general meeting shall be called within 30 days of receipt of the written request.
    - (d) The special general meeting shall hear the member's appeal and may confirm, vary or reverse the Committee decision

### Committee of Management

9. (1) The affairs of the Association shall be managed exclusively by a Committee of Management consisting of:
  - (a) a President;
  - (b) a Secretary;
  - (c) a Treasurer; and
  - (d) such number of other Committee members as is determined at the annual general meeting
- (2) All Committee members shall be members of the Association elected to membership of that Committee at an annual general meeting or appointed under subrule (4)

- (3) All Committee positions shall be declared vacant at the annual general meeting.
- (4) Should a vacancy occur in the Committee, other than in the normal course of elections, the Committee may fill such a vacancy from the members of the Association and such member shall hold office for the unexpired portion of their predecessor's term.
- (5) The Committee shall meet together for the dispatch of business at least twice per year. The President or any three members of the Committee together may at any time convene a meeting of the Committee.
- (6) At least 7 days notice of Committee meetings shall be given to all members of the Committee.
- (7) The quorum for Committee meetings shall be 50% of the number of members of the Committee.
- (8) Subject to this subrule at every Committee meeting each committee member shall have one vote. A motion put to the vote shall be decided by a numerical majority of votes except that if there is an equality of votes the person presiding at the meeting shall have a casting vote in addition to a deliberate vote.
- (9) In accordance with sections 21 and 22 of the Act any member of the Committee who has a direct or indirect pecuniary interest in a contract made by, or in the contemplation of, the Committee shall disclose the nature and extent of that interest to the Committee. The Committee member having such an interest shall not take part in any deliberations or decision of the Committee with respect to that contract.

#### **President**

10. (1) Subject to this rule, the President shall preside at all general meetings and Committee meetings.
- (2) In the event of the absence of the President from a general meeting a member elected by the other members present shall preside at the general meeting.
- (3) In the event of the absence of the President from a Committee meeting, a Committee member elected by the other Committee members present shall preside at the Committee meeting.

#### **Secretary**

11. (1) The Secretary shall -
  - (a) co-ordinate the correspondence of the Association;
  - (b) keep full and correct minutes of the proceedings of Committee meetings and general meetings and make these available to any member on request;
  - (c) in accordance with section 28 of the Act maintain a copy of the rules of the Association and make this available to any member on request;
  - (d) in accordance with section 29 of the Act keep a record of the names and addresses of the Committee members, persons authorised to use the common seal of the Association and any trustees of the Association and make this available to any member on request;
  - (e) except as provided for under rules 5 and 12 have custody of all books, documents, records and registers of the Association, including those referred to in paragraphs (c) and (d); and
  - (f) perform such other duties as are imposed by these rules on the Secretary.

#### **Treasurer**

12. The Treasurer shall -
  - (a) be responsible for the receipt of all moneys paid to or received by the Association and shall issue receipts for those moneys in the name of the Association;
  - (b) pay all moneys referred to in paragraph (a) into such account or accounts of the Association as the Committee may from time to time direct;
  - (c) make payments from the funds of the Association with the authority of a general meeting or of the Committee and in so doing ensure that all cheques are signed by two Committee members,
  - (d) in accordance with section 25 of the Act keep and maintain accounting records that correctly record and explain the financial transactions and financial position of the Association, that will enable true and fair accounts of the Association to be prepared at any time, and that will enable these accounts to be conveniently and properly audited;
  - (e) in accordance with section 26 of the Act submit to the members of the Association at the annual general meeting of the Association accounts showing the financial position of the Association at the end of the immediately preceding financial year;
  - (f) whenever directed to do so by the President, submit to the Committee a report, balance sheet or financial statement in accordance with that direction; and
  - (g) have custody of all securities, books and documents of a financial nature and accounting records of the Association, including those referred to in paragraphs (d) and (c)

#### **General meetings**

13. (1) The Committee -
  - (a) may at any time convene a special general meeting;
  - (b) shall convene annual general meetings, in accordance with section 23 of the Act, in every calendar year within 4 months after the end of the Association's financial year; and
  - (c) shall, within 30 days of -
    - (i) receiving a request in writing to do so from not less than 5 members, convene a special general meeting for the purpose specified in that request; or
    - (ii) receiving a notice under rule 8 (4), convene a special general meeting for the purpose of dealing with the appeal to which that notice relates.
- (2) The request referred to in subrule (1) (c) (i) shall state the purpose for which the special general meeting concerned is required and shall be signed by each member making the request.
- (3) If a special general meeting is not convened within the relevant period of 30 days referred to -
  - (a) in subrule (1) (c) (i), the members who made the request concerned may themselves convene a special general meeting as if they were the Committee; or
  - (b) in subrule (1) (c) (ii), the member who gave the notice concerned may convene a special general meeting as if he or she were the Committee.
- (4) When a special general meeting is convened under subrule (3) (a) or (b) -
  - (a) the Committee shall ensure that the member or members convening the special general meeting are supplied free of charge with particulars of all members; and

- (b) the Association shall pay the reasonable expenses of convening and holding the special general meeting.
- (5) Subject to subrule (8), the Secretary shall give to all members not less than 14 days notice of a general meeting
- (6) A notice given under subrule (5) shall specify -
  - (a) when and where the general meeting concerned is to be held; and
  - (b) particulars of the business to be transacted at the general meeting concerned and the order in which that business is to be transacted
- (7) In the case of an annual general meeting, the order in which business is to be transacted is -
  - (a) first, the consideration of the accounts and reports of the Committee;
  - (b) second, the election of Committee members to replace outgoing Committee members; and
  - (c) third, any other business requiring consideration by the Association in a general meeting.
- (8) The Secretary shall give to all members not less than 21 days notice of a general meeting at which a special resolution to amend the rules of the Association is proposed and this notice shall set out the proposed special resolution.
- (9) The Secretary may give a notice under subrule (5) or (8) by -
  - (a) serving it on a member personally; or
  - (b) sending it by post to a member at the address of the member appearing in the register of members kept and maintained under section 27 of the Act.
- (10) When a notice is sent by post under subrule (9) (b), sending the notice shall be deemed to be properly effected if the notice is sufficiently addressed and posted by ordinary prepaid mail
- (11) Subject to rule 17 at every general meeting, a motion put to the vote shall be decided by a numerical majority of votes except that if there is an equality of votes the person presiding at the meeting shall have a casting vote in addition to a deliberate vote.

#### **Quorum in proceedings at general meetings**

- 14. (1) At a general meeting 15% of the members of the Association entitled to vote at a general meeting shall constitute a quorum.
- (2) If within 30 minutes after the time specified for the holding of a general meeting in a notice given under rule 13 (5) or (8) -
  - (a) as a result of a request or notice referred to in rule 13 (1) (c) or as a result of action taken under rule 13 (3) a quorum is not present, the general meeting lapses; or
  - (b) otherwise than as a result of a request, notice or action referred to in paragraph (a), the general meeting stands adjourned to a date within 30 days of the original meeting.
- (3) Notice of the resumption of a general meeting adjourned under subrule (2) (b) shall be given by any practical means to all members not less than 7 days prior to the resumption

- (4) If a quorum is not present within 45 minutes after the scheduled resumption time of a general meeting then the members present shall be deemed to constitute a quorum.

#### **Financial year of the Association**

- 15. In accordance with section 3 of the Act the financial year of the Association shall be -
  - (a) a period not exceeding 15 months fixed by the Committee and commencing on the date of incorporation of the Association; and
  - (b) each period of 12 months, or such other period fixed by the Committee (after having regard to subrule 13 (1) (b)), commencing at the expiration of the previous financial year of the Association.

#### **Voting rights of members of the Association**

- 16. (1) At any general meeting of the Association each member present at the meeting shall have one vote except that where more than two adult members of a family are members of the Association only those nominated in accordance with rule 4 (2) as entitled to vote may do so.
- (2) Subject to rule 17 a motion put to the vote shall be decided by a numerical majority of votes.

#### **Rules of the Association**

- 17. The Association may alter or rescind these rules by a special resolution at a general meeting passed by 75% of the members entitled to vote in accordance with rule 16, and in accordance with the procedures set down in sections 17, 18 and 19 of the Act.

#### **Common seal of the Association**

- 18. (1) The Association shall have a common seal on which its corporate name shall appear in legible characters.
- (2) The common seal of the Association shall not be used without the express authority of the Committee and even use of that common seal shall be recorded in the minutes of a Committee meeting.
- (3) The affixing of the common seal of the Association shall be witnessed by any two of the President, the Secretary, and the Treasurer.
- (4) The common seal of the Association shall be kept in the custody of the Secretary or such other person as the Committee from time to time decides.

#### **Inspection of records, etc.**

- 19. A member may at any reasonable time inspect without charge the books, documents, records and securities of the Association.

#### **Distribution of surplus property on winding up of the Association**

- 20. If, on the winding up of the Association, any property of the Association remains after satisfaction of the debts and liabilities of the Association and the costs, charges and expenses of that winding up, that property shall be distributed -
  - (a) to another association incorporated under the Act; or
  - (b) for charitable purposeswhich incorporated association or purposes, as the case requires shall be determined by resolution of the members when authorising and directing the Committee under section 33 (3) of the Act to prepare a distribution plan for the distribution of the surplus property of the Association.