

Inner West Hunters Club Inc

Constitution

Part 1 – Preliminary

1. Name

The name of the Club is the **Inner West Hunters Club** (hereinafter referred to as “the Club”).

2. Objectives

The objectives of the Club are to:

1. Promote the pursuit of recreational hunting.
2. Ensure the interests of hunters are taken into account when laws are being framed.
3. Provide a simple and economical means by which hunters in NSW may satisfy the requirements of the NSW Firearms Act and Regulation with respect to a genuine reason for holding a Firearms Licence.

3. Definitions

In this constitution:

"**ordinary committee member**" means a member of the committee who is not an office-bearer of the Club.

"**secretary**" means:

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

"**special general meeting**" means a general meeting of the Club other than an annual general meeting.

"**the Act**" means the *Associations Incorporation Act 2009* or its duly enacted replacement.

"**the Regulation**" means the *Associations Incorporation Regulation 2010* or its replacement according to law.

"**NSW Firearms Act**" includes any duly enacted replacement.

a reference to a function includes a reference to a power, authority and duty, and

a reference to the exercise of a function includes, if the function is a duty, a reference to the performance of the duty.

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.

Part 2 Membership

4. Membership Generally

A person becomes a member of the Club if:

1. the person is a natural person, and
2. the person has applied for membership in the form and manner prescribed by the committee, and
3. the application has been approved by the committee, and
4. the person has paid the membership fee currently applicable.

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

1. is not capable of being transferred or transmitted to another person, and
2. terminates on cessation of the person's membership.

5. Cessation Of Membership

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

1. dies, or
2. resigns his/her membership in writing, or
3. is expelled from the Club, or
4. fails to pay the annual membership fee within three (3) months of the fee being due.

6. Liabilities Of Members

1. In the event that the Club must make a claim against its insurance policy then any member(s) giving rise to the claim shall be liable to pay any excess required by the insurer.
2. With the exception of subclause 1, the liability of a member of the Club to contribute towards the payment of debts and liabilities of the Club or costs, charges and expenses of the winding up of the Club is limited to the amount, if any, unpaid by the member in respect of membership of the Club.

7. Register Of Members

1. The Secretary or his/her delegate approved by the committee must establish and maintain a register of members of the Club specifying the name, address and other contact details of each person who is a member together with the date on which the person became a member.
2. If a member of the Club ceases to be a member, the secretary must make an appropriate entry in the register recording the date on which membership ceased.
3. The register of members must be kept in New South Wales at the Club's official address, the address of the Secretary or such other location as the committee shall authorise.

4. The register of members must be open for inspection, free of charge, by any member of the Club at any reasonable hour.
5. If a member requests that any information contained on the register about the member (other than the member's name) not be available for inspection, that information may only be made available for inspection with the approval of the committee.
6. Subject to subclause 5, a member of the Club may obtain a copy of any part of the register on payment of a fee of not more than \$1 for each page copied.
7. A member must not use the register or information about a person obtained from the register for any purpose other than a matter directly relevant to the Club. The committee may require a member to produce evidence of his/her intentions in relation to the proposed use of the register prior to approving its release.

8. Resolution Of Disputes

1. 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 under the *Community Justice Centres Act 1983*.
2. 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.
3. The *Commercial Arbitration Act 1984* applies to any such dispute referred to arbitration.
4. Club funds may not be used to pay any costs or expenses arising from a dispute where it involves the actions, inactions or decisions of an individual member unless that member was acting on behalf of and had the approval of the Club or committee.

9. Disciplining Of Members

1. A complaint may be made to the committee by any person that a member of the Club:
 - a) has refused or neglected to comply with a provision or provisions of this constitution, or
 - b) has wilfully acted in a manner prejudicial to the interests of the Club.
2. The committee may refuse to deal with a complaint if it considers the complaint to be trivial or vexatious in nature.
3. If the committee decides to deal with the complaint, the committee:
 - a) must cause notice of the complaint to be served on the member concerned, and
 - b) 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
 - c) must take into consideration any submissions made by the member in connection with the complaint.
4. The committee may, by motion with 75% of votes in favour, suspend or expel the member from membership of the Club 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 that suspension or expulsion is warranted in the circumstances.

5. If the committee suspends or expels 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 10.
6. The expulsion or suspension does not take effect:
 - a) until the expiration of the period within which the member is entitled to appeal against the resolution concerned, or
 - b) if within that period the member exercises the right of appeal, unless and until the Club confirms the resolution under clause 10,whichever is the later.

10. Right Of Appeal Of Disciplined Member

1. A member may appeal to the Club in general meeting against a resolution of the committee under clause 9, within 7 days after notice of the resolution is served on the member, by lodging with the secretary a notice to that effect.
2. 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.
3. On receipt of a notice from a member under subclause 1, the secretary must notify the committee which is to convene a general meeting of the Club to be held within 28 days after the date on which the secretary received the notice.
4. At a general meeting of the Club convened under subclause 3:
 - a) no business other than the question of the appeal is to be transacted, and
 - b) the committee and the member must be given the opportunity to state their respective cases orally or in writing, or both, and
 - c) the members present are to vote by secret ballot on the question of whether the resolution should be confirmed or revoked.
5. The appeal is to be determined by a simple majority of votes cast by members of the Club.

PART 3 – THE COMMITTEE

11. Powers Of The Committee

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

- a) is to control and manage the affairs of the Club, and
- b) may exercise all such functions as may be exercised by the Club, other than those functions that are required by this constitution to be exercised by a general meeting of members of the Club, and
- c) 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 and the furtherance of its objectives.

12. Composition And Membership Of Committee

1. The committee is to consist of:
 - a) the office-bearers of the Club, and
 - b) up to 2 ordinary committee members,
half of whom are to be elected at each annual general meeting of the Club under clause 20.
2. The total number of committee members shall not exceed 6.
3. The office-bearers of the Club are as follows:
 - a) the president,
 - b) the vice-president,
 - c) the treasurer,
 - d) the secretary.
4. A committee member may hold up to 2 offices (other than both the president and vice-president offices).
5. Each member of the committee is, subject to this constitution, to hold office until the conclusion of the second annual general meeting following the date of the member's election, but is eligible for re-election.

13. Election Of Committee Members

1. At each Annual General Meeting two office bearers and one ordinary committee member shall be elected for a term of two years.
2. The president, treasurer and one ordinary committee members shall be elected at the same Annual General Meeting. The vice-president, secretary and one ordinary committee member shall be elected at the Annual General Meeting in the alternate year.
3. Nominations of candidates for election as office-bearers of the Club or as ordinary committee members:
 - a) must be made in writing, signed by a member of the Club and accompanied by the written consent of the candidate (which may be endorsed on the form of the nomination), and
 - b) must be delivered to the secretary of the Club at least 7 days before the date fixed for the holding of the annual general meeting at which the election is to take place.
4. If insufficient nominations are received to fill all vacancies on the committee, the candidates nominated are taken to be elected and further nominations are to be received at the annual general meeting.
5. If insufficient further nominations are received, any vacant positions remaining on the committee are taken to be casual vacancies.
6. If the number of nominations received is equal to the number of vacancies to be filled, the persons nominated are taken to be elected.

7. If the number of nominations received exceeds the number of vacancies to be filled, a ballot is to be held.
8. 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, or by secret ballot if decided by the meeting.
9. 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.

14. Office Bearers

1. There shall be one President
2. There shall be one Vice-President.
3. There shall be one Secretary.
 - a) He/she shall keep a record of all appointments of office-bearers and members of the Committee.
 - b) He/she shall keep minutes of all proceedings at Committee meetings and general meetings which shall be submitted to the subsequent committee or general meeting (as the case may be) for approval as an accurate record.
 - c) He/she shall be responsible for correspondence in connection with the Club.
 - d) He/she shall keep a record of the names of members present at each Committee and general meeting.
4. There shall be one Treasurer.
 - a) He/she shall be responsible for the care of the Club finances and ensure that all money due to the Club is collected and received and that all payments authorised by the Club are made.
 - b) He/she shall record in books of account the receipt and expenditure of all monies connected with the Club.
 - c) He/she shall at the Annual General Meeting present a balance sheet and a profit and loss account covering the financial year immediately preceding the Annual General Meeting.
 - d) He shall at each Committee meeting present a statement of the financial position of the Club together with a list of all transactions since the last Committee meeting.

15. Casual Vacancies

1. In the event of a casual vacancy occurring in the membership of the committee, the committee may appoint a member of the Club 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.
2. A casual vacancy in the office of a member of the committee occurs if the member:
 - a) dies, or

- b) ceases to be a member of the Club, or
- c) becomes an insolvent under administration within the meaning of the *Corporations Act 2001* of the Commonwealth, or
- d) resigns office by notice in writing given to the secretary, or
- e) is removed from office under clause 16, or
- f) is expelled under clauses 9 or 10, or
- g) becomes a mentally incapacitated person, or
- h) is absent without the consent of the committee from 3 consecutive meetings of the committee, or
- i) is convicted of an offence involving fraud or dishonesty for which the maximum penalty on conviction is imprisonment for not less than 3 months.

16. Removal Of Committee Members

1. The Club in general meeting may by resolution remove any member of the committee from the committee 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.
2. If a member of the committee to whom a proposed resolution referred to in subclause 1 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 the representations are not so sent, the member is entitled to require that the representations be read out at the meeting at which the resolution is considered.

17. Committee Meetings And Quorum

1. The committee must meet at least 4 times in each period of 12 months at such place and time as the committee may determine.
2. Additional meetings of the Committee may be convened by the President, Secretary or by the combined decision of three members of the Committee.
3. 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.
4. Any 3 members of the committee constitute a quorum for the transaction of the business of a meeting of the committee.
5. 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.

6. 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.
7. At a meeting of the committee:
 - a) the president or, in the president's absence, the vice-president is to preside, or
 - b) if the president and the vice-president are absent or unwilling to act, such one of the remaining members of the committee as may be chosen by the members present at the meeting is to preside.

18. Voting And Decisions

1. Questions arising at a meeting of the committee are to be determined by a majority of the votes of members of the committee present at the meeting.
2. Each member present at a meeting of the committee is 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.
3. Subject to there being a quorum, the committee may act despite any vacancy on the committee.
4. Any act or thing done or suffered, or purporting to have been done or suffered, 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.

19. Membership Fee

The annual membership fee shall be decided by the Committee.

PART 4 – GENERAL MEETINGS

20. Annual General Meeting

1. There shall be one (1) Annual General Meeting per year, within 6 months of the close of the Club's financial year.
2. The annual general meeting of the Club is, subject to the Act and subclause 1, to be convened on such date and at such place and time as the committee thinks fit.
3. The agenda for the annual general meeting shall be as follows unless varied by the committee.
 - a) To confirm the minutes of the last preceding annual general meeting and of any Special General Meetings held since that meeting
 - b) To receive from the committee reports on the activities of the Club during the last preceding financial year, including the Secretary and Treasurer
 - c) To receive and consider any financial statement or report required to be submitted to members under the Act
 - d) To consider any Motions on Notice
 - e) To appoint an Auditor if the committee recommends an auditor be appointed

- f) To consider any general business
 - g) To elect the office bearers and member of the committee whose positions fall vacant.
4. An annual general meeting must be specified as such in the notice convening it.

21. Special General Meetings

1. The committee may, whenever it thinks fit, convene a special general meeting of the Club.
2. The committee must, on the requisition in writing of at least 10 per cent of the total number of members, convene a special general meeting of the Club.
3. 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.
4. 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.
5. A special general meeting convened by a member or members as referred to in subclause 4 must be convened as nearly as is practicable in the same manner as special general meetings are convened by the committee.

22. Notice

1. Except if the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the Club, the secretary must, at least 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.
2. If the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the Club, the secretary must, at least 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 subclause 1, the intention to propose the resolution as a special resolution.
3. A member desiring to bring any business before a general meeting may give notice in writing of that business to the secretary who must include that business in the next notice calling a general meeting given after receipt of the notice from the member.
4. All motions on notice for the Annual General Meeting shall be in the hands of the secretary not less than 1 week prior to the period of notice required under subclauses 1 and 2.

23. Quorum For General Meetings

5. 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.
6. Ten members present (being members entitled under this constitution to vote at a general meeting) constitute a quorum for the transaction of the business of a general meeting.
7. If within 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.
8. 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 5) are to constitute a quorum.

24. Presiding Member

1. The president or, in the president's absence, the vice-president, is to preside as chairperson at each general meeting of the Club.
2. If the president and the vice-president are absent or unwilling to act, any other member of the committee may preside. If none is present or willing, the members present must elect one of their number to preside as chairperson at the meeting.

25. Adjournment

1. The chairman 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.
2. 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 Club stating the place, date and time of the meeting and the nature of the business to be transacted at the meeting.
3. Except as provided in subclauses 1 and 2, 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.

26. Making of decisions

1. A question arising at a general meeting of the Club is to be determined by either:
 - a) a show of hands, or
 - b) if on the motion of the chairperson or if 5 or more members present at the meeting decide that the question should be determined by a written ballot, a written ballot.
2. If the question is to be determined by a show of hands, 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.

3. If the question is to be determined by a written ballot, the ballot is to be conducted in accordance with the directions of the chairperson.

27. Special Resolutions

1. A special resolution may only be passed by the Club in accordance with section 39 of the Act.
2. A Special Resolution must be passed by a majority of at least three-quarters of votes cast.

28. Voting

1. On any question arising at a general meeting of the Club a member has one vote only.
2. 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.
3. 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.
4. A member is not entitled to vote at any general meeting of the Club if the member is under 18 years of age.

29. Proxy votes not permitted

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

30. Postal ballots not permitted

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

PART 5 – MISCELLANEOUS

31. Insurance

The Club must effect and maintain insurance as required by legislation.

32. Funds - source

1. The funds of the Club are to be derived from joining fees and annual subscriptions of members, donations and, subject to any resolution passed by the Club in general meeting, such other sources as the committee determines.
2. All money received by the Club must be deposited as soon as practicable and without deduction to the credit of the Club's bank or other authorised deposit-taking institution account.
3. The Club must, as soon as practicable after receiving any money, issue an appropriate receipt.

33. Funds -- Management

1. Subject to any resolution passed by the Club in general meeting, the funds of the Club are to be used in pursuance of the objects of the Club in such manner as the committee determines.
2. Payments must be authorised by any two of the Treasurer, President, Secretary or Vice-President.

34. Funds - Non Profit

The assets and income of the Club shall be applied solely to furtherance of its stated objectives and no portion shall be distributed directly or indirectly to members of the Club except as bona fide compensation for services rendered or expenses incurred on behalf of the Club.

35. Custody Of Books Etc

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 Club.

36. Inspection Of Books Etc

1. The following documents must be open to inspection, free of charge, by a member of the Club at any reasonable hour:
 - a) records, books and other financial documents of the Club,
 - b) this constitution,
 - c) minutes of all committee meetings and general meetings of the Club.
2. A member of the Club may obtain a copy of any of the documents referred to in subclause 1 on payment of a fee of not more than \$1 for each page copied.

37. Service of Notices

1. 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 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.
2. 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.

38. Financial Year

The financial year of the Club shall commence on 1 July and end on 30 June each year.

39. By Laws

The committee is empowered to make, repeal and amend such by-laws as it from time to time considers necessary for the well-being of the Club, which shall have effect until otherwise determined by a General Meeting.

40. Variation Of This Constitution

This Constitution may be amended by motion on notice at any General Meeting by Special Resolution.

41. Amalgamation

Where it is deemed appropriate to the objectives of the Club to amalgamate or affiliate with one or more like organisations having similar objectives, the other organisation(s) must have rules prohibiting the distribution of their assets and income to members; and must be exempt from income tax.

42. Dissolution

1. The Club may be dissolved by motion on notice at any General Meeting by Special Resolution.
2. In the event of the Club being dissolved, the Committee shall proceed to realise the assets of the Club and any amount which remains after the satisfaction of all debts and liabilities shall be transferred to an organisation which has similar objectives and is exempt from income tax.

43. NSW Game Hunting Licence Code of Practice

All club members are expected to adhere to the **NSW Game Hunting Licence Code of Practice**. The code of practice can be found at <https://www.dpi.nsw.gov.au/hunting/rules-and-regulations/nsw-ghl-code-of-practice>, or by searching for "Hunting Licence Code of Practice" on the Department of Primary Industries' website <https://www.dpi.nsw.gov.au/>

Date: 07 June 2024