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**RULES OF THE BALLAARAT DOG OBEDIENCE CLUB INCORPORATED.**

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## **STATEMENT OF PURPOSES.**

The objectives of the BALLAARAT DOG OBEDIENCE CLUB INCORPORATED are as follows -

- a) To educate and encourage members in the proper care, control and obedience of their dogs and to help promote a more responsible dog owning community.
- b) To affiliate with the Victorian Canine Association.
- c) To promote and encourage the Obedience Training of dogs.
- d) To promote and raise the standards of exhibition of dogs.
- e) To promote the holding of Exhibitions under the Victorian Canine Association rules and regulations and to conduct exhibitions and Trials.
- f) To foster, promote and protect the interests of exhibitors of dogs at Exhibitions and Trials.
- g) To collect and publish information relating to dogs and the Exhibition and training of dogs.
- h) To educate and encourage members to abide by the rules of the Victorian Canine Association for the conduct of Exhibitions and Trials.
- i) To promote good fellowship and sportsmanship amongst members and those participating in or attending at Exhibitions or Trials.
- j) To inform members of the Laws and Regulations of the State relating to the ownership and care of dogs and the responsibility of owners for the conduct and actions of their dogs.
- k) To hold functions and lectures relating to dogs and to the purposes of the Club generally;
- l) To provide awards and donate prizes for dog related competitions.
- m) To foster relations with other clubs and bodies having similar aims.
- n) To promote and assist worthy causes as agreed at a General Meeting of members of the Club.
- o) To carry on such other activities or promote or encourage interest in the general well being and improvement of dogs and to do all such things as may be necessary or conducive to carrying out the objectives of the Club.

## **RULES.**

### **A. INTRODUCTION**

#### **1. NAME**

The name of the incorporated association is BALLAARAT DOG OBEDIENCE CLUB INCORPORATED. (In these rules called "The Club")

#### **2. INTERPRETATIONS.**

In these rules, unless the contrary intention appears -

**"Act"** means the Associations Incorporation Act 1981 and any additional amendments thereto and, unless inconsistent with the context or subject matter includes the Associations Incorporation Regulations 1983 and any amendment thereto.

**"By-laws"** means the By-laws of the club in force for the time being.

**"Clause"** means a provision of the Rules and where the context so admits includes a paragraph or sub-paragraph thereof

**"Club"** for the purposes of these Rules has the same meaning as is ascribed to the word Association by section 3 (1) of the Associations Incorporation Act 1981.

**"Committee"** means the Committee of Management of the Club

**"Exhibition"** includes a canine demonstration, trial or competition.

**"Financial Member"** means a member of the Club who shall not be in default in the payment of fees or other monies payable by that person in accordance with the Rules.

**"Meeting of Members"** means Annual General Meeting, Special General Meeting and General Meeting

**"Member"** means a person who has been admitted to any category of membership.

**"Regulations"** means the Association Incorporation Regulations 1983.

**"Rules"** means the Rules for the time being of the Club and includes its By-laws.

**"VCA"** means the Victorian Canine Association, Inc.

**"Writing"** means any recognised means of communicating words in visible form.

#### **3. ALTERATION OF THE RULES**

These Rules and the Statement of Purposes of the Club must not be altered except in accordance with the Act.

## **B. MEMBERSHIP AND MEMBERS' RIGHTS**

### **4. APPLICATION FOR MEMBERSHIP.**

- 4.1 A person who applies and is approved for membership as provided in these Rules is eligible to be a member of the Club on payment of the joining fee and annual subscription payable under these Rules.
- 4.2 A person who is not a member of the Club at the time of the Incorporation of the Association (or who was a member at that time but has ceased to be a member) must not be admitted to membership unless -
  - a) he or she applies for membership in accordance with rule 4.3, and
  - b) the admission as a member is approved by the committee.
- 4.3 An application of a person for membership of the Club must -
  - a) be made in writing on the form set by the Committee of the Club
  - b) be lodged with the Secretary of the Club.
- 4.4 As soon as practicable after the receipt of an application, the Secretary must refer the application to the Committee.
- 4.5 The Committee must determine whether to approve or reject the application.
- 4.6 The Secretary must, within 28 days after receipt of the joining fee and annual subscription enter the approved applicant's name in the register of members.
- 4.7 An applicant for membership:
  - a) pending approval by the committee, is entitled to participate in any training discipline they are qualified for, once joining and subscription fees have been paid, and
  - b) becomes a member and is entitled to exercise the rights of membership when their name is entered in the register of members.
- 4.8 If the Committee rejects an application, the Committee must, as soon as practicable, notify the applicant in writing that the application has been rejected, outlining the reason for this rejection.
- 4.9 A right, privilege, or obligation of a person by reason of membership of the Club -
  - a) is not capable of being transferred or transmitted to another person; and
  - b) terminates upon the cessation of membership.
- 4.10 A member may, before the thirty first day of July each year, make payment of their annual subscription. Upon such payment the member shall be deemed to have been readmitted as a member.
- 4.11 The joining fee and annual subscription is the amount set out in By-law No 1.

### **5. REGISTER OF MEMBERS**

- 5.1 The Secretary must keep and maintain a register of members containing
  - a) the name and address of each member; and
  - b) the date on which each member's name was entered in the register.
- 5.2 Confidentiality of the register of members must be maintained.

### **6. MEMBERSHIP CATEGORIES**

Membership categories of the Club consist of -

- a) **Single:** Any single adult person
- b) **Dual:** (i) any two persons resident at the same address, or  
(ii) any two adult persons who are partners in the conduct of a kennel having a kennel prefix in their joint names registered with the VCA.
- c) **Family :** any adult person or two adult persons, whether married or in a 'de facto' relationship, and any children under eighteen years of age under their care, all of whom reside at the same address.
- d) **Junior:** a person over the age of nine years and under the age of eighteen years.
- e) **Special:** a person who has been admitted as a member under the Bylaws.

### **7. PRIVILEGES OF MEMBERSHIP**

- 7.1 Subject to the restrictions and limitations prescribed by and in accordance with the Associations Incorporation Act, the Rules and Regulations of the VCA and the Rules and By-laws of the Club, the privileges of a member shall be:
  - a) upon application and payment of the prescribed fee, if any, to the Treasurer the person is entitled to receive a copy of the Rules and Bylaws of the Club.
  - b) to attend and vote at all General Meetings of the Club subject to the person being a financial member of the Club for at least the previous three months.
  - c) to submit as a candidate for any Office Bearers position of the Club and/or Committee position
  - d) to receive any publication issued by the Club, upon the payment of the prescribed fee, if any.
  - e) to compete for prizes, including trophies, available for members of the Club when competing at any exhibition conducted by the Club.
  - f) to participate in any training disciplines organised by the club (if they are nine or more years of age).

7.2 A member under the age of eighteen years cannot vote at Meetings of Members or become a member of the Committee, but is entitled to exercise all other privileges of membership.

## **8. CEASING MEMBERSHIP**

8.1 A member shall cease to be a member of the Club:-

- a) if their annual subscription has not been paid in accordance with Rule 4.10;
- b) if they resign by notice in writing addressed to the Secretary;
- c) if they shall die;
- d) if pursuant to the Rules they are expelled from the Club;
- e) if, they are disqualified or suspended as a member of the VCA, for any period for which they are disqualified or suspended.

8.2 Should any person cease to be a member of the Club for any reason whatsoever, they shall not be entitled to the return of their membership fee or any part thereof.

8.3 Upon the receipt of a notice given under rule 8.1(b), the Secretary shall make in the register of members an entry recording the date on which the member resigned.

## **9. DISCIPLINE, SUSPENSION AND EXPULSION OF MEMBERS -**

9.1 Subject to these Rules, if the committee is of the opinion that a member has refused or neglected to comply with these Rules, or has been guilty, of conduct unbecoming a member or prejudicial to the interests of the Club, the committee may by resolution

- a) fine that member an amount not exceeding \$500.00, or
- b) suspend that member from membership of the Club for a specified period, or
- c) expel that member from the Club.

9.2 A resolution of the committee under rule 9.1 does not take effect unless

- a) at a meeting held in accordance with rule 9.3 the committee confirms the resolution; and
- b) if the member exercises a right of appeal to the Club under this rule, the Club confirms the resolution in accordance with this rule.

9.3 A meeting of the committee to confirm or revoke a resolution passed under rule 9.1 must be held not earlier than 14 days, and not later than 28 days, after notice has been given to the member in accordance with rule 9.4

9.4 For the purposes of giving notice in accordance with rule 9.3, the Secretary must, as soon as practicable cause to be given to the member a written notice -

- a) setting out the resolution of the committee and the grounds on which it is based; and
- b) stating that the member, or their representative, may address the Committee, at a meeting to be held not earlier than 14 days and not later than 28 days after the notice has been given to that member; and
- c) stating the date, place and time of that meeting; and
- d) informing the member that they may do one or both of the following -
  - i. attend the meeting;
  - ii. give to the committee before the date of that meeting a written statement seeking the revocation of the resolution;
- e) informing the member that if, at that meeting, the committee confirms the resolution, they may, not later than 48 hours after that meeting, give the Secretary a notice to the effect that he or she wishes to appeal to the Club in a Special General Meeting against the resolution.

9.5 At a meeting of the Committee to confirm or revoke a resolution passed under rule 9.1 the Committee must

- a) give the member, or their representative, an opportunity to be heard; and
- b) give due consideration to any written statement submitted by the member and
- c) determine by resolution whether to confirm or to revoke the resolution.

9.6 If the Secretary receives a notice under rule 9.4 e) the Secretary must notify the Committee and the Committee must convene a Special General Meeting of the Club to be held within 21 days after the date on which the Secretary received the notice.

9.7 At a Special General Meeting of the Club convened under rule 9.6 -

- a) no business other than the question of the appeal may be conducted; and
- b) the Committee may place before the meeting details of the grounds for the resolution and the reasons for the passing of the resolution; and
- c) the member, or their representative, must be given an opportunity to be heard; and the members present must vote by secret ballot on the question whether the resolution should be confirmed or revoked.
- d) a resolution is confirmed if not less than two-thirds of the members present vote in favour of the resolution. In any other case, the resolution is revoked.

## **10. DISPUTES AND MEDIATION**

10.1 This Mediation Procedure applies to disputes under these Rules between -

- a) two or more members, relating to Club activities; or
- b) a member and the Club.

10.2 The parties to the dispute must meet and discuss the matter and in good faith attempt to resolve the dispute within 14 days after the dispute comes to the attention of all of the parties.

- 10.3 If the parties are unable to resolve the dispute at the meeting, or if a party fails to attend that meeting, then the parties must, within 10 days, hold a meeting in the presence of a mediator.
- 10.4 The mediator must be -
- a) a person chosen by agreement between the parties; or
  - b) in the absence of agreement
    - (i) in the case of a dispute between members, a person appointed by the committee of the Club; or
    - (ii) in the case of a dispute between a member and the Club, a person who is a mediator appointed or employed by the Dispute Settlement Centre of Victoria (Department of Justice).
- 10.5 The mediator cannot be a member who is a party to the dispute or has a conflict of interest.
- 10.6 The mediator, in conducting the mediation, must -
- a) give the parties to the mediation process every opportunity to be heard; and
  - b) allow due consideration by all parties of any written statement submitted by any party; and
  - c) ensure that natural justice is accorded to the parties to the dispute throughout the mediation process.
- 10.7 The mediator must not determine the dispute.
- 10.8 If the mediation process does not result in the dispute being resolved, the parties may seek to resolve the dispute in accordance with the Act otherwise at law.

### **C. MEETINGS OF MEMBERS**

#### **11. ANNUAL GENERAL MEETING**

- 11.1 The Club shall in each calendar year convene an Annual General Meeting of its members.
- 11.2 The Committee may determine the date, time and place of the Annual General Meeting, which must be held within fifteen months of the previous Annual General Meeting.
- 11.3 The ordinary business of the Annual General Meeting shall be to:
- a) confirm the minutes of the previous Annual General Meeting and any Special General Meetings held since that meeting;
  - b) receive from the committee reports upon the transactions of the Club during the last preceding financial year; and
  - c) elect:
    - i. an auditor
    - ii. office-bearers of the Club
    - iii. ordinary members of the Committee
- 11.4 The Annual General Meeting shall conduct any special business of which notice has been given in accordance with these Rules.

#### **12. SPECIAL GENERAL MEETING**

- 12.1 Convened by the Committee.
- a) The Committee may, when the need arises, convene a Special General Meeting of the Club.
  - b) Only that business set out in the notice convening the meeting shall be considered.
- 12.2 Convened by Request of Members.
- a) The committee must, on request in writing of members representing not less than fifteen per cent of the total number of members convene a Special General Meeting of the club. The members requesting such meeting must have been financial members of the club for not less than the last three months.
  - b) The request for a Special General Meeting must
    - i. state the objects of the meeting,
    - ii. be signed by the members requesting the meeting,
    - iii. be addressed to the Secretary.
  - c) If the Committee does not cause a Special General Meeting to be held within thirty days after the date on which the request is sent to the Secretary, the members making the request, or any of them, may convene a Special General Meeting to be held not later than three months after that date.
  - d) A Special General Meeting convened by members in pursuance of these rules shall be convened in the same manner as nearly as possible as that in which those meetings are convened by the Committee and all reasonable expenses incurred in convening the Special General Meeting shall be refunded by the Club to the persons incurring the expenses.

#### **13. GENERAL MEETINGS**

- 13.1 A General Meeting shall be convened at the conclusion of the Annual General Meeting
- 13.2 The business of a General Meeting is to:
- a) confirm the minutes of the previous General Meeting
  - b) enable members to receive and resolve any matters arising from:
    - i) reports from the committee about club activities
    - ii) correspondence relevant to members,

- iii) items raised by members relating to club activities
- c) enable presentations to members by invited guests.

#### **14. NOTICE**

- 14.1 The notice of a meeting stating or including:
- a) the place, date and time of the meeting, or
  - b) form of nomination, or
  - c) business to be conducted
- shall be deemed to have been given to each member if it is published in or enclosed with the Club newsletter or journal or such other publication as the Club may circulate to its members, provided that such publication is circulated in its usual manner in the specified time.
- 14.2 The notice convening the Annual General Meeting shall
- a) be given to each member not less than thirty days before the date of the meeting.
  - b) specify that the meeting is an Annual General Meeting
  - c) where applicable, include or have attached the form of nomination
  - d) be published in
    - i. the club newsletter or journal, and
    - ii. the club notice board, and
- notwithstanding that the accidental omission to give notice under this rule shall not invalidate an Annual General Meeting.
- 14.3 The notice convening a Special General Meeting shall
- a) be given to each member not less than twenty one days before the date of the meeting, and
  - b) specify the business which is to be conducted at the Special General Meeting
- 14.4 The notice convening a General Meeting shall be given to each member not less than fourteen days before the date of the meeting.

#### **15. QUORUM**

- 15.1 No item of business may be conducted unless a quorum of members entitled under these Rules to vote is present at the time when the meeting is considering that item.
- 15.2 Ten members personally present (being members entitled under these Rules to vote) constitute a quorum.
- 15.3 If, within half an hour after the appointed time for the commencement of a meeting, a quorum is not present the meeting shall stand adjourned to the same day in the next week at the same time.
- 15.4 If at the adjourned meeting a quorum is not present within half an hour after the time appointed for the commencement of the meeting,
- a) in the case of an Annual General Meeting, the members personally present (being not less than three) shall be a quorum
  - b) in any other case - the meeting shall lapse.

#### **16. CHAIRPERSON.**

At each meeting

- a) The President, or in the President's absence, the Vice-President, shall preside as Chairperson, or
- b) If the President and the Vice-President are absent from the meeting, or are unable to preside, the members present must select one of their number to preside as Chairperson.

#### **17. ADJOURNMENT.**

- 17.1 The person presiding may, with the consent of a majority of members present at the meeting, adjourn the meeting to another time and/or place.
- 17.2 No business may be conducted at a reconvened meeting other than unfinished business from the adjourned meeting.
- 17.3 If a meeting is adjourned, notice of the reconvened meeting must be placed on the club notice board.

#### **18. VOTING.**

- 18.1 Upon any question arising at a meeting, a member has one vote only.
- 18.2 All votes must be given personally.
- 18.3 In the case of an equality of voting on a question, the Chairperson of the meeting is entitled to exercise a second or casting vote.
- 18.4 Voting shall be by:
- a) a show of hands, or
  - b) an actual division, if demanded by two or more members, or
  - c) a poll, if demanded by three or more members, and

- i) the poll must be taken at that meeting in such manner as the Chairperson may direct.
  - ii) the result of the poll shall determine that question.
- unless the resolution relates to the filling of a vacancy on the Committee or the expulsion of a member in which case a ballot shall be taken as per the relevant Rule.

- 18.5 A poll that is demanded -
- a) on the election of a Chairperson or on a question of an adjournment must be taken immediately
  - b) on any other question, must be taken at such time before the close of the meeting as the Chairperson may direct.
- 18.6 To be eligible to vote, a member must have been a financial member for not less than three months immediately prior to the meeting.

#### **19. DETERMINATION OF RESOLUTION.**

If a question arising at a meeting is determined on a show of hands and the Chairperson declares that the resolution has been carried or lost, then an entry to that effect in the minute book of the club is evidence of the determination.

### **D. COMMITTEE OF MANAGEMENT**

#### **20. COMMITTEE OF MANAGEMENT.**

- 20.1 The affairs of the club shall be managed by the Committee of Management.
- 20.2 The Committee of Management -
- a) shall control and manage the business and affairs of the Club; and
  - b) may, subject to these Rules, the Act and the Regulations, as well as the Rules and Regulations of the VCA, exercise all such powers and functions as may be exercised by the Club other than those powers and functions that are required by the Rules to be exercised by Meetings of Members of the Club; and
  - c) subject to these Rules, the Act and the Regulations, has power to perform all such acts and things as appear to the Committee to be essential for the proper management of the business and affairs of the Club.
- 20.3 The Committee of Management shall consist of -
- a) the Officer Bearers, and
  - b) the ordinary Committee members
- each of whom shall be elected subject to these Rules and hold office until the conclusion of the next Annual General Meeting of the Club.

#### **21. OFFICE BEARERS.**

- 21.1 The officers representing the Club as Office Bearers shall be -
- a) a President;
  - b) a Vice-President;
  - c) a Treasurer
  - d) a Secretary; (who shall also be the Public Officer.)
- 21.2 The Office Bearers of the club must be members of the Victorian Canine Association, Inc.
- 21.3 A member may not hold the same Office Bearer position for more than four consecutive years.
- 21.4 Married couples, partners, persons in defacto relationships or any two immediate members of a family may not concurrently hold Office Bearer positions.

#### **22. ORDINARY MEMBERS OF THE COMMITTEE.**

- The ordinary committee shall consist of:
- a) Assistant Treasurer
  - b) Assistant Secretary
  - c) Trial Secretary
  - d) Seven ordinary members

#### **23. ELECTION OF COMMITTEE OF MANAGEMENT.**

- 23.1 To be eligible for nomination to the Committee, a member must have been a financial member for at least three months prior to the meeting, and if nominating for an Office bearer position, must also be a member of the VCA.
- 23.2 Nominations of candidates for election to the Committee must be -
- a) made in writing, signed by two members of the Club and accompanied by the written consent of the candidate; and
  - b) delivered to the Secretary of the Club not less than 14 days before the date fixed for the holding of the Annual General Meeting.
  - c) Posted on the club notice board when received by the Secretary

- 23.3 A candidate may only be elected to one position on the Committee of Management.
- 23.4 If insufficient nominations are received to fill all vacancies on the Committee, the candidates nominated shall be deemed to be elected and further nominations for the vacant positions shall be received at the Annual General Meeting.
- 23.5 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.
- 23.6 If the number of nominations exceeds the number of vacancies to be filled, a ballot must be held during the Annual General Meeting.
- 23.7 Where no nominations are received for a position at the close of nominations for annual elections and no nominations are received when called for at the Annual General Meeting, the Committee may, subject to clause 23.1, appoint a member, including any member previously ineligible under clause 21.3, to fill the vacant position.

#### **24. VACANCIES.**

- 24.1 The office of a Committee member becomes vacant if they:
- a) resign from office by notice in writing given to the Secretary, or
  - b) cease to be a member of the Club, or
  - c) are absent from three consecutive Committee meetings without giving just cause
  - d) are disqualified or suspended by the VCA whilst the Club remains an affiliate of the VCA, or
  - e) become an insolvent under administration within the meaning of the Corporation Law.
- 24.2 In the event of a casual vacancy the Secretary shall call for nominations which shall close three weeks after a notice has been placed on the club noticeboard. The committee, at the meeting after the close of nominations, shall elect a person to fill the vacancy from the nominations so received. If no nominations are received, the committee may, subject to clause 23.1, appoint a member, including any member previously ineligible under clause 21.3, to fill the vacancy"

#### **25. VOTING AT COMMITTEE MEETINGS.**

- 25.1 Questions arising at a meeting of the Committee, or any Subcommittee, shall be determined on a show of hands or, if two or more members request, by a poll taken in such manner as the meeting may determine.
- 25.2 Each member present at a meeting of the Committee, or any subcommittee (including the person presiding at the meeting), is entitled to one vote.
- 25.3 In the event of an equality of votes on any question, the person presiding may exercise a casting vote.
- 25.4 A member of the Committee shall not vote in respect of any business with the Club in which they have a pecuniary interest.

#### **26. MEETINGS OF THE COMMITTEE.**

- 26.1 The Committee must meet every alternate month in each year in the clubrooms and at such times as the committee may determine.
- 26.2 Special meetings of the Committee may be convened by the President or by any 4 members of the Committee.
- 26.3 The minutes of such meetings as recorded in the minute book and signed by the Chairman of a confirmatory meeting at that confirmatory meeting shall be accepted as sufficient evidence of the proceedings of such meeting.
- 26.4 Any defects subsequently discovered in the appointment of a member of the Committee or subcommittee thereof shall not in itself invalidate any actions of such Committee or subcommittee.
- 26.5 The general members have the right to vote in favour or against any Committee decision.
- 26.6 Club members may attend Committee meetings as observers.
- 26.7 Observers at a Committee meeting shall not:
- a) address the meeting, unless invited by the Committee,
  - b) enter into debate or disrupt the meeting in any way,
- and any observer failing to comply must leave the meeting when instructed by the Chairman.
- 26.8 The Committee may resolve that an item should be discussed "in committee", whereupon
- a) all observers must remove themselves from the meeting until that item of business has been dealt with,
  - b) Committee members must not divulge such discussion to other persons.
- 26.9 A member of the Committee shall not remain in a meeting during discussion of any business with the Club in which they have a pecuniary interest unless invited by the Committee to address the meeting.
- 26.10 Discipline Coordinators, or their nominated representative, are entitled to address the Committee meeting and participate in debate on any issue concerning their discipline.

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**27. QUORUM FOR COMMITTEE MEETING**

- 27.1 The quorum for a Committee meeting shall be not less than one half of the Committee members plus one.
- 27.2 No business may be conducted unless a quorum is present.
- 27.3 If within half an hour after the time appointed for a Committee meeting a quorum is not present -
- a) in the case of a special meeting - the meeting lapses
  - b) in any other case - the meeting shall stand adjourned to the same place and the same time and day in the following week.
- 27.4 The Committee may act notwithstanding any vacancy on the committee.

**28. NOTICE OF COMMITTEE MEETINGS.**

- 28.1 Notice of each Committee meeting must be given to each member of the Committee at least two business days prior to the date of the meeting.
- 28.2 Twenty four hours notice must be given to all members of the Committee of any Special meeting specifying the general nature of the business to be conducted and no other business may be conducted at such a meeting.

**29. PRESIDING AT COMMITTEE MEETINGS.**

At meetings of the Committee

- a) the President or, in the President's absence, the Vice-President presides, or
- b) if the President and the Vice-President are absent, or unable to preside, the members present must choose one of their number to preside.

**30. REMOVAL OF COMMITTEE MEMBER**

- 30.1 The Club in Special General Meeting may, by resolution, remove any member of the Committee before the expiration of the member's term of office and appoint another member in their place.
- 30.2 A member who is the subject of a proposed resolution referred to in rule 30.1
- a) must be given notice at least fourteen days prior to the meeting
  - b) may make representations in writing to the Secretary or President of the Club at least seven days before the meeting, and,
  - c) may request that the representations be provided to the members of the Club.
- 30.3 The Secretary or the President may give a copy of the representations to each member of the Club or, if they are not so given, the member may require that they be read out at the meeting.

**E - GENERAL**

**31. MINUTES**

The Secretary shall keep and maintain minutes of all proceedings of meetings of the Committee and Meetings of Members of the Club, together with a record of the names of persons present at such meetings.

**32. FUNDS**

- 32.1 The Treasurer of the Club shall -
- a) bank the moneys received by the Club and make payments authorised by the Club
  - b) keep accounts and books showing the financial affairs of the Club with full details of all receipts and expenditure.
- 32.2 The Committee shall cause a banking account to be opened with a recognised bank, building society or credit union and this account shall be in the name of the Ballaarat Dog Obedience Club, Inc.
- 32.3 All cheques and other negotiable instruments must be signed by two registered signatories.
- 32.4 The registered signatories for all accounts shall be the President, Secretary and Treasurer.

**33. AUDITOR.**

- 33.1 The Auditor shall be a qualified accountant.
- 33.2 A casual vacancy occurring in the position of Auditor shall be filled by a person appointed by the Committee.
- 33.3 A person shall not be appointed or act as Auditor of the Club if they are a member of the Committee or an employee of the Club.

**34. COMMON SEAL OF THE CLUB.**

- 34.1 The common seal of the Club must be kept in the custody of the Secretary.
- 34.2 The common seal must not be affixed to any instrument except by authority of the Committee and the affixing of the common seal must be attested to by two of the registered signatories.

**35. NOTICE TO MEMBERS.**

Except for the requirement in rule 14, any notice that is required to be given to a member on behalf of the Club under these Rules may be given by -

- a) delivering the notice to the member personally; or
- b) sending it by prepaid post, addressed to the member at the member's address shown in the register of members; or
- c) facsimile or other electronic transmission, if the member has advised that notice may be given to them in this manner,

**36. WINDING UP.**

In the event of the winding up or the cancellation of the incorporation of the Club,

- a) the assets of the Club must be disposed of in accordance with the provision of the Act and,
- b) at a meeting specially convened for this purpose the members may direct by resolution, passed by a majority of financial members personally present, that surplus funds be donated to an approved charity or canine organisation.

**37. CUSTODY AND INSPECTION OF BOOKS AND RECORDS.**

- 37.1 Except as otherwise provided in these Rules, all books, documents and securities of the Club must keep in the custody or under the control of the Secretary.
- 37.2 Upon application to the Committee, accounts, books, securities and any other relevant documents of the Club may be made available for inspection free of charge to any member.
- 37.3 The Committee may resolve that specific documents not be made available because they are commercially confidential or infringe on the privacy of a member.

**38. PROPERTY.**

- 38.1 The property, assets and income of the Club shall be applied towards the promotion of the Statement of Purposes of the Club.
- 38.2 No portion of the property, assets or income of the Club shall be paid or transferred either directly or indirectly to any member, provided that nothing shall prevent the payment in good faith to a member for
- a) remuneration for any contracted service actually rendered,
  - b) reimbursement for authorised expenses incurred, or
  - c) interest on money borrowed from any member of the Club.

**39. MAKING AND CHANGING BYLAWS**

Subject to the Act, the VCA Rules and Regulations and the Rules of the Club, members in a Special Meeting by resolution passed by a majority of not less than seventy five per centum of the members present, eligible to vote and voting in person may make or amend Bylaws as they deem fit in respect of any matter the members consider essential to the conduct of the Club's administration.

**F - BYLAWS**

**40. BY-LAW 1 - SUBSCRIPTIONS AND FEES**

**40.1. SUBSCRIPTIONS & JOINING FEES**

(a)

CATEGORY	ANNUAL SUBSCRIPTION (\$)	JOINING FEE (\$)	NEW MEMBERS' SUBSCRIPTION (\$) (joining date)			
			JUL-SEP	OCT-DEC	JAN-MAR	APR-JUN
SINGLE	15.00	15.00	15.00	12.00	8.00	19.00
DUAL	20.00	15.00	20.00	15.00	10.00	25.00
FAMILY	25.00	15.00	25.00	19.00	13.00	32.00
JUNIOR	10.00	12.00	10.00	8.00	5.00	13.00

Annual subscriptions and new members subscriptions shall expire on June 30<sup>th</sup> of each year, excepting that for new members joining in the April – June quarter the subscription shall not expire until June 30<sup>th</sup> of the following year.

- (b) Concession for Pensioners and Full Time Students over the age of 18 – \$5.00 reduction in annual subscription.
- (c) The Committee may authorise a promotional voucher which reduces the joining fee:
  - (i) for continued issue by the Ballarat RSPCA animal shelter to owners of rescue dogs
  - (ii) for specific club promotions, limited to three months after committee approval
- (d) An Instructor who has satisfied conditions defined by the Committee in the Operating Manual shall pay no annual membership fees.”

#### 40.2 TRAINING FEES

- (a) The training fees for each discipline shall be as determined by the Committee from time to time.
- (b) Training fees are not due from:
  - i) New members attending their first day
  - ii) Puppy pre-school graduates at their first day on the training ground
  - iii) Club Instructors and Trainee Instructors
  - iv) Committee members

#### 40.3 COPY OF THE RULES AND BYLAWS

- a) Upon being accepted as a member, each membership is entitled to one copy free of charge.
- b) All subsequent copies, \$5.00

### 41. BYLAW 2 – SPECIAL MEMBERSHIP

Individuals may be admitted to the special membership category as the following members:

#### 41.1 LIFE MEMBER

- (a) Qualification
  - (i) must be a financial member at the time of nomination, and
  - (ii) have been a financial member of the club for fifteen consecutive years, and
  - (iii) have made outstanding contributions to the club, and
  - (iv) have received an Outstanding Service Award from the Club
- (b) Election  
By resolution passed by a majority vote of the entire Committee, present or not
- (c) Membership Duration  
For the life of the member
- (d) Rights & Restrictions
  - (i) The Life Member shall be subject to the rights, privileges and disciplines of a financial member, but shall pay no annual subscriptions or training fees for the duration of their life.
  - (ii) No more than two persons may be appointed Life Members of the Club in any one financial year
  - (iii) Life memberships can only be granted to individuals.

### 42. BYLAW 3 - OPERATING MANUAL

42.1 Subject to the Act, the VCA Rules and Regulations, the Rules of the Club and Local Government Bylaws, the Committee shall create, maintain and approve an operating manual containing procedures or documents for:

- a) Control of Operating Manual Documents
- b) Standing Orders for Meetings
- c) Aggressive behaviour of Dogs at Club training sessions
- d) Aggressive behaviour of dogs at VCA endorsed Exhibitions conducted by the Club
- e) Cruelty to a Dog
- f) Guidelines for Ground and Clubroom Use
- g) Alteration to Training Time/Day
- h) Introduction of New Training Disciplines
- i) Task Descriptions
- j) Training Manuals

and any other matter the Committee considers essential to the conduct of the Club's administration.

42.2 Before approval by the Committee:

- a) The procedure or document shall be displayed in the clubrooms for at least one month,
- b) At least seven days notice shall be given in the club newsletter of intention to approve a procedure or document.
- c) The Committee shall consider any submissions from members.

### 43. BYLAW 4 - TRAINING

#### 43.1 TRAINING DISCIPLINES

Training sessions shall be conducted in those disciplines approved by the committee.

#### 43.2 COORDINATORS

- (a) Each training discipline shall be supervised by a Coordinator and an Assistant Coordinator, who shall be elected:
  - (i) at an instructors meeting held no later than one month after each Annual General Meeting of the Club, or one month after a casual vacancy has arisen
  - (ii) by the qualified instructors of that discipline
  - (iii) by a secret ballot using the “*first past the post*” method of election conducted by an independent returning officer appointed by the President.
- (b) The election of each discipline Coordinator shall be submitted to the Committee for approval.
- (c) The meeting to elect the coordinator shall be chaired by the President, or if unavailable, a member of the Committee

nominated by the President.

(d) The Committee shall appoint a Caretaker Coordinator for a newly introduced training discipline.

#### 43.3 APPOINTMENT OF INSTRUCTORS

The Coordinator shall approve the appointment of Instructors after they have satisfactorily completed an Instructor's Training Programme.

#### 43.4 TRAINING SESSIONS

Training sessions shall be conducted at such time and place as the Committee may decide.

#### 43.5 INSTRUCTOR MEETINGS

- (a) There shall be a meeting of instructors for each discipline at least six times per year
- (b) The quorum for an instructors' meeting shall be seven, or one half of the qualified instructors for that discipline, whichever is the lesser
- (c) At least seven days notice shall be given of an instructors meeting
- (d) The Coordinator, (or if absent, the Assistant Coordinator) shall convene and chair meetings of Instructors
- (e) The Assistant Coordinator (or if unavailable, a person nominated by the Chair) shall take minutes of instructor meetings and forward a copy of such minutes to the Secretary of the Club.

#### 43.6 TRAINING MANUAL

- a) Each discipline shall have a training manual for instructors.
- b) Changes to the training manual must be approved by a meeting of instructors before submission to the Committee.
- c) The Discipline Coordinator shall ensure that Instructors have a current copy of the training manual.

### 44. BYLAW 5 – PROBLEM DOGS

44.1 Where there is a problem with a dog biting or exhibiting undue aggression while at training, the Coordinator must refer the situation to the Training Support Panel.

44.2 The Training Support Panel shall follow the documented procedures in dealing with the problem and may direct the member to take specific corrective or preventive actions.

44.3 The member shall cooperate with and abide by the requirements of the Training Support Panel.

44.4 After an unprovoked attack resulting in injury to another person or dog, the offending dog must be muzzled at all times while in attendance at any Club function. The Training Support Panel may withdraw this requirement after corrective action has been taken and it has been proven that muzzling is unnecessary.

44.5 The Committee, upon recommendation by the Training Support Panel, may resolve to suspend the dog from training, and/or the member from membership of the Club.

44.6 The Training Support Panel, consisting of four experienced instructors, or other appropriately qualified persons, shall be appointed by the Committee no later than the second Committee meeting after the Annual General Meeting.

44.7 Where a dog exhibits aggressive behaviour at a VCA endorsed Exhibition conducted by the Club, the relevant VCA regulations shall be followed.

### 45. BYLAW 6 – CRUELTY TO A DOG

A member shall not deliberately perform a cruel act upon a dog.

### 46. BYLAW 7 - CODE OF CONDUCT

46.1. Committee members shall not make improper use of information acquired by virtue of their position as a Committee member.

46.2 Committee members and Instructors shall not take improper advantage of their position to solicit or gain, directly or indirectly, a personal advantage or advantage for any associated person or entity.

46.3 Members of the Club shall not corrupt or procure another member to misinterpret or misapply the Rules of the Club or the Rules and Regulations of the VCA.

### 47. BY-LAW 8 - PATRON OF THE CLUB.

47.1. The Committee may appoint (or reappoint) a person to act as patron of the club for a specified term not exceeding five years.

47.2. The Patron may be a publicly recognised figure in their field of expertise or a person who has given special support to the Club. Membership of the Club is neither a prerequisite nor condition for appointment.

47.3. The Patron may represent the Club on ceremonial or special occasions.