

RULES OF THE BALLAARAT DOG OBEDIENCE CLUB INCORPORATED

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This page is for information only. It is not part of the Rules of the Ballaarat Dog Obedience Club Inc.

RULES.

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 promote and encourage the obedience training of dogs and conduct training sessions for members.
- c) To affiliate with the Victorian Canine Association Inc. and any other body consistent with the objectives of the club and
 - (i) To conduct exhibitions under the rules of affiliated bodies
 - (ii) Educate members about the rules for the conduct of exhibitions
 - (iii) promote good fellowship and sportsmanship amongst members and those participating in or attending exhibitions
 - (iv) promote and raise the standards of exhibition of dogs.
 - (v) foster, promote and protect the interests of exhibitors of dogs at Exhibitions.
 - (vi) To provide awards and donate prizes for dog related exhibitions
- d) To inform members by publishing information or holding functions or lectures relating to
 - (i) dogs generally
 - (ii) the purposes of the Club
 - (iii) the exhibition and training of dogs
 - (iv) Laws and Regulations of the State relating to the ownership and care of dogs
 - (v) responsibility of owners for the conduct and actions of their dogs.
- e) To carry on such other activities or promote or encourage interest in the general well being and improvement of dogs, including
 - (i) fostering relations with other clubs and bodies having similar aims.
 - (ii) promoting and assisting worthy causes as agreed at a General Meeting of members of the Club.and to do all such things as may be necessary or conducive to carrying out the objectives of the Club.

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.
 - c) be accompanied by the required membership dues
- 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 approval by the Committee, 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 the required membership dues 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. The rejected applicant is entitled to a full refund of any membership dues paid.
- 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, on or before the thirty first day of July each year, make payment of their membership dues. Upon such payment the member shall be deemed to have been readmitted as a member.
- 4.11 The membership dues are 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.
- f) **Associate/Social** – person who wishes to become a club member but does not own a dog. (Must join as a full member if a dog is to be trained) Adult person has full voting rights of the club. The annual subscription to be determined by the committee.

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.