

*DMS*  
THE CONSTITUTION OF THE REX & BURMESE CAT FANCIERS OF SOUTH AUSTRALIA

This is the annexure marked "A"  
referred to in the statutory declaration  
of *DIANNE MARY DULMAN*  
made on the 8 day of *MARCH* 2012  
before me *[Signature]* JP

**JULIE ANN DELLAVIA**  
*Justice of the Peace in and  
for the State of South Australia*

1. NAME

The club shall be called *[Signature]* "The Rex & Burmese Cat Fanciers of South Australia Inc." and herein after called the "Club". I.D. NO. 22655

2. CLUB COLOURS

Electric Blue and Black.

3. AFFILIATION

The Club shall be affiliated with the Governing Council of the Cat Fancy of South Australia. ("State Governing Body")

4. INTERPRETATION

- 4.1 Words implying the masculine gender shall be taken to include all genders and vice versa.
- 4.2 The singular shall include the plural and vice versa.
- 4.3 "Member" means financial member.
- 4.4 The Chairman means the President or his Deputy acting in the capacity of the Chairman.

5. CONTINGENCIES

- 5.1 In the event of any contingency arising that has not been provided for by this Constitution, the matter may be decided by a meeting of the Committee.
- 5.2 Any Member dissatisfied with such decisions shall have the right of appeal at a meeting of the Club.

6. OBJECTS

The objects of the Club are:

- 6.1 to extend the knowledge of Rex & Burmese cats by shows, exhibitions, lectures and discussions and by any other media which the Club may from time to time select;
- 6.2 to promote in every way the ownership and general improvement of the standard, breeding and exhibition of Rex & Burmese cats;
- 6.3 to engage in other activities from time to time as are considered by the Club to be in the best interest of the Club towards the betterment of the cat fancy generally;
- 6.4 to promote and foster good sportsmanship and proper ethics in all matters to do with the breeding and showing of cats

7. INCOME AND PROPERTY

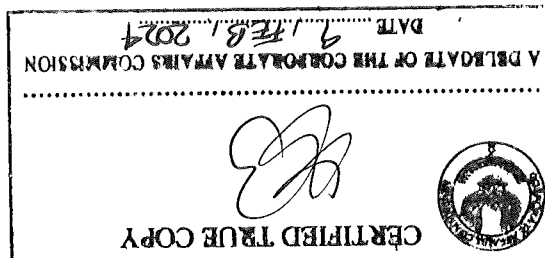
- 7.1 The income and property of the Club shall be applied solely towards the promotion of the objects of the Club.
- 7.2 No portion of the income or property of the club shall be paid, transferred or distributed directly or indirectly to the Members of the Club, provided that nothing shall prevent the payment in good faith of remuneration to any officer or employee of the Club or to any other person other than a Member in return for services rendered to the Club.

8. FUNDS-SOURCE

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

9. FUNDS - MANAGEMENT

Subject to any resolution passed by the Club in general meeting, the funds of the Club shall be used in pursuance of the objects of the club in such manner as the club determines.



## 10. MEMBERSHIP

10.1 A Member of the club shall be any person who'

- 10.1.1 desires to be a Member;
- 10.1.2 supports the objects of the Club;
- 10.1.3 applies for membership on the Club's "Application for Membership" form which has been submitted to the Secretary together with the prescribed Subscription Fee; and
- 10.1.4 has been accepted by a meeting of the Committee.

The Committee shall have the power to refuse any application for membership without assigning any reason.

10.2 Membership shall consist of Full Members and Associate Members.

10.3 Full Members shall be registered breeders of Rex & Burmese cats and are entitled to listing on the Club website as such.

10.4 Associate Members shall be persons other than Full Members over the age of eighteen (18) years, who desire to be a Member of the Club.

10.5 Family Members and Joint Members shall be two or more persons residing in the same household and who qualify for any of the above membership grades, but are entitled only to one (1) vote. Suggest change to read: Family Members and Joint Members shall be two or more adult persons residing in the same household and who qualify for any of the above membership grades, with each entitled to a vote.

10.6 Any Member may resign from the Club at any time by giving notice in writing to the secretary. The resignation will take effect from the date the notice is received.

## 11. REGISTER OF MEMBERS

11.1 The public officer of the club shall establish and maintain a register of Members of the club specifying the name and address of each person who is a Member of the Club together with the date upon which each person became a Member.

11.2 The register of Members shall be held in the custody of one of the Executive committee Members as agreed by the Committee.

## 12. MEMBERS' LIABILITIES

The liability of a Member of the Club to contribute towards the payment of the debts and liabilities of the Club or the cost, charges and expenses of the winding up of the Club is limited to the amount, if any, unpaid by the Member in respect of membership of the Club as required by section 10.

## 13. COMMITTEE

13.1 The affairs and management of the club shall be handled by a committee ("Committee") consisting of;

- (a) President
- (b) Vice President
- (c) Secretary,
- (d) Treasurer

(known as the "Executive Committee") and three (3) Committee Members who shall be elected each year at the Annual General Meeting.

13.2 Members of the Committee shall be Members of the Club as defined under clauses 10.3 and 10.4 and a financial member of the State Governing Body.

13.3 Positions on the Committee shall not be held by more than one (1) member of the same family at the same time; that is siblings, adult children, husbands and wives, without a 75% majority vote in favour of such election at an Annual General Meeting.

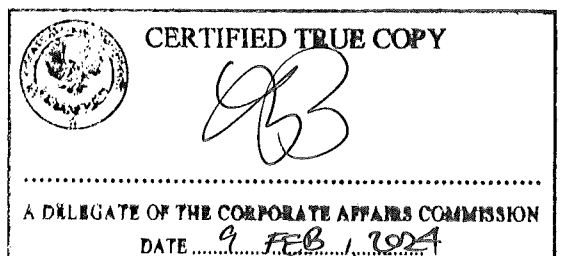
13.4 Members of the Executive Committee shall not hold the same executive position in more than one other cat club.

13.5 Members of the Executive Committee shall not hold the same executive position continuously for a period in excess of three (3) years, without a 75% majority vote in favour of such election at an Annual General Meeting.

13.6 If a Committee Member is absent without leave for three (3) consecutive meetings of the Club, the position of such Committee Member shall automatically become vacant and the Member notified in writing.

13.7 Should a vacancy occur for any reason, the committee may appoint another Member to hold office until the next Annual General Meeting.

13.8 The Committee may form sub-committees which shall report and be responsible to the Committee.



13.9 All Committee members shall act in an honorary capacity.

#### 14. POWERS OF THE COMMITTEE

14.1 The Committee shall have the following powers:

- 14.1.1 to accept or refuse new memberships on behalf of the club as defined in clause 10.1;
- 14.1.2 In the event of a vacancy on the Committee to appoint another Member to hold office until the next election;
- 14.1.3 to form sub-committees, if necessary, who shall report and be responsible to the Committee.

14.2 No Member of the committee shall act on behalf of the Club or Committee without the prior authority of the committee or a General or Special Meeting.

#### 15. DUTIES OF THE COMMITTEE

15.1 The President shall:

- 15.1.1 preside at all meetings of the Club or Committee;
- 15.1.2 together with the Treasurer, be a signatory on the Club's bank account and the Common Seal;
- 15.1.3 prepare an Annual Report

15.2 The Vice President shall deputise for the President as required and, when acting in that capacity, shall perform all duties of the President

15.3 The Secretary shall:

- 15.3.1 Keep true minutes of all club meetings, including a copy of the Treasurer's Report, which shall be inserted into a minute book and read at the following meeting for a confirmation, action and signature of the President
- 15.3.2 conduct the Club's correspondence, keeping a file of all incoming and outgoing correspondence;
- 15.3.3 notify people who have applied for membership of their acceptance or non-acceptance;
- 15.3.4 hold a copy of the constitution for examination by any Member as required;
- 15.3.5 notify all Members of meetings
- 15.3.6 send Notices of Meeting and Agenda as defined under 17.3 containing any proposed motions and the minutes of the last Annual General Meeting to all Members;
- 15.3.7 prepare an Annual Report;
- 15.3.8 provide a copy of the Treasurer's audited Annual Report to the State Governing Body;
- 15.3.9 perform any duties required by the constitution or as instructed by the Committee;
- 15.3.10 together with the Treasurer, be a signatory to the Club's bank account and common Seal.

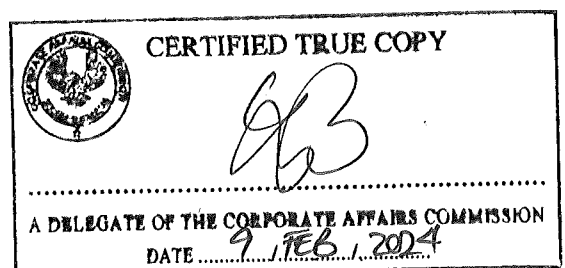
15.4 The Treasurer shall:

- 15.4.1 keep a true record of income and expenditure;
- 15.4.2 present a financial statement at each meeting showing all financial transactions since the last meeting and the balance in the Club's bank account;
- 15.4.3 keep a register of all Members and provide the Secretary with an updated copy of this list at each meeting;
- 15.4.4 bank all money on behalf of the club and operate an account on behalf of and in the name of the Club;
- 15.4.5 pay the club accounts by cheque as authorised at a properly constituted meeting of the Committee prior to the disbursement of the funds; no accounts shall be paid in cash;
- 15.4.6 prepare an audited financial statement for confirmation at the Annual General Meeting;
- 15.4.7 together with either the President or Secretary, be a signatory to the Club's bank account and the Common Seal. All Cheques shall be signed by two signatories, one of which must be the Treasurer.

15.5 The books/records of the Club shall be available for inspection by any Member who wishes to do so,

#### 16. FEES

16.1 The financial year of the Club shall commence on the first day of January and end on the thirty-first day of December in any year.



- 16.2 All membership renewal fees shall be due on the first day of January in each year and must be paid to the Treasurer before the commencement of the Annual General Meeting to enable a Member to vote.
- 16.3 New Members must have applied to join before the November meeting so that their applications may be considered at that meeting. Failing that, applications for Membership will be considered at the first meeting after the Annual General Meeting.
- 16.4 Membership fees shall be determined annually by a majority vote at the Annual General Meeting.
- 16.5 A Member whose membership falls into arrears by more than three (3) months shall automatically cease to be a Member.
- 16.6 No rebate of membership will be given to members joining part way through the year.
- 16.7 Membership fees shall not be refundable.

## GENERAL MEETINGS

### 17, ANNUAL GENERAL MEETING

- 17.1 With the exception of the first Annual General Meeting of the Club, the Annual General Meeting shall be held during the month of January in each year or within three (3) months of the end of the financial year as the Committee considers practical.
- 17.2 Every financial Member shall receive not less than fourteen (14) days' notice in writing of the date of the Annual General Meeting together with the relevant information as defined in 15.3.6
- 17.3 The business of the Annual General Meeting shall be:
  - 17.3.1 Apologies
  - 17.3.2 Minutes of the previous Annual General Meeting
  - 17.3.3 the President's Report
  - 17.3.4 the Secretary's Report
  - 17.3.5 audited Balance Sheet of income and Expenditure
  - 17.3.6 Election of office bearers
  - 17.3.7 Determination of membership fees
  - 17.3.8 Appointment of auditor
  - 17.3.9 Motions of notice
  - 17.3.10 Any other business.

- 17.4 A quorum at the Annual General Meeting shall be 5 financial Members of the Club.
- 17.5 Notices of motion to be discussed at the Annual General Meeting shall be given in writing to the Secretary twenty eight (28) days prior to the Annual General Meeting for inclusion on the Agenda as Motions.
- 17.6 If, after a lapse of thirty (30) minutes from the appointed time, a quorum is not present the meeting shall be adjourned and reconvened to a date fourteen (14) days later at the same time and place. If at that time a quorum is not in attendance, then those present shall have full power to deal with the business for which the meeting was called.

### 18. ELECTION OF OFFICE BEARERS AT ANNUAL GENERAL MEETING

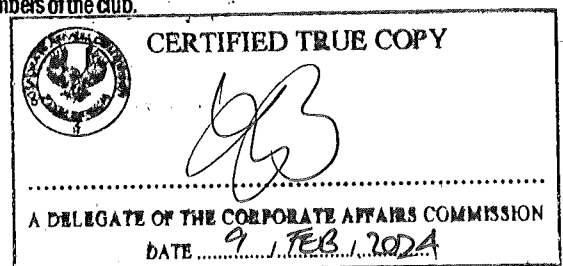
- 18.1 All Committee positions in the club shall be declared vacant and nominations called for from the financial Members present to fill the vacancies.
- 18.2 Only financial Members of the Club are eligible to stand for election to the Committee.
- 18.3 All retiring members of the committee shall be eligible for re-election subject to the provisions of clauses 13.2, 13.3, 13.4 and 13.5

### 19, VOTING AT GENERAL MEETINGS

- 19.1 Only financial Members shall have the right to vote.
- 19.2 Financial Joint Members shall have the right to be heard but shall only have right to one (1) vote.
- 19.3 Motions shall be decided by a majority at all General and / committee meetings save where this Constitution provides otherwise.
- 19.4 In the case of an equality of votes, the Chair Person shall have a casting vote.
- 19.5 Voting at all meetings shall be by show of hands excepting:
  - 19.5.1 the election of the Committee when there is more than one candidate for the position;
  - 19.5.2 at the request of twenty (20) per cent of the Members present at the meeting.
- 19.6 Proxy and postal voting for County & Interstate members.

### 20. SPECIAL GENERAL MEETING

- 20.1A Special General Meeting may be requested by ten (10) or more financial Members of the club.



20.2 The request for a Special General Meeting must be in writing to the Secretary, signed by the required number of members and include the business to be transacted.

20.3 The Chairman shall call the requested special General Meeting within twenty one (21) days of receipt of the request

20.4 All financial Members shall be notified in writing of the Special General Meeting and sent the Agenda showing the business to be transacted not less than fourteen (14) days before the day appointed for the meeting.

20.5 A quorum at a Special General Meeting shall be twenty five (25) percent of the financial Members of the club present at the Special General Meeting.

## 21. COMMITTEE MEETINGS AND GENERAL MEETINGS

21.1 Executive Committee meetings shall be held as required. The quorum for an Executive Committee meeting shall be three (3) members

21.2 Committee meetings shall be held as required. The quorum for a Committee meeting will be four (4) members.

21.3 One (1) Member of the quorum for a committee meeting shall be either the President or vice President and one other Member shall be a Member of the Executive Committee.

21.4 General meetings shall be held every two months or at such times and dates as agreed by a General meeting. A quorum at a General meeting shall be five (5) full Members of the Club.

21.5 All financial Members shall be notified in writing of General Meetings not less than fourteen (14) days before the day appointed for the meeting.

## 22. AMENDMENTS TO THE CONSTITUTION

22.1 Additions, changes or deletions to this constitution may be made by Special Resolution and shall be decided by a majority vote of seventy (70) percent of the Members present at an Annual General Meeting or special general Meeting of the club called either by the President or requested by members pursuant to section 20 for that reason.

22.2 A notice of motion to amend this constitution shall be sent to the Secretary not less than twenty eight (28) days before the Annual or Special General Meeting.

22.3 All Members shall be notified in writing at least fourteen (14) days prior to the meeting at which the motion is to be moved.

22.4 The Secretary shall notify the Department of consumer Affairs and the State Governing Body of any changes to the Constitution.

## 23. COMMON SEAL

23.1 The common seal of the club shall be kept in the care of the Secretary and shall only be used as the result of a resolution of the Committee or a General, Special or Annual Meeting.

23.2 Every document to which the seal is affixed shall be signed by two (2) seal signatories.

23.3 The Seal signatories shall be the President, Secretary and Treasurer.

## 24. PATRON

The Club may elect a Patron at the Annual General Meeting.

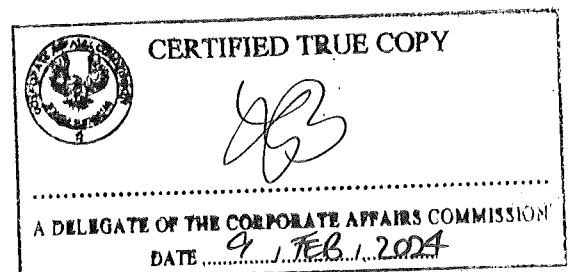
## 25. CUSTODY OF BOOKS ETC.

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

## 26. INSPECTION OF BOOKS ETC.

The records, books and other documents of the club shall be open to inspection, free of charge, by a Member of the Club at any reasonable hour.

## 27. AUDITOR



27.1 The Members shall appoint an auditor at the Annual General Meeting who shall audit the annual statement of accounts and balance sheet of the club for presentation at the Annual General Meeting.

27.2 The auditor shall not be a Member of the Club and shall not be connected with the club.

## 28. PUBLIC OFFICER

28.1 The Committee shall ensure that the office of public officer is held at all times in accordance with the Associations Incorporation Act 1984 (the "Act").

28.2 The public officer may or may not be a Member of the Club.

28.3 The public officer will fulfil the duties set out in the Act.

## 29. DISCIPLINING OF MEMBERS

29.1 The Committee may suspend or expel any Member of the Club for misconduct, unethical behaviour, bad sportsmanship and/or actions contrary to the objects and spirit of the club or likely to bring the club into disrepute. Rulings of the Committee under this section 29.1 shall come into effect immediately.

29.2 The Member must be notified in writing by registered mail of the action and shall be given thirty (30) days in which to lodge an appeal against the ruling to writing.

29.3 Any Members who is the subject of such action shall have the right of appeal to a General Meeting called for that purpose after due notice is given.

29.4 Any Member who is guilty of unseemly or abusive conduct at a meeting may be ordered by the Chairman to withdraw after the passing of a motion to that effect.

## 30. RESOLUTION OF INTERNAL DISPUTES

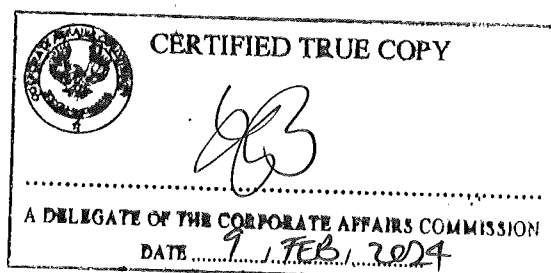
Disputes between Members (in their capacity as Members) of the club, and disputes between Members and the club, are to be referred to a Community Justice Centre for mediation in accordance with the Community Justice Centres Act 1983,

## 31. DISSOLUTION

31.1 The club may be dissolved by a resolution carried by seventy five (75) per cent of Members present at an Annual General Meeting or Special Meeting of the Club

31.2 Notice of the meeting including notice of the proposed dissolution of the Club shall be given in writing to all Members not less than twenty-eight (28) days prior to the meeting.

31.3 If upon dissolution there shall remain, after the satisfaction of the debts and liabilities of the club, any moneys, property or assets whatsoever of the Club, the same shall be distributed to an animal welfare organisation or organisations with the same objects and interests as the Club.



Your association can choose to include all of section 25 by stating in the rules "the association shall have all the powers conferred by section 25 of the Act" alternatively you may wish to exclude or modify any of the powers contained in section 25.

### Section 25 - Powers of an incorporated association

For the purpose of carrying out its objects, an incorporated association may, subject to this Act and its rules—

- (a) acquire, hold, deal with, and dispose of, any real or personal property; and
- (b) administer any property on trust; and
- (c) open and operate ADI accounts; and
- (d) invest its moneys—
  - (i) in any security in which trust moneys may, by Act of Parliament, be invested; or
  - (ii) in any other manner authorised by the rules of the association; and
- (e) borrow money upon such terms and conditions as the association thinks fit; and
- (f) give such security for the discharge of liabilities incurred by the association as the association thinks fit; and
- (g) appoint agents to transact any business of the association on its behalf; and
- (h) enter into any other contract it considers necessary or desirable.

