



**SOUTH AUSTRALIAN CAT BREEDERS ASSOCIATION INCORPORATED  
RULES OF THE ASSOCIATION**

Affiliated Club of GCCFSA





1. NAME .....	3
2. DEFINITIONS .....	3
3. OBJECTS OR PURPOSES OF THE ASSOCIATION .....	3
4. POWERS OF THE ASSOCIATION .....	4
5. MEMBERSHIP .....	4
6. THE COMMITTEE.....	6
7. MINUTES OF MEETINGS.....	10
8. PROXIES.....	10
9. CHAIRING MEETINGS .....	10
10. COMMITTEE: TERM OF OFFICE.....	10
11. COMMITTEE: APPOINTMENT OF OFFICIALS.....	10
12. COMMITTEE: VOTING .....	11
13. COMMITTEE: TERMINATION OF MEMBERSHIP.....	11
14. COMMITTEE: POWERS AND DUTIES.....	11
15. INDEMNITY .....	11
16. MEETINGS .....	12
17. DISPUTE RESOLUTION.....	13
18. FINANCIAL REPORTING.....	15
19. PROHIBITION AGAINST SECURING PROFITS FOR MEMBERS.....	16
20. RULES .....	16
21. WINDING UP .....	16
22. APPLICATION OF SURPLUS ASSETS .....	16



**1. NAME**

The name of the incorporated association is SOUTH AUSTRALIAN CAT BREEDERS ASSOCIATION INCORPORATED, referred to herein as “the association”.

**2. DEFINITIONS**

The Constitution may be referred to as “**The Rules**”.

“**Committee**” means the committee of management of the association.

“**General meeting**” means a meeting of the association convened in accordance with these rules, open to all members of the association where the members will be invited to vote on any motions proposed at the meeting.

“**Annual General Meeting (AGM)**” is an annual meeting called by the association Secretary with the sole purpose of holding elections of the Committee and the presentation of annual reports submitted by the President, Secretary and Treasurer.

“**Special General Meeting**” is a meeting of all association members called by the association Secretary to discuss a single topic of such importance that the Committee feels cannot be deferred until the next AGM.

“**Executive**” means President, Secretary and Treasurer.

“**In-Camera**” describes that section of a committee meeting that is closed whilst information is discussed that is not recorded in the minutes or divulged to the public. Such sessions may discuss incidents or people, financial, legal or other sensitive decisions that must be kept confidential but allow full and open debate strictly between those present and strictly at that time only. That means that all people present at the meeting are bound not to divulge any of the discussion, even to close friends or family members.

“**Secret Ballot**” refers to a ballot held where each person votes on paper in secret.

**3. OBJECTS OR PURPOSES OF THE ASSOCIATION**

The objects of the association are:

- (a) To be an affiliate member of the Governing Council of the Cat Fancy of South Australia whose members are bound by the Rules and Codes of Conduct as exhibitors and breeders of the same.
- (b) To encourage responsible cat breeding and responsible cat ownership.
- (c) To educate the public about cats, breeds, care and responsible ownership and promote the benefits of cat ownership as companion animals.
- (d) To educate the members and the general public about the cat fancy and promote an enjoyable family friendly environment for the Cat Fancy Community.
- (e) To encourage a high standard of breeding in compliance with the Australian Cat Federation breed standard.
- (f) To run an annual cat show in accordance with the Rules and Codes of Conduct of the Governing Council of the Cat Fancy of SA
- (g) The association shall be a non-profit making association.



#### **4. POWERS OF THE ASSOCIATION**

The association shall have all the powers conferred by Section 25 of the Act to further the objects of the association.

#### **5. MEMBERSHIP**

##### **5.1 TYPES**

###### **5.1.1 ORDINARY MEMBERSHIP**

- (h) Ordinary Membership shall be open to any person of the age of sixteen (16) years and over.
- (i) Subject to the restrictions and limitations prescribed by or pursuant to, the Rules, the rights of an Ordinary Member shall be:
  - to attend, speak and vote, at any General Meeting of the Association
  - to be appointed to any office, position, committee or subcommittee within the Association.

###### **5.1.2 FAMILY MEMBERSHIP**

- (a) Family Membership is defined as more than one (1) family member residing at the same address or breeding under the same prefix.
- (b) Family Members over the age of sixteen (16) years have the same rights as an Ordinary Member, but with a maximum of two (2) voting rights per membership.

###### **5.1.3 LIFE MEMBERSHIP**

- (a) Appointment as a Life Member shall be available only to members who have rendered special service to the association and have been recommended by the Committee. Such membership must be approved by no less than four-fifths of members present at an Annual General Meeting. Life Members will not incur any further membership fees but will maintain their voting rights.

###### **5.1.4 PATRON**

- (a) The association may appoint a Patron(s) who will be given Honorary Membership for a term to be determined by the Committee. During such time they shall be accorded all the rights and privileges of an Ordinary Member.

###### **5.1.5 CORPORATE MEMBERSHIP**

- (a) Corporate Membership shall be open to businesses and organisations as approved by the Committee. Each financial Corporate Member may appoint one representative to represent it within the association. Each such representative shall have all the privileges of Ordinary Membership, except for voting rights and cannot hold office, without the payment of any further subscription by the representative. Corporate Members shall notify the Secretary in writing of their representative and may from time to time in writing, revoke any such appointment and substitute another representative.



## 5.2 SUBSCRIPTIONS

- (a) All members and affiliates, other than Life Members, shall be liable to pay an annual subscription.
- (b) Subscriptions are due and payable in full on 1st January each year and cover the year to the following 31st December.
- (c) A member becomes financial when their subscription for the current year has been paid.
- (d) A Life Member is deemed to be a financial member from the date of their appointment as a Life Member.
- (e) Members have the right to renew subscriptions without resubmitting their names to the Committee provided the fee is paid before the 1st of March.
- (f) All renewing members must complete a renewal of membership form including an agreement to abide by the associations Code of Conduct.

## 5.3 APPLICATION FOR MEMBERSHIP

- (a) Any person may apply for membership of the association. Application must be in writing on the approved application form and submitted to the committee for approval at an ordinary meeting. Upon acceptance of the application and payment of the annual subscription, the applicant shall be a member of the association and shall be provided with a copy of the Constitution and Rules within fourteen (14) days of the meeting at which they were accepted.
- (b) Fees shall be due and payable annually on 1st January of each year and must be submitted with a signed Renewal Notice, such notice to include the Code of Conduct. Subscription fees for membership shall be such sum as determined by the members at the AGM.
- (c) Any Member whose subscription is outstanding as of the 1st of March shall cease to be a member of the association and may apply to join the association as a new member.
- (d) All Members must sign the Code of Conduct document as part of the Application process and forward that with the Application Form and their subscription to the Secretary.

## 5.4 RESIGNATIONS

- (a) A Member may resign from membership of the association by giving written notice to the Secretary or Public Officer of the association. Any resigning member shall be liable for any outstanding subscriptions which may be recovered as a debt due to the association.

## 5.5 REGISTER OF MEMBERS

A register of members must be kept and contain:

- (a) The name and address of each member.
- (b) The email address of each member.
- (c) The phone number of each member.
- (d) The date on which each member was admitted to, or resigned from, the association.
- (e) The date of and reason(s) for termination of membership (if applicable).



#### 5.6 OBLIGATION OF MEMBERS

- (a) Members shall strictly observe and act in accordance with the Constitution and Rules of the association and shall at all times, act within the spirit of the objects of the Constitution and the Codes of Conduct, Policies and Guidelines set out in the Rules and Annexed Rules of the SA Cat Breeders Association and abide by and at all times act within the spirit of the Objects, Policies and Codes of Conduct of the Governing Council of the Cat Fancy of South Australia.

#### 5.7 SUSPENSION OF A MEMBER

- (a) Any Member charged with contravention of the rules of the association may be suspended from membership for a period not exceeding twelve (12) calendar months, at the discretion of the Committee, provided that such member has been duly notified of the complaint brought against them and has been accorded the opportunity to appear and to present evidence on their behalf before the committee investigating the complaint.
- (b) Any member suspended by the Governing Council of the Cat Fancy of South Australia is automatically under suspension by this association.
- (c) Any member suspended by resolution of the Committee shall have the right to appeal to a Special General Meeting of the Association provided that such appeal is, put in writing, lodged and received by the Secretary within fourteen (14) days following written notification of the passing of the suspension resolution.
- (d) Any member suspended by resolution of the Committee shall forfeit the right to exhibit at any South Australian Cat Breeders Association shows during the period of the suspension.

#### 5.8 TERMINATION OF MEMBERSHIP

- (a) A member may have their membership terminated where a member is charged or convicted under the Animal Welfare Act SA (1985) and subsequent amendments.

### 6. THE COMMITTEE

#### 6.1 POWERS AND DUTIES

- (a) The affairs of the association shall be managed and controlled by a Committee which, in addition to any powers and authorities conferred by these rules, may exercise all such powers and do all such things as are within the objects of the association, and are not by the Act or by these rules required to be done by the association in general meeting.
- (b) The Committee has the management and control of the funds and other property of the association
- (c) The Committee shall have authority to interpret the meaning of these rules and any other matter relating to the affairs of the association on which these rules are silent.
- (d) The Committee shall appoint a Public Officer as required by the Act.



## 6.2 APPOINTMENT TO THE COMMITTEE

### 6.2.1 ELECTIONS: SYSTEM

- (a) Where voting is required for elections, the elections shall be by secret ballot. In the election of the President, Secretary, Treasurer and Committee, the candidates receiving the greatest number of votes shall be elected.
- (b) In the event of a tied vote between candidates, the meeting shall hold a further secret ballot between the candidates so tied. In the event of a further tied vote, the candidates shall be given three minutes to address the meeting, in the absence of the other candidate(s) as to why they should be elected to the position being voted on, after which another secret ballot is to be held.
- (c) All nominations received must include a statement of intent by the nominee, with a short summary of their skills, experience and why they are nominating for the position.
- (d) Elected positions remain in place for a period of one (1) year. This can change if the volunteer is unable to continue in that role in which a replacement will be appointed by the committee until the next AGM.

### 6.2.2 ELECTIONS: PROCEDURE

- (a) The Secretary in consultation with the Committee shall appoint a Returning Officer who is not standing in the elections. The Returning Officer shall appoint two (2) scrutineers who are not candidates in the election.
- (b) The Returning Officer will assume full conduct of the Election once nominations have closed.
- (c) Each Ordinary Member of the association shall be entitled to return one (1) ballot paper in an election or two (2) in the case of a family membership.
- (d) Ballot papers not filled out in accordance with the rules, or in accordance with instructions printed on the ballot paper shall be disallowed.



6.2.3 ELECTIONS: NOMINATIONS

- (a) Nominations for the office of President, Secretary, Treasurer and Committee shall close with the Secretary twenty-one (21) days before the Annual General Meeting. Nominations for the positions shall be in writing, signed by the Proposer, Seconder and Nominee, who shall all be adult Members of the association on the Nomination Form provided by the Secretary.
- (b) An office bearer of another club cannot nominate to be an office bearer of SACBA however this does not apply to ordinary committee members.
- (c) The Returning Officer shall refuse any nomination submitted in contravention of the Rules.
- (d) If the candidates for an election are equal to or less in number than the number to be elected, the candidates or candidate so nominated shall be deemed to have been duly elected.
- (e) In the event of failure to receive enough nominations, the committee appointed has the power to appoint an officer or members to the Committee.
- (f) If the candidates for an election exceed the number to be elected the Secretary shall prepare ballot papers containing the names of the candidates in an order determined by lot without any indication as to which are retiring office bearers.
- (g) Where there is to be an election, the Nominees are to provide the Returning Officer with a short summary of the skills, experience and why they are nominating for the position on the form provided by the Returning Officer and to have such information published in a document published by the association and on the association website at least fourteen (14) days prior to the meeting.
- (h) Nominees are to be given the opportunity to address the AGM concerning their nomination and to answer any questions from the floor.

6.2.4 POSTAL VOTING

Postal voting shall be allowed for elections.

- (a) The Returning Officer will prepare envelopes containing ballot papers, addressed to the association, and marked 'ballot paper'. These will be sent to members on written request, via post or email, with instructions to complete the ballot paper, place in the blank envelope provided and then in the marked addressed envelope provided, sign the back and post back to the association. Such request for a postal vote must be received at least fourteen (14) days prior to the election.
- (b) The Returning Officer will keep a record of anyone who has voted in such a manner and hand the sealed envelopes to the scrutineers to include in the counting.
- (c) Postal votes must reach the Returning Officer by the last business day prior to the meeting. Anyone who has voted in such a manner may not vote again on the night.
- (d) The Secretary of the association shall inform the Secretary of Governing Council Cat Fancy of South Australia in writing of all elected Office Bearers and Committee Members and confirm the Delegates and Proxy Delegates to GCCFSA within seven (7) days of the AGM or any alterations thereto.
- (e) The Committee of the association shall comprise the President, Secretary, Treasurer and four (4) Members of the association elected in accordance with the rules plus such ex officio members as are provided for in the rules.





### 6.3 PROCEEDINGS OF COMMITTEE MEETINGS

- (a) The Committee of the association shall meet at least four (4) times a year in person or via electronic conferencing.
- (b) Such meetings shall be convened by the Secretary who shall take such actions as are reasonable to notify all members of the Committee and the association of the proposed date, time, venue and business scheduled.
- (c) Parts or whole of any meeting of the Committee may in its absolute discretion, be held in-camera (refer definition) and ordinary association members asked to leave the room for the duration.
- (d) At the beginning of each meeting of the Committee any members including ordinary members present will declare any conflict of interest in any item on the agenda.
- (e) The committee members and ordinary members will abide by a Code of Conduct, which each member will sign as having read at the start of their elected year.
- (f) General members of the association can meet and vote at ordinary committee meetings save and except for matters deemed confidential including but not limited to disciplinary and in camera items.
- (g) A member not able to be physically present at a committee meeting may be permitted to participate in the meeting by the use of technology that allows that member and the members present at the meeting to communicate with each other clearly and simultaneously.
- (h) For the purpose of voting, a member participating under (g) above in a committee meeting is taken to be present, and if the member votes at the meeting is taken to have voted in person.

### 6.4 GOVERNING COUNCIL CAT FANCY SA DELEGATES

- (a) Delegates to the Governing Council of Cat Fancy of SA Inc will represent the association at Governing Council Cat Fancy of SA meetings.
- (b) Three (3) elected members of the committee shall be delegates to GCCFSA.
- (c) Three (3) Proxy Delegates shall be elected by simple majority vote in accordance with the normal election procedures of the association at the Annual General Meeting.
- (d) The Delegate to Programming Meetings shall be in accordance with the requirements of the Governing Council of the Cat Fancy of SA noting it shall be an elected officer of the association.

### 6.5 QUORUM AT MEETINGS

At all General, Special, or AGM Meetings, a quorum shall be 50% plus one (1) adult members or one-fifth of the membership, whichever is the smaller. At all meetings of the Committee a quorum shall be 50% plus one (1) of members elected to that Committee. If a quorum is not present within fifteen (15) minutes of the advertised starting time of a meeting, the Chair may adjourn the meeting to a later time or date, when the business of the meeting shall be conducted whether a quorum is then present or not.



## **7. MINUTES OF MEETINGS**

- (a) Proper minutes of all proceedings of general meetings of the association and of meetings of the committee, shall be entered within fourteen (14) days after the relevant meeting in minute books kept for the purpose.
- (b) The minutes kept pursuant to this rule must be confirmed by the members of the association or the members of the committee (as relevant) at a subsequent meeting.
- (c) The minutes kept pursuant to this rule shall be signed by the chairperson of the meeting at which the proceedings took place or by the chairperson of the next succeeding meeting at which the minutes are confirmed.
- (d) Where minutes are entered and signed they shall, until the contrary is proved, be evidence that the meeting was convened and duly held, that all proceedings held at the meeting shall be deemed to have been duly held, and that all appointments made at a meeting shall be deemed to be valid.

## **8. PROXIES**

Proxies shall not be permitted to vote in any election conducted by the association, nor on any business conducted at a meeting of the association.

## **9. CHAIRING MEETINGS**

- (a) The President shall take the chair at all general meetings of the association and Committee. In their absence, inability or unwillingness, the chair shall be taken by a member of the Committee chosen by the meeting. In the absence or unwillingness of all members of the Committee, the meeting shall elect one of its committee members.
- (b) At all meetings of the association, when questions of order or procedure or interpretation arise, the ruling of the Chair shall be accepted as final.

## **10. COMMITTEE: TERM OF OFFICE**

- (a) The President, Secretary, Treasurer and Committee once elected shall hold office for a period of one (1) year and can renominate at the completion of this term for re-election. Election for positions will be held at the Annual General Meeting. Positions are held following their election for a period of one (1) year, or until resignation, or forfeiture of office prior to the expiration of their term.
- (b) In the event of a midterm vacancy the Committee shall be entitled to appoint a replacement to the Committee or any office in a temporary capacity until the next AGM.

## **11. COMMITTEE: APPOINTMENT OF OFFICIALS**

- (a) The Committee shall meet as soon as it is practical following the Annual General Meeting, for the purpose of appointing the Public Officer plus such other officials of the association as are provided for in the rules or who are created by resolution of the Committee.
- (b) New appointees shall take office immediately following the conclusion of the meeting, at which time the term of office of the previous incumbents shall be deemed to have expired.



**12. COMMITTEE: VOTING**

All elected members of the Committee and general members shall be entitled to a vote save and except that the President or Chair shall not vote save and except to exercise a casting vote, elections excepted.

**13. COMMITTEE: TERMINATION OF MEMBERSHIP**

The office of a Committee member shall become vacant if a Committee member is:

- (a) Disqualified from being a Committee member by the Act.
- (b) Suspended as a member under these rules, or for any reason ceases to be a Member.
- (c) Permanently incapacitated by ill health.
- (d) No longer the duly appointed representative of a corporate member.
- (e) Absent without leave for three (3) or more consecutive meetings of the Committee if the Committee so resolves. That person shall not be eligible for re-election until the Annual General Meeting following their removal.

**14. COMMITTEE: POWERS AND DUTIES**

- (a) The affairs of the association shall be managed and controlled by the Committee which, in addition to any powers and authorities conferred by these rules, may exercise all such powers and do all such things as are within the objects of the association, and are not by the Act or by these rules required to be done by the association in general meeting.
- (b) The Committee has the management and control of the funds and other property of the association.
- (c) The Committee shall have authority to interpret the meaning of these rules and any other matter relating to the affairs of the association on which these rules are silent.
- (d) The Committee shall appoint a public officer as required by the Act.
- (e) All members of the Committee shall always act in accordance with the Constitution, Rules and the Act.

**15. INDEMNITY**

Each officer of the association shall be indemnified out of the funds of the association against all losses and expenses incurred by them in the proper and authorised exercise of their duties as an officer of the association. No member shall, as a member, be under any personal liability to any creditor of the association.



## 16. MEETINGS

### 16.1 ANNUAL GENERAL MEETINGS

An Annual General Meeting of the association shall be convened by the Secretary prior to the first of April in each year, and the agenda will consist of the following items:

- (a) Reading and confirmation of the minutes of the previous AGM.
- (b) The consideration of the accounts and reports of the Committee and the Auditor's report (if required).
- (c) Election of the President Secretary, Treasurer and Committee, and, as recommended from time to time by the Committee the appointment of Life members.
- (d) Discussion and approval, if necessary, of any change in the annual subscription and affiliation fees.
- (e) Appointment of an auditor if required.
- (f) Any Other Business notified to the Secretary by any member not later than twenty-eight (28) days prior to the date of the meeting.
- (g) Where an in-person meeting is not able to be convened then the meeting may be permitted to use technology that allows all members at the meeting to communicate with each other clearly and simultaneously.

### 16.2 SPECIAL GENERAL MEETING

In addition to the Annual General Meeting, the Secretary shall call a Special General Meeting within twenty-eight (28) days following:

- (a) Receipt of a request in writing of not less than 50% plus one(1) member of the association, provided that such requisition shall specify the business to be submitted to such meeting, or
- (b) Resolution by the Committee to convene such a meeting, or
- (c) Lodgement of an appeal against a suspension resolution passed by the Committee, provided that such an appeal is lodged within the specified period.
- (d) The meeting must be held as soon as practicable, but not more than twenty-eight (28) days from the notice calling the Special General Meeting.
- (e) Where an in-person meeting is not able to be convened then the meeting may be permitted to use technology that allows all members at the meeting to communicate with each other clearly and simultaneously.

### 16.3 NOTICE OF GENERAL MEETINGS

- (a) At least fourteen (14) days prior notice shall be given in respect of each General Meeting. The notice shall state the business to be transacted at the meeting and shall include a list of candidates for any elections to be conducted at the meeting.
- (b) Notice of a General Meeting of the association shall be deemed to have been given to each member if it has been:
  - posted or emailed to them at the address furnished by them to the Secretary, or at their last address known to the Secretary, and
  - published in any document circulated by the association to its members, and -published on the association's website.
- (c) A notice sent by post or electronically emailed shall be deemed to have been served on the day following that on which the notice, envelope or wrapper containing the same is posted/emailed. A notice published shall be deemed to have been received on the day of such publication.



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- (d) Where an in-person meeting is not able to be convened then the meeting may be permitted to use technology that allows all members at the meeting to communicate with each other clearly and simultaneously.

#### 16.4 PROCEEDINGS AT GENERAL MEETINGS

- (a) The President shall preside as Chairperson at a general meeting of the association.
- (b) If the President is not present within five (5) minutes after the time appointed for holding the meeting, or he or she is present but declines to take or retires from the chair, the members may choose a Committee member or one of their own number to be the Chairperson of that meeting.

#### 16.5 VOTING AT GENERAL MEETINGS

- (a) Subject to these rules, every member of the association has only one (1) vote at a meeting of the association.
- (b) Subject to these rules, a question for decision at a general meeting, other than a special resolution, must be determined by a majority of members who vote in person at that meeting.
- (c) Unless a poll is demanded by at least five (5) members, a question for decision at a general meeting must be determined by a show of hands.
- (d) A member being a body corporate shall be entitled to appoint one (1) person, who shall not be a member of the association, to represent it at a particular general meeting or at all general meetings of the association. That person shall be appointed by the corporate member by a resolution of its board, which may be authenticated under its seal. Such a person shall be deemed to be a member of the association, but without voting rights, for all purposes until the authority to represent the corporate member is revoked.

#### 16.6 POLLS AT GENERAL MEETINGS

- (a) If a poll is demanded by at least five (5) members, it must be conducted in a manner specified by the person presiding and the result of the poll is the resolution of the meeting on that question.
- (b) A poll demanded for the election of a person presiding or on a question of adjournment must be taken immediately, but any other poll may be conducted at any time before the close of the meeting.

#### 16.7 SPECIAL AND ORDINARY RESOLUTIONS

- (a) A special resolution as defined in the Act.
- (b) An ordinary resolution is a resolution passed by a simple majority at a general meeting.

### 17. DISPUTE RESOLUTION

In these rules, the following definitions shall apply:

“grievance procedure” means the procedures set out in this section

“party to a dispute” includes a person:

- who is a party to the dispute; and
- who ceases to be a member within six (6) months before the dispute has come to the attention of each party to the dispute.

The grievance procedure applies to disputes

- between members; or
- between one or more members and the association.



### 17.1 DISPUTE RESOLUTION

- (a) The parties to a dispute must attempt to resolve the dispute between themselves within fourteen (14) days after the dispute has come to the attention of each party.
- (b) If the parties to a dispute are unable to resolve the dispute between themselves within the time required at 18.1.a above, a party to the dispute may start the grievance procedure by giving written notice to the Secretary of:
  - The parties to the dispute; and
  - The matters that are the subject of the dispute.
- (c) Within fourteen (14) days after the Secretary has been given notice in accordance with the grievance procedure, a committee meeting must be convened to consider and determine the dispute.
- (d) The Secretary must give each party to the dispute written notice of the committee meeting at which the dispute is to be considered and determined, at least seven (7) days before the meeting is held.
- (e) The notice given to each party to the dispute must state:
  - When and where the committee meeting is to be held; and
  - That the party or the parties representative, may attend the meeting and will be given a reasonable opportunity to make written or oral (or both written and oral) submissions to the committee about the dispute.
- (f) If:
  - The dispute is between one or more members of the Association including a suspended or expelled member; and
  - Any party to the dispute gives written notice to the Secretary stating that the party:
    - Does not agree to the dispute being determined by the committee; and
    - Requests the appointment of a mediator in writingthe committee must not determine the dispute.

### 17.2 DETERMINATION OF DISPUTE BY COMMITTEE

- (a) At the committee meeting at which a dispute is to be considered and determined, the committee must:
  - Give each party to the dispute a reasonable opportunity to make written or oral submissions to the committee about the dispute; and
  - Give due consideration to any submissions so made; and
  - Determine the dispute.
- (b) The committee must give each party to the dispute written notice of the committee's determination, and the reasons for the determination, within seven (7) days after the committee meeting at which the determination is made.
- (c) A party to the dispute may within fourteen (14) days after receiving notice of the committee's determination under above, give written notice to the Secretary requesting the appointment of a community-based mediator at the joint expense of the parties involved in the dispute
- (d) If a notice is given under above, each party to the dispute is a party to the mediation.

### 17.3 MEDIATION

This division applies if written notice has been given to the Secretary requesting the appointment of a mediator under 17.1 (f)



#### 17.4 APPOINTMENT OF A MEDIATOR

- (a) If the appointment of a mediator was requested by a party to a dispute an accredited mediator must be chosen by agreement between the parties to the dispute.
- (b) If there is no agreement then the committee must appoint an accredited mediator.
- (c) The person appointed as a mediator may be a member or former member of the association but must not
  - Have a personal interest in the matter that is the subject of the mediation.  
or
  - Be biased in favour of or against any party to the mediation.  
or
  - Be from the same family or household of any part to the mediation

#### 17.5 MEDIATION PROCESS

The costs of the mediation are to be paid by the party or parties to the mediation that requested the appointment of the mediator.

If:

- Mediation takes place because a member whose membership is suspended or who is expelled from the association gives notice; and
- As the result of the mediation the decision to suspend the member's membership or expel the member is revoked,  
that revocation does not affect the validity of any decision made at a committee meeting or general meetings during the period of suspension or expulsion.

### 18. FINANCIAL REPORTING

#### 18.1 FINANCIAL YEAR

- (a) The financial year of the association shall be a period of twelve (12) months commencing on the 1<sup>st</sup> of January and ending on the 31<sup>st</sup> of December of each year.
- (b) The association shall keep and retain such accounting records as are necessary to correctly record and explain the financial transactions and financial position of the association in accordance with the Act.
- (c) The accounts, together with the Auditor's report on the accounts (if required), and the committee's reports, shall be presented to members at the annual general meeting.
- (d) The Committee shall open and maintain a banking account or accounts on behalf of the association at such bank or banks as the Committee may think fit. The banking account may be operated on by cheques signed in the name of the association by two (2) members of the Committee, one (1) of whom must be the Secretary or Treasurer.
- (e) Cheques may be endorsed through the banking account in the name of the association by such person or persons as the Committee may determine from time to time.
- (f) No persons shall have any authority to incur any expenditure on behalf of the association except with the sanction of the Committee. Expenditure shall be authorised by a majority of the Committee or by one or more committees or subcommittees duly authorised by resolution of the Committee.

#### 18.2 APPOINTMENT OF AUDITOR

The financial records of the association shall be audited at least once every three (3) years.



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**19. PROHIBITION AGAINST SECURING PROFITS FOR MEMBERS**

- (a) Section 55 of the Act provides a prohibition against securing profits for members.
- (b) The income and capital of the association shall be applied exclusively to the promotion of its objects and no portion shall be paid or distributed directly or indirectly to members or their associates except as bona fide remuneration of a member for services rendered or expenses incurred on behalf of the association.

**20. RULES**

- (a) These Rules may be altered by special resolution of the members of the association passed by a three-fifths majority of members voting at a Special Meeting. This includes rescission or replacement by substitute rules.
- (b) The alteration shall be registered with the Consumer and Business Services which administers the Corporate Affairs Commission, as required by the Act.
- (c) The registered rules shall bind the association and every member to the same extent as if they have respectively signed and sealed them and agreed to be bound by all the provisions thereof.
- (d) The Act provides that an alteration to a rule may be made by special resolution of the association at a General Meeting unless other provision is made in the rules (which applies to annexed rules).
- (e) The Secretary shall at all times ensure that the Secretary of Governing Council of the Cat Fancy of South Australia is provided with an up to date Constitution and all Annexures and Rules within fourteen (14) days of same being lodged with the Department of Business and Consumer Affairs.

**21. WINDING UP**

The association may be wound up in the manner provided for in the Act.

**22. APPLICATION OF SURPLUS ASSETS**

- (a) If after the winding up of the association there remains “surplus assets” as defined in the Act, such surplus assets shall be distributed to any organisation which has similar objects and has rules which prohibit the distribution of its assets and income to its members.
- (b) Such organisation or organisations shall be identified and determined by a resolution of members in general meeting.

--End of Document--

Dated: 12 October 2021

Amended: 14 April 2022