

**Associations Incorporation Reform Act 2012  
Associations Incorporation Reform Regulations 2012**



**Shepparton Alpine Club Inc.**  
Registration No. A00010980M

**CONSTITUTION (Rules)**

**As approved by the members at the Annual General Meeting**

**Sunday 24<sup>th</sup> November 2013**

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# CONSTITUTION (RULES) OF THE SHEPPARTON ALPINE CLUB INC.

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## **PART ONE – NAME OF THE ASSOCIATION**

### 1. NAME

The name of the Association is ‘SHEPPARTON ALPINE CLUB INCORPORATED’.

## **PART TWO - GENERAL ASPECTS OF THE CONSTITUTION**

### 2. OPERATION OF THE CONSTITUTION (RULES)

The Constitution is binding on all Members and Proxy Members and on all persons claiming through them to the same extent as if each Member and Proxy Member had subscribed his/her name and affixed his/her own seal thereto. Further, the Constitution contains a covenant on the part of each Member and Proxy Member and his/her legal representative to observe all the Constitution and any associated Regulations as may be set by the Committee or the members in a General Meeting from time to time.

### 3. INTERPRETATION

- (a) If at any time there is any question or dispute or doubt as to the construction or the interpretation or operation or effect of the Constitution or as to the rights or liabilities of any person thereunder, the decision of the question or dispute or doubt shall be in the first place with the Committee.
- (b) If any party to the question or dispute or doubt is dissatisfied with the decision of the Committee then the matter in difference shall be referred to a General Meeting for determination or the parties may concur in the appointment of a single arbitrator. If the matter is referred to a General meeting, that general meeting must be held within two (2) months of the date of the decision of the Committee (unless the parties concur in extending the time). The determination of the General Meeting or the arbitrator shall be conclusive and binding on all parties concerned.

### 4. AMENDMENT

The Constitution or any part thereof may be amended or added to or repealed if such amendment, addition or repeal is approved at a General Meeting by a majority of not less than two-thirds (2/3) of the Financial Members present and of which amendment, addition or repeal specific notice has been given by the Secretary to each Financial Member at least fourteen (14) days prior to the holding of the General Meeting and to which notice is attached a copy of the proposed amendment, addition or repeal.

### 5. ENFORCEMENT OF CONSTITUTION

- (a) The Committee has power to enforce the Constitution and any Regulation that may be in place. In the event of any breach, the committee may impose a fine upon the person in breach in respect of each breach and/or may deny the person in breach the

use of the Lodge and all of the Club's facilities for any period of time deemed by the majority of the Committee as appropriate.

- (b) In the event that any fine is imposed, the amount thereof becomes immediately due for payment by the person in breach, but the Committee may allow time to pay.

#### 6. REGULATIONS

Members shall be bound under the Regulations of the Club which may be established from time to time by either the Committee or the Members in a General Meeting. These Regulations shall be addressed to and enforced under the same procedures as are established here for the Constitution.

### **PART THREE - PURPOSES OF THE CLUB**

#### 7. PURPOSES OF THE CLUB

The primary purpose for which the Club is established is to encourage its Members to be active in snow sports and other alpine activities within the Mount Hotham Alpine Resort throughout the year and to do so in such ways that compliment and support the development of the resort in balance with the protection of its environment.

The secondary purposes for which the Club is established are:

- (a) The building, maintenance and development of an accommodation lodge within the Mount Hotham Alpine Resort that provides facilities and amenities for the benefit of Members and guests in their snowsports and other alpine activities throughout the year.
- (b) The promotion and encouragement of good fellowship amongst Members and Proxy Members of the Club and to engage visitors to the club in such good fellowship.
- (c) The formation of such associations with other organisations and individuals as may tend to further the purposes of the Club.
- (d) Generally the doing of all acts and things conducive to the attainment of the above purposes and the good order and efficient management of the Club.
- (e) Not to make a profit but to ensure that sufficient income is generated as is deemed necessary for the establishment and maintenance of Club facilities both existing and future, and to advance the purposes of the Club as stated here.

### **PART FOUR - MEMBERSHIP**

#### 8. MEMBER

Until such time as he/she ceases to be a Member in accordance with the Constitution a person is a Member if he/she is a Member pursuant to the Constitution.

#### 9. NUMBER OF MEMBERS

The total number of Members shall be not less than twenty five (25) and not more than one hundred (100).

10. FINANCIAL MEMBER

A financial Member is a person:

- (a) who is capable under Rule 12 of being a financial Member, and
- (b) who has paid in full or who is not more than three (3) months in arrears in the payment of such annual subscription or levy as may be prescribed or (in the absence of prescribed annual subscriptions or levies) as are duly determined; and
- (c) who has paid all financial obligations specified in the Constitution or regulations of the club in full or is not more than three (3) months in arrears in the payment of all accommodation charges and other amounts due by him/her to the Club, the totality of Members and/or the Committee.

The question whether or not a person at any particular time is or was a Financial Member may and in the event of dispute shall be determined by the Committee and the Committee's determination thereon shall be final. Refer to Grievance Procedure, Rules 106 - 110

11. QUALIFICATIONS FOR MEMBERSHIP

Any person in sympathy with the purposes of the Club and over the age of eighteen (18) years is qualified to become a Member.

12. QUALIFICATION OF FINANCIAL MEMBER

No person is capable of being a financial Member unless he or she is a person:

- (a) who is a Member; and
- (b) who is the holder of a paid-up Certificate of Membership and is recorded as such in the Club Membership Register, and
- (c) who has paid in full such joining fee or re-admission fee as may be prescribed or, in the event that no joining fee is prescribed by the Constitution or regulations, such fee as is determined by the Committee,
- (d) who has been re-admitted as a Member under the Constitution.

PROVIDED ALWAYS that the Committee may determine that a Member is capable of being a financial Member notwithstanding that he has not complied fully with this Rule but such determination shall be recoverable.

13. COMMITTEE MAY HOLD MEMBERSHIP

The Committee may hold one or more Memberships on behalf of the Club.

14. COMMITTEE MAY PURCHASE MEMBERSHIP

In the event that a Member offers his membership for sale, the Committee may negotiate to acquire or purchase any Membership or an interest therein as directed by policy which may be set forth in the Regulations from time to time.



15. APPLICATIONS FOR MEMBERSHIP

- (a) Any person who is qualified under Rule 10 and desires to become a Member shall apply in writing, supported by the signature of two existing Financial Members acting as referees. The referees may be members of the committee who have interviewed the applicant and who find him/her fit and acceptable as a Member. Such application shall be given to the Committee in the form specified under the Associations and Incorporations Act, as represented in the 'SAC Membership Application Form', attached as an Appendix to this Constitution.
- (b) Any application for membership shall be supported by such material and/or evidence as may be required by the Committee.
- (c) The Committee shall consider any application duly made and may -
  - (i) defer a decision on the application;
  - (ii) reject the application accordingly as the Committee in its absolute discretion thinks fit and may assign reason for so acting as may be appropriate;
  - (iii) subject to the Constitution, approve the application.

16. EFFECT OF ACCEPTANCE OF APPLICATION

- (i) Upon approval by the Committee of an application under Rule 10 or Rule 11 and the subsequent allotment or transfer (as the case may require) of a Membership, the applicant shall become a Member subject to the Constitution but not necessarily a financial Member.
- (ii) Every Member shall have access to the Constitution and shall be expected to note changes and additions to the Constitution as they are made from time to time and recorded in the minutes of annual or general meetings of the Association.
- (iii) Every person who becomes a Member shall, by the fact of his having become a Member, be deemed to have approved of the Constitution and the Regulations. Further, upon the committee's approval of his/her application to become a Member shall be bound by the Constitution and Regulations and Rule 2 shall apply to that person.

17. EFFECT OF REJECTION OF APPLICATION

In the event that an application under Rule 15 is rejected by the Committee, the person making such application shall not be eligible to reapply for a period of twelve (12) months from the date on which the Committee rejects such application.

18. RIGHTS OF A MEMBER

- (a) The only rights of a Member who is not a Financial Member are:
  - (i) to take the appropriate steps to become a Financial Member; and
  - (ii) to attend any General Meeting.
- (b) A Member who is not a Financial Member -

- (i) shall not speak or be heard at any General Meeting except as expressly provided otherwise in the Constitution or invited by the chairman;
- (ii) may not vote at any General Meeting except as may be expressly provided otherwise in the Constitution;
- (iii) may not offer him or herself as a candidate for election to the Committee;
- (iv) if serving on the Committee, shall cease to be a Member of the Committee;
- (v) except as expressly provided otherwise in the Rules shall take no part in the management of the Club;
- (vi) is not eligible to use or make any use of the Lodge or any facilities or amenities of the Club.

19. DUTIES OF A MEMBER

A Member is subject to the same duties and obligations as a Financial Member.

20. PRIVILEGES OF A FINANCIAL MEMBER

Subject to the Constitution and Regulations a Financial Member has the right:

- (a) to speak and vote at a General Meeting in accordance with the Constitution and the directions of the chairman of the General Meeting;
- (b) to offer himself/herself as a candidate for election to, and to be a Member of the Committee;
- (c) to use the Lodge and the Club's facilities;
- (c) to participate fully in the Club's activities.

21. DUTIES OF A FINANCIAL MEMBER

The duties and obligations of a Financial Member are:

- (a) to comply with the Constitution and Regulations;
- (b) to do such acts and things for the benefit of the Club, including work parties in relation to the Club's facilities and assets as are reasonably required from time to time by the Committee or Regulations;
- (c) to maintain the high standard of the Club's facilities and to take an active part in ensuring that other persons do likewise;
- (b) to participate in the general management, administration and supervision of the Club and its facilities;
- (c) to advise the Secretary of his/her address and contact details, including phone number and email address if available.

## 22. LIABILITY OF A MEMBER

- (a) A Member or Proxy Member is liable to the Committee for any amount payable by him/her to the Club, the totality of Members and/or the Committee and shall pay any such amount to the Committee.
- (b) A Member who is in arrears of subscription fees, accommodation fees or of other moneys levied by the club for a period in excess of three (3) months or who has failed to complete any work commitment or to pay any other fee in lieu of work commitment shall automatically be suspended as a Member.
- (c) A suspended Member shall not have any privileges or rights whilst suspended but shall remain liable to pay subscriptions and to either perform work obligations or to pay in lieu. The suspension shall end upon payment of the outstanding amount or in accordance with any alternative arrangement as may be agreed with the committee.
- (d) Any Member whose actions contribute to the causation or occurrence of damage to the Lodge or any other thing under the care or control of the Club, the totality of Members and/or the Committee, or to any of the Club's assets, facilities or amenities, that Member shall be liable to the Committee for the full cost of reparation of the damage or for any fine the Committee imposes up to a value of 20% of the Member's equity in the club as at the most recent audit. For the purpose of this sub-rule the actions of a guest of a Member may be deemed to be the actions of that Member.

## 23. CEASING OF MEMBERSHIP

A person ceases to be a Member on resignation from the Club or in any of the following circumstances:

- (a) where the Membership is transferred to another person or is acquired by the committee in accordance with the Constitution;
- (b) upon his or her death.
- (c) where he or she ceases to be a Member in accordance with the Constitution.
- (d) Where his/her resignation is tendered under which circumstance, a member who wishes to resign from the Club shall tender his/her resignation to the Secretary and upon receipt thereof by the Secretary such resignation shall be deemed to be accepted by the Club and shall then be immediately effective.

## 24. TRANSFER OF MEMBERSHIP

The procedure to be followed when affecting a transfer from an existing Member to a new Member shall be as follows:

- (a) The Member notifies the Secretary or the Committee person responsible for Membership of his/her resignation and wish to sell the membership and the committee shall make his/her details available to any applicant for membership;

- (b) The Secretary or the Committee person responsible for Membership shall forward a Membership Application Form to any potential transferee;
- (c) The applicant then returns the Form duly completed and signed by two existing financial members who act as referees and such referees may be members of the Committee;
- (d) The Committee shall then consider the application at the next scheduled Committee meeting in accordance with the provisions of the Constitution and shall either accept or reject the application;
- (e) In the event that the application is accepted or rejected by the Committee, both the seller and the buyer shall be notified;
- (f) Upon receipt of notice from the Committee that the application has been considered and accepted in accordance with the Constitution, the financial transaction is completed between the two parties;
- (g) The transferring Member must then notify the Committee that the transaction has been completed to his/her satisfaction, requesting that the membership be formally transferred from his/her name to that of the in-coming Member.
- (h) The Secretary shall then duly record the transfer, by de-registering the former Member and registering the new Member in the Club's Membership Register.

## 25. VALIDITY OF TRANSFER

- (a) Subject to Rule 11, no Member or person may transfer or in any way assign any right title or interest in a membership to any Member or person or in any way encumber a membership without the written approval of the Committee.
- (b) In the event of a breach of sub-rule (a) of this Rule, the transaction shall not be binding on or in any way affect the Club, the totality of members and/or the Committee.

No transfer of membership other than that transacted under this Constitution shall be considered in any way valid and shall have no effect upon the Club, its members or assets.

## 26. EXPULSION OF MEMBER

A Member may be expelled from the Club with complete cancellation of membership by the unanimous resolution of the Committee to the effect that:

- (i) the Member has failed to discharge his duties or obligations to the Club as set out in this Constitution or the Regulations, or who is deemed to be guilty of an action or of conduct prejudicial to the interests of the Club, the totality of members and/or the Committee whether prescribed by or arising out of the Constitution or the Regulations or arising out of any agreement or undertaking; or
- (ii) a charge of conduct detrimental or prejudicial to the Club, the totality of members and/or the Committee whether such conduct arises on a single occasion or on a

number of occasions has been proved against the Member, where such proof shall be constituted by the unanimous consideration of the committee;

PROVIDED THAT in the event that any such resolution is proposed the committee shall give written notice of such resolution to the Member in question not less than twenty one (21) days before the Committee Meeting at which such proposed resolution is to be considered and that the Member shall be given (a) the opportunity of being heard at the said Committee Meeting and (b) the opportunity of calling witnesses and (c) shall be entitled to have another Member act as his/her advocate before the Committee Meeting.

Such expulsion shall in all cases be presented for ratification by the Club at the very next General Meeting of members.

27. APPEAL

- (a) In the first instance, a Member shall attempt to resolve his/her grievance by following the procedure as set out in Part Ten of this Constitution.
- (b) A Member who is expelled under Rule 26 may appeal by giving written notice of his/her intention to appeal against the expulsion to the Committee within seven (7) days of the committee meeting which ratifies the expulsion.
- (c) The Committee must acknowledge its receipt of such notice within seven (7) days.
- (d) Upon being given such notice of appeal the Committee shall call a Special General Meeting of the members. Such Special General Meeting shall be convened by the Committee within forty-two (42) days from the date upon which such notice of appeal was given.
- (e) A quorum at such Special General Meeting shall be the President or Vice President and any two Office Bearers of the club plus such other members who may be present.
- (f) At the Special General Meeting convened for this purpose, the Committee shall be required to make out a prima facie case for expulsion.
  - If such prima facie case cannot be made out to the satisfaction of a simple majority of members present, the expulsion shall be set aside and the appellant reinstated as a Member.
  - If such prima facie case is made out to the satisfaction of a majority of members present, the appellant shall be entitled to be heard or to have a Member act as advocate and shall be entitled to call witnesses (who shall not be sworn).

Thereupon the Special General Meeting by a majority of members present in person may dismiss the appeal, or allow the appeal.

- In the event that the appeal is allowed, the expulsion shall be set aside and the appellant reinstated as a Member. But notwithstanding that the appeal is allowed by a majority of members present, the Special General Meeting may impose any penalty (including a fine and/or a suspension for any period of any or all of the appellant's rights and/or privileges as a Member or financial Member) upon the appellant as the members in attendance may determine.

- (g) Members and not only financial members may take a full part in such a Special General Meeting but non-financial members shall not be entitled to vote.
- (h) Pending the appeal, Rule 26 (a) shall operate as if notice of appeal had not been given and the appellant shall be denied all membership rights and privileges.
- (i) No appeal against expulsion is competent or shall be made other than under this Rule.

## 28. CONSEQUENCE OF EXPULSION

Where a Member is expelled from the Club -

- (a) all moneys owing by he or she to the Club, the totality of members and/or the Committee shall forthwith become immediately payable in full and shall be paid by him/her to the Committee. Any such outstanding moneys may be deducted by the Club from any funds held or received for or on behalf of such former Member;
- (b) he/she immediately ceases to be a Member;
- (c) he/she shall not be eligible to apply to become a Member or Proxy Member for a period of twelve (12) months after the date of the resolution referred to in Rule 26.

## 29. DEATH OF MEMBER

- (a) In this Rule the expression “deceased Member” means a person who until the time of his death was a Member of the Shepparton Alpine Club Inc. and who ceased to be a Member only on death.
- (b) Where a deceased Member is at the time of his death the holder of a Membership under the Constitution and by his last Will (including any codicil) gives or bequeaths the membership or all his rights, title or interest in the membership to some other person that person, if he/she is qualified under Rule 9 and desires to become a Member, shall apply to the Committee by notice in writing within four (4) months of the date of the deceased’s death (or in such longer time as the Committee may allow). Such application shall be in the form specified under Rule 15.
- (c) The Committee shall be deemed to approve such application unless the Committee within three (3) months of the date upon which such application was received by the Committee, does by resolution determine that such application should be rejected or deferred under the terms of Rule 15.

## 30. LEAVE OF ABSENCE

A Member may apply to the Committee for leave of absence bounded by the club’s financial year and, if granted such leave, the Member shall not be liable to complete work commitments or to pay associated fines for the period of the approved leave. He/she shall, however, remain liable for annual subscriptions, for any other levy on members and for all other obligations of a Financial Member. While on leave of absence, a Member shall only be entitled to use the Club’s facilities as if he/she were a non-Member.

## **PART FIVE - PROXY MEMBERSHIP**

### **31. PROXY MEMBER**

Proxy Membership is available for the purposes of allowing a Member to have a substitute person undertake his/her duties, responsibilities and financial obligations (but not their annual membership subscription) as a Member for a period of up to two years, save that the committee may at its discretion extend that period.

Until such time as he/she ceases to be a Proxy Member a person is a Proxy Member if he/she is a Proxy Member pursuant to the Rules.

### **32. ELIGIBILITY OF A PROXY MEMBER**

Any person who is not a Member and is in sympathy with the purposes of the Club and over the age of eighteen (18) years is eligible to become a Proxy Member.

### **33. ADMITTANCE OF A PROXY MEMBERS**

Any person eligible under Rule 32 and who applies to become a Proxy Member shall be deemed a Proxy Member immediately upon the Committee's receipt of the current annual subscription fee and shall remain so until the last day of the (Club) financial year in which he/she is admitted.

Any application shall be supported by such material as may be required by the Committee.

The Committee may reject such application as the Committee in its absolute discretion thinks fit.

### **34. FINANCIAL PROXY MEMBER**

A person is a financial Proxy Member if he/she:-

- (a) is a Proxy Member; and
- (b) has paid in full such annual subscription as is prescribed in the Regulations or (in the event that no annual subscription is prescribed) as is determined by the Committee; and
- (c) has paid in full all charges in relation to his/her accommodation in the Lodge and such other amounts as the Committee may reasonably require him/her to pay.

The question whether or not a person at any particular time is or was a financial Proxy Member may and in the event of dispute shall be determined by the Committee and the Committee's decision thereon shall be final.

### **35. RIGHTS OF A PROXY MEMBER**

The only right of a Proxy Member who is not a financial Proxy Member is the right to take the appropriate steps to become a financial Proxy Member under the procedure set down for Members.

36. DUTIES OF A PROXY MEMBER

A Proxy Member is subject to the same duties and obligations as the Financial Member on whose behalf he/she acts and is further subject to the same disciplinary procedures set down for Members.

37. PRIVILEGES OF A FINANCIAL PROXY MEMBER

Subject to the Rules and the Regulations a Financial Proxy Member:-

- (a) has the right to attend any General Meeting as a guest but (unless and to the extent that he/she is coopted by the Committee) has no right to participate in the management of the Club.
- (b) may use the Lodge and the Club's facilities and amenities as though a Financial Member; and
- (c) has such other rights and privileges as are determined from time to time by the Committee.

38. DUTIES OF A FINANCIAL PROXY MEMBER

The duties and obligations of a financial Proxy Member are to comply with the Constitution and Regulations and to maintain the high standard of the Club's facilities.

39. CEASING PROXY MEMBERSHIP

A person ceases to be a Proxy Member at the end of each financial year or in any of the following circumstances:

- (a) on death;
- (b) on dissolution of the Club;
- (c) by resolution of a simple majority of the Committee declaring that he/she is no longer a Proxy Member, and the Committee has power to make such resolution without giving notice to him/her or assigning any reason for its action;
- (d) when he/she becomes a Member.
- (e) when the original member resumes his/her membership, or in the event that the membership to which it relates ceases.

**PART SIX - CERTIFICATE OF MEMBERSHIP**

40. NUMBER OF CERTIFICATES OF MEMBERSHIP

There are one hundred (100) memberships and no more and each membership shall be represented by a corresponding Certificate of Membership which may take any form deemed appropriate by the Committee. Under the Constitution, the terms 'Certificate of Membership', 'Membership', 'Membership Card' and 'Certificate' shall be deemed coincidental.



41. MEMBER TO HAVE CERTIFICATE

- (a) No person is a Member unless a Certificate of Membership has been duly allotted to him.
- (b) No person or Member shall hold more than one membership, nor shall any person or Member have any financial interest direct or indirect in more than one membership PROVIDED that a person or Member may have a financial interest in a membership held by his/her spouse or child.

42. NATURE OF CERTIFICATE

- (a) In the Constitution the term “certificate” bears not its ordinary meaning but an artificial meaning.
- (b) A Membership Certificate represents a contribution to the capital of the Club by a Member.

43. FORM OF CERTIFICATE

A Certificate of Membership need not hold a particular physical form and may be represented by no more than an appropriate entry in the Club’s Membership Register.

44. VALUE OF CERTIFICATES

Membership Certificates hold no value but in themselves represent the Member’s equal share as related to the net assets of the Club.

45. DISSOLUTION

The Club may only be dissolved by resolution of a General Meeting. A motion proposing dissolution shall not be put unless written notice thereof has been given to members in accordance with the procedures for General Meetings set out in this Constitution setting out proposals for the disposal of the Club’s assets.

46. DISSOLUTION OF THE CLUB, WINDING UP OR CANCELLATION

In the event of dissolution of the Club, members shall each be a creditor of the Club in such amount as at that time corresponds with the amount duly determined by the Committee to be the face value of his/her membership less any amount of outstanding debt and he/she shall be entitled to payment of such amount.

If upon winding up or dissolution of the Club there remains after satisfaction of all its debts and liabilities any property whatsoever, the same shall not be paid or distributed amongst the members of the Club but shall be given or transferred to some institution or institutions having objects similar to the objects of the Club and whose Memorandum of Association or Constitution shall prohibit the distribution of its or their income and property among its or their members.

## **PART SEVEN - FINANCE**

### **47. FINANCIAL YEAR**

The financial year of the Club is each period of 12 months ending on 30<sup>th</sup> September.

### **48. NOT FOR PROFIT**

It is a fundamental tenet of the Club that it is not organised for profit.

### **49. CAPITAL AND INCOME**

(a) The funds of the Club shall broadly but not strictly be viewed as divided into capital funds and income funds.

(b) The funds of the Club shall be applied only toward the purposes of the Club.

### **50. CAPITAL**

The capital funds of the Club include contributions to the capital funds of the Club and payments of a capital nature and include all amounts in respect of debenture.

### **51. APPLICATION OF CAPITAL**

The capital funds of the Club may and in ordinary circumstances shall be applied to purposes of a capital nature. Purposes of a capital nature include the maintenance, improvements and additions to the club's Lodge, and the acquisition (purchase) of any membership or interest therein. It shall generally be applied in accordance with the Club's stated purposes.

### **52. INCOME**

(a) The income funds of the Club include contributions to the income funds of the Club and payments of an income nature and include annual subscriptions and accommodation charges.

(b) In accordance with Rule 48 (not for profit operation), every effort shall be made to ensure that the amount of the income funds of the Club are necessary to meet the operating expenses of the Club and provide for or assist in the provision of a reserve of funds which shall be held for the purposes set out in this Constitution and/or Regulations.

### **53. APPLICATION OF INCOME**

The income funds of the Club may, and in ordinary circumstances shall, be applied to meet the running expenses of the Club and to provide for or assist in the provision of a reserve of funds. The running expenses of the Club include the costs of repairs, and rates and service charges, site rentals, administration expenses and other outgoings. Income to the Club may also be applied to depreciation.

54. CONTRIBUTION BY MEMBER

- (a) Each Member shall be liable to contribute to the capital funds of the Club an amount in respect of his membership but if he/she is a Financial Member, he/she shall not be liable to contribute any further amount in respect thereof unless a General Meeting resolves otherwise.
- (b) Each Member shall be liable to contribute to the funds of the Club -
  - (i) An annual subscription the amount of which shall from time to time be determined by resolution of the members at an Annual General Meeting and which may be recorded in the Regulations. The amount of the annual subscription shall be the same for each Member and Proxy Member.
  - (ii) Charges incurred in respect of accommodation at the Lodge as determined by the Committee.
  - (iii) Such levy as may be imposed from time to time by resolution of a General Meeting. The amount of the levy shall be the same for each Member and shall be for a defined purpose in pursuit of the Club's purposes.
  - (iv) The amount of any fine imposed upon him/her by the Committee or under the Regulations.

55. APPLICATION OF LEVIES

The Committee may determine that the whole of any part of contributions in the nature of levies shall be applied in whole or in part to purposes of a capital nature including a reserve of funds to meeting contingencies or to meet running expenses and may vary such determination from time to time as the Committee sees fit.

56. ANNUAL SUBSCRIPTION

- (a) An annual subscription fee shall be applicable to a particular financial year and shall be payable in advance for the forthcoming year by 1 November or before the opening of the Annual General Meeting.
- (b) A Member who in relation to a particular financial year has not paid the annual subscription fee is to be a Member who is not a Financial Member until such time as the annual subscription and any other outstanding amounts are paid.

PROVIDED ALWAYS that the Committee in special circumstances may waive in whole or in part or defer payment of the annual subscription or of a levy imposed upon any Member.

57. FINANCIAL MANAGEMENT

The management of the funds of the Club is vested in the Committee.

PROVIDED ALWAYS that by resolution of a General Meeting the Committee may be directed concerning the management of the funds of the Club in which event the Committee shall act in accordance with such direction and resolution.

58. BANKING

- (a) The Committee shall cause to be opened and kept open a banking account and a trading account in the name of the Shepparton Alpine Club Incorporated.
- (b) The funds of the Club shall be deposited in the first instance in such banking account as soon as practicable after receipt.
- (c) All expenditure on behalf of the Club shall be authorised by the Committee PROVIDED THAT expenditure of one thousand dollars (\$1,000.00) or less may be authorised by the Treasurer with approval of the President.
- (d) All cheques drawn on such banking account shall be signed by the Treasurer and countersigned by one of the President or Secretary of the Club. All payments drawn on such banking account by direct bank transfer shall be authorised by the Treasurer and by one of the President or Secretary of the Club.
- (e) Subject to Rule 59 the Committee has power to borrow money.

59. INVESTMENT

The Committee may invest any of the funds of the Club in any manner at the discretion of the Committee and the Committee is not bound to invest solely or at all in securities authorised by law for the investment of trust funds. Any such investment made by the committee on behalf of the Club shall be declared to the members at the following General Meeting. No loan shall be made to a Member or Proxy Member, and no investment in the nature of a wager shall be made.

60. BORROWING MONEY

- (a) Subject to the approval of an absolute majority of the financial members:-
  - (i) voting in person or by proxy vote at a General Meeting; or
  - (ii) voting by postal ballot;

The Committee may borrow money exceeding five thousand dollars (\$5,000.00) for the purposes of the Club by way of bank overdraft or otherwise but not by way of loan from a Member and may give security over the assets or revenue of the Club upon and subject to such terms and conditions as the Committee thinks fit. If approval is other than at a General Meeting such loan must be ratified by the Club at the next General Meeting.

- (b) The Committee may borrow money not exceeding five thousand dollars (\$5,000.00) without such approval but such event shall be reflected appropriately in the club's annual accounting statement to the members.

61. INSURANCE

- (a) The Committee shall arrange appropriate and adequate insurance including public risk insurance, fire insurance, and where necessary or desirable workers compensation insurance, so as to insure and indemnify the Club, the totality of

members and the Committee against loss, damage and liability whether by reason of accident, fire, injury or otherwise.

- (b) The nature and extent of such insurance cover shall be in the hands of the Committee subject to the Constitution.

62. AUDIT

- (a) An auditor shall be appointed each year at the Annual General Meeting and shall hold office until the next Annual General Meeting unless previously removed by resolution of the Committee in which event the Committee shall appoint an auditor to act until the next Annual General Meeting.
- (b) It shall not be necessary for any auditor appointed to be a person licensed or qualified as an auditor but a Member shall not be capable of being an auditor.
- (c) The auditor shall investigate the books of account of the Club and check the correctness of the Club's balance sheet and income expenditure account, and report to the Committee via the Treasurer.

63. TREASURER TO KEEP BOOKS

- (a) The Treasurer of the Club shall keep proper books of account of the funds of the Club and all financial transactions of the Club.
- (b) The Treasurer shall submit such books and all relevant records to the President or the Committee upon request and carry out all duties as per Rule 93.
- (c) The books shall be available to any Financial Member upon request and within reason at the Committee's discretion.

64. TREASURER TO REPORT

- (a) The Treasurer of the Club shall submit to the Annual General Meeting a balance sheet and a statement of income and expenditure and a report by the duly appointed auditor concerning the accuracy, truth and fairness thereof.
- (b) The Treasurer shall also report to the Annual General Meeting concerning the Club's general financial state.

65. RECEIPTS

All moneys payable to the Club, the totality of members and/or the Committee shall be payable to and received by the Committee and the receipt of the Treasurer shall be a good and sufficient discharge in respect of money so payable.

**PART EIGHT - GENERAL MEETINGS**

66. MANAGEMENT BY MEMBERS

The Management of the Club shall be in the hands of the Financial Members to the extent that by resolution of a General Meeting the Committee may be directed to do any act or thing and in any manner and/or refrain from doing any act or thing in which event the

Committee shall act in accordance with such direction and resolution. Further, by virtue of the Committee's election by the Members in General Meeting, such Committee shall in all its actions be acting as the totality of members and shall not be in any sense liable individually.

67. GENERAL MEETING

The Club shall have at least one General Meeting in each year. That meeting shall be referred to as the Annual General Meeting, which will be held each year on the date notified in the Regulations and at which it is intended that the accounts and affairs of the Club should be presented to the members and the officers of the Club elected.

68. BUSINESS AT ANNUAL GENERAL MEETING

The business of an Annual General Meeting shall be all or any of the following:

- (a) to deal with the minutes of the previous Annual General Meeting;
- (b) to receive and consider the balance sheet, statement of income and expenditure and Treasurer's report;
- (c) to elect an auditor or auditors;
- (d) to receive and consider a report from the President, the Secretary, the Maintenance Officer, the Booking Officer and other office bearers as determined by the Committee;
- (e) to elect the Committee and the President;
- (f) to consider and deal with new, altered or repealed Rules in the Constitution or in the Regulations;
- (g) to determine the amount of the annual membership subscription and any levy;
- (h) to transact any other business brought before the Annual General Meeting pursuant to the Constitution by the Committee or by any financial Member.
- (i) to receive reports from any sub-committees which may have been formed.

69. SPECIAL GENERAL MEETING

- (a) The Committee may call a Special General Meeting whenever it thinks necessary.
- (b) The Committee shall call a Special General Meeting if given written notice stating the object of a Special General Meeting proposed to be called and signed by not less than ten (10) financial Members.

Such Special General Meeting shall be convened by the Committee within thirty (30) days from the giving of such notice to the Committee. The business of such Special General Meeting shall be that stated in such notice and/or arising directly out of such notice and no other unless such General Meeting otherwise decides.

70. NOTICE OF A GENERAL MEETING

At least seven (7) days notice of any Annual General Meeting or Special General Meeting shall be given in the manner hereinafter provided to the Members specifying the place, day and hour of the General Meeting and the general nature of the business to be addressed, including the text of any relevant proposed motion or motions. No meeting shall be invalidated by any irregularity as to notice or the non-receipt of notice by any Member or Members.

71. QUORUM

- (a) The quorum for the Annual General Meeting shall be the President or any two officers of the Club plus no less than twenty percent of the Members (whether or not Financial Members) present in person, save that only Financial Members shall be entitled to vote.
- (b) The quorum for any General Meeting other than the Annual General Meeting shall be the President or any two Officers of the club plus no less than ten members (whether or not financial members) present in person, save that only Financial Members shall be entitled to vote.
- (c) No business shall be transacted at any General Meeting (other than an adjourned meeting under Rule 73) unless the requisite quorum be present in person at the commencement of business.

72. PROCEEDINGS AT GENERAL MEETINGS

- (a) The President shall be entitled to take the chair at every General Meeting. If at any General Meeting the President be not present at the expiration of ten (10) minutes after the time appointed for holding the meeting or declines to act as chairman of the meeting then first the Vice President shall be entitled to take the chair and if he be not present or being present declines to take the chair, then the Members present in person and entitled to vote shall choose one of their number to be chairman of that General Meeting.
- (b) The Committee shall cause minutes to be duly recorded for the purpose of all appointments of office-bearers, the names of Members of the Members present and of all resolutions and proceedings of the General Meeting. Any such minutes signed by the Chairman of the next succeeding General Meeting shall be conclusive evidence of the matters stated in the minutes is true and shall be binding on all Members whether present or not.

73. ADJOURNMENT OF GENERAL MEETINGS

- (a) If a quorum be not present within fifteen (15) minutes from the time appointed for the meeting, the meeting shall stand adjourned to the same day in the next week at the same time and place, and if at such adjourned meeting a quorum be not present within fifteen (15) minutes from the time appointed for holding the meeting, those members then present in person shall constitute a quorum.
- (b) With the consent of the Members present, the chairman of any General Meeting may adjourn the meeting from time to time and place to place but no business shall be transacted at any adjourned meeting other than the business left unfinished at the meeting from which the adjournment took place.

74. NOTICE OF MOTION

No motion shall be moved by any person at any General Meeting unless he is a Financial Member and has given the Committee notice in writing of such motion at least seven (7) days before the General Meeting at which the motion is to be moved, unless such General Meeting otherwise decides.

## 75. VOTES AT MEETING

Except where otherwise provided in the Constitution or where a General Meeting by resolution declares otherwise, every matter or question submitted or referred to a General Meeting -

- (a) Shall be decided by a simple majority of votes cast by Financial Members present and in person plus any legal proxy votes from Financial Members not present but, with the exception of votes in the election of Office Bearers where proxy votes shall not be valid. The chairman shall have a casting vote
- (b) Elections shall be decided by a show of hands of Financial Members present plus postal ballots received by the Committee in accordance with this Constitution.

Each Financial Member present in person at a General Meeting shall have one vote.

## 76. MINUTES OF GENERAL MEETINGS

- (1) The Committee must ensure that minutes are taken and kept of each general meeting.
- (2) The minutes must record the business considered at the meeting, any resolution on which a vote is taken and the result of the vote.
- (3) In addition, the minutes of each annual general meeting must include—
  - (a) the names of the members attending the meeting; and
  - (b) proxy forms given to the Chairperson of the meeting under rule 75; and
  - (c) the financial statements submitted to the members in accordance with rule 64; and
  - (d) the certificate signed by two committee members certifying that the financial statements give a true and fair view of the financial position and performance of the Club; and
  - (e) any audited accounts and auditor's report or report of a review accompanying the financial statements that are required under the Act.

## 77. PROXY VOTES

Voting by proxy will be permitted on all matters except in the election of office bearers, provided that: -

- (a) The appointment of the proxy is in writing and is received by the Secretary prior to the meeting;
- (b) The Member offering the proxy is a Financial Member of the Club and is entitled to vote pursuant to this Constitution;
- (c) The individual Member shall have one vote for each attested proxy he/she holds and shall have one personal vote.



## **PART NINE - THE COMMITTEE – POWER and DUTIES**

### **78. NUMBER**

There shall be a Committee which shall be composed of up to ten (10) members.

### **79. OFFICERS**

The officers of the Club shall be:

- (i) President
- (ii) Vice President
- (iii) Secretary
- (iv) Treasurer
- (v) Booking Officer
- (vi) Maintenance Officer
- (vii) Deputy Maintenance Officer

In addition, there shall be three non-office bearing, general committee positions.

### **80. PRESIDENT AND VICE PRESIDENT**

Only the position of President shall be specifically elected by the General Meeting from those nominations for the Committee.

A Vice President shall be appointed by the General Meeting or by the Committee at its first meeting.

### **81. OTHER OFFICERS OF THE CLUB**

- (a) Office Bearers other than the President shall be appointed by the Committee at its first meeting.
- (b) The Committee may at any time appoint other officers as it may see fit and necessary for the proper conduct of the Club.

### **82. COMPULSORY RETIREMENT**

The members of the Committee shall retire at each Annual General Meeting but shall be eligible for re-election.

### **83. ELECTION OF OFFICE BEARERS**

The members of the Committee shall be elected at each Annual General Meeting or in extraordinary circumstances at any General Meeting, by the voting of Financial Members present in person plus such postal votes as may be received by the Committee in accordance with this Constitution. Proxy votes shall not apply.

### **84. NOMINATION TO COMMITTEE**

Any two (2) Financial Members may nominate a Financial Member as a candidate for election to the Committee. Every nomination shall be by notice in writing signed by the

two nominating Financial Members and countersigned by or accompanied by the written consent of the candidate.

Nominations to the Committee shall be received by the Secretary no later than 14 days before the date of the AGM of that year. These nominations shall then be advised to the Members upon application. Notice of the meeting and notice of the nominations need not be coincidental.

A nominee to the Committee may indicate his/her willingness to assume the role of President either on the nomination form or in person at the Annual General Meeting. Such nominees shall be afforded the opportunity to address the meeting prior to the election.

85. INADEQUATE NOMINATIONS

If less than ten (10) nominations are received, any two (2) Members of the Committee may nominate such additional Financial Members at any time prior to the General Meeting or from the floor as may be required to enable the election to proceed. Any Financial Member so nominated shall only be eligible to assume a General Committee position.

86. BALLOT PAPER

- (a) In the event that more than ten nominations are received, a ballot paper displaying the names of the nominees shall be completed by each Financial Member who is present in person and entitled to vote and proxy votes are not valid. Completion of the ballot paper shall consist of each voter placing a mark beside the name of ten candidates and by indicating with the letter "P" the name of that candidate who the voter prefers as President.
- (b) Each election shall be conducted by secret ballot. Each Financial Member present in person at the General Meeting shall be entitled but not compelled to exercise select ten (10) of the candidates but shall not allot more than one vote to any one candidate.

87. RESULTS

The ten (10) candidates polling the most votes shall be declared elected. In the case of an equality of votes for the last place or places on the Committee:

- (a) the candidates concerned shall be asked to leave the room and the remaining position(s) decided by a show of hands. In the event of a tie on the fresh ballot the General Meeting shall decide what course to be followed; or
- (b) at the discretion of the meeting, other nominees may be added to the Committee, but only in general committee capacity.

88. CASUAL VACANCY

Any vacancy occurring in the Committee (including the office of President) during the Committee term may be filled by appointing any financial Member to the Committee. Any financial Member so appointed shall be deemed to be a Member of the Committee and shall have the same rights and duties as he would have had if he had been elected to the Committee by the Annual General Meeting immediately preceding his appointment. But

the appointment of such Financial Member may be disallowed by a Special General Meeting occurring prior to the next Annual General Meeting.

89. DISQUALIFICATION

Any Committee Member who ceases to be a Financial Member or who ceases to be a Member shall also cease to be a Member of the Committee and the vacancy shall be filled pursuant to Rule 88.

90. GENERAL DUTIES OF THE COMMITTEE

- (1) As soon as practicable after being elected or appointed to the Committee, each committee member must become familiar with these Rules and the Act.
- (2) The Committee is collectively responsible for ensuring that the Club complies with the Act and that individual members of the Committee comply with these Rules.
- (3) Committee members must exercise their powers and discharge their duties with reasonable care and diligence.
- (4) Committee members must exercise their powers and discharge their duties—
  - (a) in good faith in the best interests of the Club; and
  - (b) for a proper purpose.
- (5) Committee members and former committee members must not make improper use of—
  - (a) their position; or
  - (b) information acquired by virtue of holding their position—so as to gain an advantage for themselves or any other person or to cause detriment to the Club.
- (6) In addition to any duties imposed by these Rules, a committee member must perform any other duties imposed from time to time by resolution at a general meeting.

91. PRESIDENT AND VICE-PRESIDENT, DUTIES

- (1) Subject to subrule (2), the President or, in the President's absence, the Vice-President is the Chairperson for any general meetings and for any committee meetings.
- (2) If the President and the Vice-President are both absent, or are unable to preside, the Chairperson of the meeting must be—
  - (a) in the case of a general meeting - a member elected by the other members present; or
  - (b) in the case of a committee meeting - a committee member elected by the other committee members present.

92. SECRETARY, DUTIES

- (1) The Secretary must perform any duty or function required under the Act to be performed by the secretary of an incorporated association.
- (2) The Secretary must—
  - (a) maintain the register of members in accordance with rule 102; and
  - (b) keep custody of the common seal (if any) of the Club and, except for the financial records referred to in rule 93(2), all books, documents and securities of the Club in accordance with rules 63 and 64; and
  - (c) subject to the Act and these Rules, provide members with access to the register of members, the minutes of general meetings but not committee meetings, and other books and documents; and
  - (d) perform any other duty or function imposed on the Secretary by these Rules.
- (3) The Secretary must give to the Registrar notice of his or her appointment within 14 days after the appointment.

93. TREASURER, DUTIES

- (1) The Treasurer must—
  - (a) receive all moneys paid to or received by the Club and issue receipts for those moneys in the name of the Club; and
  - (b) ensure that all moneys received are paid into the account of the Club within 5 working days after receipt; and
  - (c) make any payments authorised by the Committee or by a general meeting of the Club from the Club's funds; and
  - (d) ensure cheques are signed by or payments authorised by at least 2 committee members.
- (2) The Treasurer must—
  - (a) ensure that the financial records of the Club are kept in accordance with the Act; and
  - (b) coordinate the preparation of the financial statements of the Club and their certification by the Committee prior to their submission to the annual general meeting of the Club.
- (3) The Treasurer must ensure that at least one other committee member has access to the accounts and financial records of the Club.

94. PROCEEDINGS OF COMMITTEE MEETINGS

- (a) The Committee may meet for the dispatch of business, adjourn and otherwise regulate its meetings as it thinks fit:

PROVIDED THAT:

- (i) meetings of the Committee shall be held at intervals of not more than three (3) months;
  - (ii) the President shall preside at all Committee Meetings and in his absence the Vice President. In the absence of both, a chairman shall be elected from the Committee members present.
- (b) Questions arising at any meeting shall be decided by a majority of votes unless specifically provided otherwise in the Constitution;
- (c) In the case of a tie of votes the President shall have a casting vote;
- (d) Two (2) members of the Committee may at any time summon a meeting of the Committee;
- (e) The Committee shall cause minutes of its proceedings to be duly recorded and kept for the purpose of all appointments of office bearers and trustees, the names of members of the Committee present at each Committee Meeting and of all resolutions determinations and discussions of every Committee Meeting. Any such minutes signed by the chairman of the meeting or the chairman of the next succeeding meeting shall be conclusive evidence of the matters stated in the minutes and shall be binding on all Members and Proxy Members whether they were present or not.

95. QUORUM

The quorum for any meeting of the Committee shall be four (4). If a quorum is not present no formal business shall be transacted. The meeting shall be adjourned to a place and time fixed by the Committee members present and the Secretary shall endeavour to notify the absent Committee members of such adjourned meeting.

96. GENERAL POWER OF COMMITTEE

Subject to the Constitution, the Committee has a discretion to apply the funds of the Club for the benefit of the Club as the Committee thinks fit.

97. AFFAIRS OF CLUB

Subject to the Constitution, the business and operations of the Club (including the management and regulation of the Lodge and the funds of the Club) shall be vested in and managed and controlled by the Committee.

98. PARTICULAR POWERS

Without limiting the generality of Rule 94 the Committee has power:

- |            |     |  |
|------------|-----|--|
| Employment | (a) | to employ and dismiss a person and to determine his powers, duties and remuneration; |
| Contracts  | (b) | to enter contracts and execute documents in connection with contracts;               |

- Accommodation (c) to arrange accommodation at any place other than the Lodge;
- Social Functions (d) to arrange social functions;
- Advice (e) to take and act on advice including the advice of a sub-Committee;
- Co-opt (f) to co-opt Members or persons to assist the Committee, but such co-opted members or persons may not vote at Committee Meetings;
- (g) to exercise any power given to the Committee by the Constitution.

99. RECOMMENDATIONS BY COMMITTEE

The Committee may make recommendations to any General Meeting concerning annual subscriptions and levies, and all other matters concerning the financial affairs of the Club.

100. SUB-COMMITTEE

- (a) The Committee may by resolution form any sub-committee consisting of such Members, Proxy Members and/or other persons as the Committee thinks fit.
- (b) Any sub-committee so formed shall conform to any restrictions that may be imposed on the sub-committee by the Committee.
- (c) Any sub-committee may regulate its procedures in general accordance with the procedures set down for the Committee in the Constitution.

101. REGULATIONS

- (a) The Committee and Club in meeting shall have the power to make Regulations (By-Laws) that are consistent with this Constitution.
- (b) Any procedure or matter on which this Constitution is silent or on which any interpretation is required shall be referred to the Committee and the decision of the Committee in meeting shall be final and conclusive and binding on all members.
- (b) The Secretary shall give notice to all Financial Members of Regulations made altered and/or repealed as soon as practicable.
- (d) The Regulations made, altered or repealed shall be deemed to form part of the business of the Annual General Meeting next following and shall be advised to the Members before such Annual General Meeting.
- (d) Regulations may be made, altered or repealed by a General Meeting.
- (f) A person is deemed to be bound by the Regulations and/or repeal thereof, and/or alterations thereto by the fact of his/her having remained a Member or a Proxy Member thereafter.
- (g) Regulations remain in effect until altered or repealed.

102. REGISTER OF MEMBERS

The Secretary shall keep a Register of Members in which there shall be recorded the name and address of each Member and Proxy Member and such other information concerning the Member as the Secretary thinks fit and the Secretary shall comply with the requirements of any statutory or government authority with respect of such Register.

103. CUSTODY OF BOOKS ETC.

All books of account, securities, documents and papers of the Club shall be kept by the Committee in such manner and with such provision for their security as the Committee directs.

104. INSPECTION BY MEMBER

Upon request by a Member, the Secretary shall notify the Member of the address where the Register of Members, the books of account of the Club, the Constitution, the Regulations, and all other records of the Club are kept. The foregoing shall be available for inspection either in person or electronically by a Member at all reasonable times although the Committee may refuse to permit a Member to inspect records of the Club that relate to confidential, personal, employment, commercial or legal matters or where to do so may be prejudicial to the interests of the Club..

105. SERVICE OF NOTICE ON COMMITTEE

Where under the Constitution or the Regulations any notice has to be served upon or given to the Club, the totality of Members and/or the Committee is sufficient if such notice is served upon or given to the President, or the Secretary, or two (2) Members of the Committee in a manner specified in Rule 113.

**PART TEN – GRIEVANCE PROCEDURE.**

106. APPLICATION

- (1) The grievance procedure set out in this Part applies to disputes under this Constitution between—
  - (a) a member and another member;
  - (b) a member and the Committee;
  - (c) a member and the Club.
- (2) A member must not initiate a grievance procedure in relation to a matter that is the subject of Rule 26, 27, 28 until that process has been completed.

107. PARTIES MUST ATTEMPT TO RESOLVE THE DISPUTE

The parties to a dispute must attempt to resolve the dispute between themselves within 14 days of the dispute coming to the attention of each party.

108. APPOINTMENT OF MEDIATOR

- (1) If the parties to a dispute are unable to resolve the dispute between themselves within the time required by rule 107, the parties must within 10 days-
  - (a) notify the Committee of the dispute; and
  - (b) agree to or request the appointment of a mediator; and
  - (c) attempt in good faith to settle the dispute by mediation.
- (2) The mediator must be-
  - (a) a person chosen by agreement between the parties; or
  - (b) in the absence of agreement-
    - (i) if the dispute is between a member and another member - a person appointed by the Committee; or
    - (ii) if the dispute is between a member and the Committee or the Club - a person appointed or employed by the Dispute Settlement Centre of Victoria.
- (3) A mediator appointed by the Committee may be a member or former member of the Club but in any case must not be a person who -
  - (a) has a personal interest in the dispute; or
  - (b) is biased in favour of or against any party.

#### 109. MEDIATION PROCESS

- (1) The mediator to the dispute, in conducting the mediation, must—
  - (a) give each party 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 throughout the mediation process.
- (2) The mediator must not determine the dispute.

#### 110. FAILURE TO RESOLVE DISPUTE BY MEDIATION

If the mediation process does not resolve the dispute, the parties may seek to resolve the dispute in accordance with the Act or otherwise at law.

### **PART ELEVEN - GENERAL AND SUPPLEMENTAL**

#### 111. DOCUMENTS AND STATEMENTS

- (a) Except as otherwise provided in the Constitution, any document purporting to bind the Club or the totality of members shall be signed on behalf of the Club by the President and Secretary and if necessary or appropriate may be signed in addition by any other Member of the Committee. Where such a document is issued with the express approval of the Committee set out in a resolution of the Committee made prior to such issue, any person so signing shall be indemnified out of the funds of the Club against any personal liability (including liability for legal costs) which he may incur thereby.



- (b) No Member or Proxy Member may make any statement purporting to represent the view of the Club the totality of members and/or the Committee or purporting to be made on behalf of the Club the totality of members and/or the Committee without the written approval of the Committee being first obtained.

112. REGISTERED ADDRESS

The registered address of the Club is –

- (a) the address determined from time to time by resolution of the Committee; or
- (b) if the Committee has not determined an address to be the registered address – the postal address of the Secretary

113. GIVING NOTICE TO MEMBER OR COMMITTEE MEMBER

For the purpose of the Constitution and Regulations any notice required to be given to a member or a committee member under these Rules may be given –

- (a) by handing the notice to the member personally; or
- (b) by sending it by post to the member at the address recorded for the member on the register of members; or
- (c) by email to the member at the email address recorded for the member on the register of members..

114. OBSERVE REGULATIONS

All Members shall comply with the conditions of the lease of the Club's site within the Mount Hotham Alpine Resort issued by the Department of Sustainability and Environment and now held under the responsibility of the Mount Hotham Resort Management Board, insofar as these conditions are applicable to any members individually or collectively and they shall also comply with all the Regulations currently in force and applicable to the Mount Hotham Alpine Reserve by virtue of Section 218 or the Land Act, 1958 and with any subsequent Regulations validly promulgated under the Land Act, 1958 or any other Act applicable to the Reserve.

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**SHEPPARTON ALPINE CLUB INC.**

**MEMBERSHIP APPLICATION FORM - Page 1**

**Full Name:**  
(Printed)                      Surname                      Christian Names

**Address - Home:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Phone - Home:** \_\_\_\_\_ **Bus:** \_\_\_\_\_

**Mobile:** \_\_\_\_\_ **Email:** \_\_\_\_\_

**Sex:** \_\_\_\_\_ **Birth Date:** \_\_\_\_\_

**Place of Birth:** \_\_\_\_\_ **Nationality:** \_\_\_\_\_

**Marital Status:** \_\_\_\_\_ **Children:** \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
(Please give name &  
age)

**Partners Name:** \_\_\_\_\_

**Occupation:** \_\_\_\_\_

**Qualifications:** \_\_\_\_\_

**Sporting  
Interests:** \_\_\_\_\_

**Other Club  
Memberships:** \_\_\_\_\_

**Hobbies and/or  
skills:** \_\_\_\_\_

## MEMBERSHIP APPLICATION FORM - Page 2

Application for Membership of the **Shepparton Alpine Club Incorporated**

I, \_\_\_\_\_  
(Full Name of Applicant)

of \_\_\_\_\_  
(Address & Occupation)

\_\_\_\_\_ desire to become a  
member of the **Shepparton Alpine Club Incorporated**

In the event of my admission as a member, I agree to be bound by the rules of the  
Association for the time being in force.

\_\_\_\_\_  
Signature of Applicant

Date \_\_\_\_\_

I, \_\_\_\_\_, a member of the  
**Shepparton Alpine Club Incorporated**, nominate the applicant, who is personally known  
to me, for membership of this Association

\_\_\_\_\_  
Signature of Proposer

Date \_\_\_\_\_

I, \_\_\_\_\_, a member of the  
**Shepparton Alpine Club Incorporated**, second the nomination of the applicant, who is  
personally known to me, for membership of this Association

\_\_\_\_\_  
Signature of Secunder

Date \_\_\_\_\_

Date Accepted as a Member

\_\_\_\_\_

Signature of Secretary

\_\_\_\_\_

Date

\_\_\_\_\_

**SHEPPARTON ALPINE CLUB Inc.**

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***COMMITTEE NOMINATION***

Nominee: \_\_\_\_\_

Willing to serve as President? ☐ YES ☐ NO

Proposed by: \_\_\_\_\_

Signature: \_\_\_\_\_

Seconded by: \_\_\_\_\_

Signature: \_\_\_\_\_

Signature of Nominee: \_\_\_\_\_

Date: \_\_\_\_ / \_\_\_\_ / \_\_\_\_

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**SHEPPARTON ALPINE CLUB Inc.**

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***BALLOT PAPER***

PRESIDENT: (name) \_\_\_\_\_

Committee 1: \_\_\_\_\_

Committee 2: \_\_\_\_\_

Committee 3: \_\_\_\_\_

Committee 4: \_\_\_\_\_

Committee 5: \_\_\_\_\_

Committee 6: \_\_\_\_\_

Committee 7: \_\_\_\_\_

Committee 8: \_\_\_\_\_

Committee 9: \_\_\_\_\_

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