

THE NORTH EAST BUDGERIGAR SOCIETY OF SOUTH AUSTRALIA INCORPORATED

ESTABLISHED 1974

Objects, Rules, By Laws

Amended 21st September, 2015

(Page one (1) of fifteen (15) pages and thirty four (34) rules)

INTERPRETATION

- (A) In these rules, except in so far as the context or subject matter otherwise indicates or requires:-
- (i) A reference to a function includes a reference to a power, authority and duty, and
 - (ii) A reference to the exercise of a function includes, where the function is a duty, a reference to the performance of that duty.
- (B) The provisions of the Interpretation Act and all amendments apply to, and in respect of, these rules. In the same manner as those provisions would so apply if these rules were an instrument made under the Act.

- (C) In these rules, except in so far as the context or subject matter otherwise indicates or requires:

SOCIETY	Means The North East Budgerigar Society of South Australia Incorporated.
MEMBER	Means a member of the Society, duly admitted.
FINANCIAL MEMBER	Means a member of the Society, duly admitted, who shall not be in default for more than one month in payment of any fees, contributions or other amounts payable by him or her in accordance with these rules.
MANAGEMENT COMMITTEE	Means the office bearers or the Society elected in accordance with these rules.
EXTRAORDINARY GENERAL MEETING	Means a special General Meeting of the Society other than the Annual General Meeting.

THE ACT	Means the Associations Incorporation's Act 1985 and its amendments.
THE REGULATIONS	Means the Associations Incorporation's Act 1985 and its amendments.
COMMISSION	Means the Corporate Affairs Commission.
GENERAL ACCOUNT	Means the main banking account maintained by the Society for the Income and Expenditure of the Society.

1. TITLE

- (a) The Society shall be known as The North East Budgerigar Society of South Australia Incorporated.
- (b) The address shall be that of the Secretary in office.

2. OBJECTS

- (a) To promote feelings of good fellowship and sportsmanship among its own members and all other persons interested in the Budgerigar.
- (b) To promote the improvement of existing varieties, and the production of new ones.
- (c) Endeavour to promote, encourage and stimulate the breeding and keeping of Budgerigars.
- (d) To collect and publish information relative to Budgerigars, or other matters of interest to members of the Society.

3. NON-PROFIT

The income and property of the Society shall be applied solely towards the promotion of the objects of the Society, and no portion thereof shall be paid or transferred directly or indirectly, by way of dividend, bonus or otherwise, howsoever by way of profit, to members or relatives of members of the Society, or to any other club or body provided that nothing herein shall prevent the payment in good faith of remuneration to any officer or servant of the Society or to any member of the Society for any service actually rendered to the Society, or reasonable and proper rental for premises let by any member to the Society.

4. QUALIFICATION OF MEMBERSHIP

- (a) Any person wishing to become a member of the Society must be proposed and seconded by two (2) financial members on the appropriate application form.

Subscription fees shall accompany the application, and in the event of rejection, the fee shall be refunded.

- (b) If when applying for membership, the person has been a member of another Budgerigar Club, then the original joining date and name of Society must be provided on the Application for Membership form.
- (c) A quorum of Management Committee persons shall be required to approve/decline any application for membership at the first Management Committee Meeting following the date of application.
- (d) Members are to be notified of all new members at each General Meeting.
- (e) All juniors under the age of eighteen (18) years applying for membership must have their parent's or guardian's consent before application for membership will be considered.

5. MEMBERSHIP

Members shall comprise:-

- (a) All present members of The North East Budgerigar Society of South Australia Incorporated except where here-in-after provided for in Rule 8 sub-section (b) and Rule 11.
- (b) Such other persons interested who may be accepted into membership under the rules of The North East Budgerigar Society of South Australia Incorporated.
- (c) Single Membership
Double Membership
Family Membership
Junior Membership (person under age of eighteen (18) years)
Pensioner
Partnership

6. HONORARY LIFE MEMBERSHIP

- (a) Honorary life membership may be conferred from time to time on any member who in the opinion of the Management Committee has given the Society such service or has brought honour or prestige to the Society by outstanding services or achievement.
- (b) The member nominated for honorary life membership must have been a financial member of the Society for a minimum of ten (10) years continuously, with a minimum of five (5) years on the Management Committee.
- (c) The conferring of honorary life membership must be recommended by the Management Committee to an Annual General Meeting or an Extraordinary General Meeting convened for the purpose, and the proposal accepted by a show of hands by a majority of financial members present.

7. CESSATION OF MEMBERSHIP

A person ceases to be a member of the Society if the person:-

- (i) Dies
- (ii) Resigns that membership
- (iii) Is expelled from the Society, or
- (iv) Is in default for more than one month in payment of any fees, contributions or other amounts payable by him or her in accordance with these rules.

8. REGISTER OF MEMBERS

- (a) The Treasurer of the Society shall maintain a register of all members and honorary life members of the Society, specifying their name, address, status and date on which that person became a member.
- (b) Should any subscription lapse for three (3) calendar months, the Treasurer shall make an appropriate note in the register of members recording the date on which membership ceased.
- (c) Any member whose subscriptions have lapsed the three (3) months may reapply for membership on the Society's membership form.

9. MEMBERSHIP FEES

- (a) Membership fees shall be subject to review at the Annual General Meeting and are due on the first day of January annually.
- (b) Subscriptions shall be paid to the Treasurer who shall issue a receipt from the Society's receipt book.
- (c) All membership fees must be paid in accordance with Rule 5 (c).

(d) FEE STRUCTURE:-

Single Membership fee	As determined at the AGM
Double Membership fee	'Single fee', plus 50% of 'Single'
Family Membership fee	'Single' fee, plus 50% of 'Single' fee for each party over 18 years. (under 18 years - no charge - in family situation)
Junior Membership fee	65% 'Single' fee
Pensioner Membership fee	80% 'Single' fee or 80% Double Membership
Partnership Membership fee	75% each - 'Single' membership

- (e) Where a new member joins the Society after 30th June, the subscription determined shall be 50% of the annual fee. When joining after 1st October, 15 months membership will be granted for the annual membership fee.

10. MEMBER'S LIABILITIES

The liability of a member of the Society to contribute towards the payment of debts and liabilities of the Society or the costs, charges and expenses of the winding up of the Society is limited to the amount, if any, unpaid by the member in respect of membership of the society as required by these rules.

11. DISCIPLINING OF MEMBERS

- (a) The Chairperson shall have the right to suspend any member of the Society whose conduct is deemed to be objectionable, and against the best interests of the Society.
- (b) Upon the suspension of the member the said may be 'not heard' at a meeting and asked to resume his or her seat, or requested to leave the meeting or function at the discretion of the Chairperson.
- (c) Where the Management Committee is of the opinion that a member of the Society:-
 - (i) Has continually refused or neglected to comply with a provision of these rules, or
 - (ii) Has continually and willfully acted in a manner prejudicial to the interests of the Society.

The Management Committee may by resolution:-

- (iii) Expel the member from the Society, or
- (iv) Suspend the member from the membership of the Society for a specified period.
- (d) A resolution of the Management Committee under Clause (c) is of no effect unless the Management Committee, at the next meeting after service on the member of a notice under Clause (e) confirms the resolution in accordance with this rule.
- (e) Where the Management Committee passes a resolution under Clause (c) the Secretary is to cause a notice in writing to be served on the member as soon as practicable.
 - (i) Setting out the resolution of the Management Committee and the grounds on which it was based;
 - (ii) Stating that the member may address the Management Committee at the next meeting to be held after the service of the notice;

- (iii) Stating the date, time and place of the meeting.
- (iv) Informing the member that the members may do either or both of the following:-
 - a) Attend and speak at the Management Committee Meeting.
 - b) Submit to the Management Committee at or prior to the date of that meeting, written representations relating to the resolution.
- (f) At a meeting of the Management Committee held as referred to in Clause (e), the Management Committee shall:-
 - (i) Allow the member time to make oral representations.
 - (ii) Give due consideration to any written representation submitted to the Management Committee at or prior to the meeting.
 - (iii) By resolution determine whether to confirm or to revoke the resolution.
- (g) Where the Management Committee confirms a resolution under Clause (f), the Secretary shall within seven (7) days after the confirmation, by notice in writing inform the member of the fact and of the member's right of appeal under Rule 12.
- (h) A resolution confirmed by the Management Committee under Clause (f) does not take effect:-
 - (i) Until the expiration of the period within which the member is entitled to appeal against the resolution. Where the member does not exercise the right of appeal within that period, or
 - (ii) Where within that period the member exercises the right of appeal, unless and until the Society confirms the resolution pursuant to Rule 12.

12. DISCIPLINED MEMBER'S RIGHT OF APPEAL

- (a) A member may appeal to the Society at a General Meeting against the resolution of the Management Committee which is confirmed under Rule 11 within seven (7) days after notice of the resolution is served on the member, by lodging with the Secretary a notice to that effect.
- (b) Upon receipt of a notice from a member under Clause (a), the Secretary shall place the matter on the agenda of the next General Meeting to be held by the Society.
- (c) At the General Meeting of the Society:-
 - (i) The Management Committee and the member shall be given the opportunity to state their respective cases orally or in writing, or both.

- (ii) The members present shall vote by secret ballot on the question of whether the resolution should be confirmed or revoked.
- (d) If at the General Meeting the Society passes a motion in favour of the confirmation of the resolution, the resolution is confirmed, otherwise the member is reinstated immediately.

13. POWERS OF THE ASSOCIATION

The association shall have all the powers conferred by section 25 of the Act. The Management Committee, subject to the Act, the Regulations and these Rules, and to any resolution passed by the Society at a General Meeting:-

- (a) Shall control and manage the affairs of the Society;
- (b) May exercise all such functions as may be exercised by the Society other than those functions that are required by these Rules to be exercised by a General Meeting of the Society;
- (c) Has the power to perform all such acts and do all such things as appear to the Management Committee to be necessary for the proper management of the Society.

14. MANAGEMENT COMMITTEE MEMBERSHIP

- (a) Subject to Section 30 of the Act, the Management Committee shall consist of:-

The office bearers of the Society, elected at the Annual General Meeting of the Society pursuant to Rule 15.

- (b) Office bearers of the Society shall be:-

- | | |
|--------------------------|---------------------------|
| A. President | B. Vice President |
| C. Secretary | D. Assistant Secretary |
| E. Treasurer | F. Ring Steward |
| G. Show Manager | H. Assistant Show Manager |
| I. Trading Table Officer | |
- Plus 4 additional Committee members.

- (c) The Society may appoint:-

- (1) A PATRON
- (2) COUNCILLOR/S as and when required for The Budgerigar Council of South Australia Incorporated.

- (d) (i) With the exception of the Patron and the Vice President, any office shall be filled by a separate member of the Society. The Patron and the Vice President are permitted one other office each.

- (iii) Councillor/s may also hold a Management Committee position.

- (e) All members of the Committee shall be over the age of eighteen (18) years.

- (f) Each office bearer of the Society shall, subject to these rules, be elected for a term of one (1) year and shall become vacant at the Annual General Meeting of the Society. Re-election to office is permitted.
- (g) In the event of a casual vacancy occurring in the Management Committee, the Management Committee may appoint a member of the Society to fill the vacancy and the member so appointed shall hold office, subject to these Rules, until the next Annual General Meeting of the Society following the date of appointment. As a general principal the appointment will be advised to members at the next General Meeting of the Society.
- (h) Each member of the Management Committee shall be entitled to one vote on any matter under discussion. The Chairperson shall be entitled to deliberate as well as a casting vote.
- (i) The Management Committee shall meet at least six (6) times a year.
- (j) The Patron and Councilor/s are ex-officio unless appointed to an official Management Committee position of the Society.

15. ELECTION OF OFFICE BEARERS

- (a) Nominations of candidates for positions on the Management Committee shall be sent by post to the Secretary or received at the Annual General Meeting.
- (b) If no nominations are received in accordance with Clause (a), any vacant positions shall be deemed to be casual vacancies.
- (c) Voting shall be by a show of hands but where more than one nomination is received for a position, voting shall be by a ballot.

16. DUTIES OF THE MANAGEMENT COMMITTEE

- (a) **President:** Has the right to preside at all meetings of the Society, when in attendance; to maintain control and act in the best interest of the Society and maintain an impartial attitude in all matters.
- (b) **Vice President:** Shall assist the President when called upon to do so and to act as Chairperson in his or her absence.
- (c) **Secretary:** Will be Public Officer of the Society and arrange the preparation/lodgment of all documents required by the Act.
Keep a correct petty cash book accounting for all expenditure and pay all monies received into the hands of the Treasurer, within 14 days of receipt.

- Carry out all other secretarial duties.
- (d) *Assistant Secretary:* Assist the Secretary and act in the absence of the Secretary.
- Keep correctly recorded minutes books of all meetings of the Society.
- (e) *Treasurer:* Receive all money due to the Society and issue proper receipts. Pay all money received into the Society's bank account within 7 days of being received.
- Produce an audited balance sheet, annually, as at the 30th June for the Annual General Meeting.
- Supply the Secretary and other members of the Management Committee with money, as deemed by the Committee, for Petty Cash.
- Give a monthly financial report of the Society at both the Management Committee and General Meeting.
- Keep a membership register as per Rule 8 (Register of Members).
- Keep an accurate record of Income and Expenditure of the Society.
- (f) *Show Manager:* Shall select and arrange the Judges and Stewards for all shows conducted by the Society.
- Issue receipts for all monies received and pay same to the Treasurer within 14 days of receipt.
- Compile and keep records of all show winners.
- (g) *Assistant Show Manager:* Assist Show Manager and act in the absence of the Show Manager.
- (h) *Ring Steward:* Shall be responsible for all matters pertaining to rings. Issue as directed, all rings belonging to the Society. Keep a proper register of the rings issued, and produce same when required by the Judges at our Shows and when required by the Committee. Supply all SA Clubs with a copy of rings issued annually.
- Issue receipts for ring money received. Record ring numbers on membership cards at time of issue.

Pay monies received to the Treasurer within 14 days of receipt.

(i) ***Trading Table Officer:***

Shall be responsible for all matters pertaining to the Society's merchandise offered For Sale.

He or she shall keep a proper record of transactions and produce same to the Committee when required.

Pay all monies received to the Treasurer within 14 days of receipt.

(j) ***Additional Management Committee members:***

Assist when required, wherever deemed necessary.

17. CASUAL VACANCIES

(a) For the purpose of these rules, a casual vacancy in the office of a member of the Management Committee occurs, if the member;

(i) Dies

(ii) Ceases to be a member of the Society

(iv) Becomes insolvent under administration within the meaning of the companies (S.A.) code

(v) Resigns office by notice in writing to the Secretary

(vi) Is removed from office under Rule 18

(vii) Becomes of unsound mind or is liable to be dealt with in any way under the law relating to mental health.

(b) Any Management Committee person absent from any two (2) successive Management Committee Meetings, and failing to give acceptable reason to the Committee for such absence, shall be deemed to have forfeited his or her Management Committee position.

(c) In the event of any officer losing office for any reason, or on his or her resignation, it is his or her duty to hand over all papers, books and any other property of the Society to the officer filling the vacancy or to the President.

18. REMOVAL OF OFFICE BEARER

(a) The Society in a General Meeting, may by resolution remove any office bearer from office before the expiration of his or her term of office and may, by resolution, appoint another person to hold office until the expiration of the term of office of the office bearer removed.

(b) Where an office bearer to whom a proposed resolution referred to in Clause (a) relates, makes representations in writing to the Secretary or President (not exceeding a reasonable length of time) and requests that the representations be notified to the members of the Society, the Secretary or President may send a copy

of the representations to each member of the Society or, if they are not sent, the member is entitled to require that the representations be read out in the meeting at which the resolution is considered.

19. MANAGEMENT COMMITTEE MEETINGS

- (a) The Management Committee shall meet at least six (6) times in each period of 12 months, at a place and time as determined by the Management Committee.
- (b) Additional meetings of the Management Committee may be convened by the President.
- (c) A quorum shall consist of any such seven (7) members of the Management Committee for the transaction of business of the Society.
- (d) No business shall be transacted by the Management Committee unless a quorum is present and if a quorum is not present, the meeting stands adjourned to the same place and at the same hour of the same day in the following week.
- (e) If at the adjourned meeting a quorum is not present within half an hour of the time appointed for the meeting, the meeting shall be dissolved.

20. MEETINGS

- (a) Until altered by proper resolution according to the rules of the Society, the meeting night for the ordinary General Meetings shall be on the second Wednesday in every month.
- (b) The Annual General Meeting shall be in August.
 - (i) Annual General Meetings of the Society are subject to the act and convened within two (2) months of the Society's financial year's end.
 - (ii) In addition to any other business which may be transacted at an Annual General Meeting, the business of an Annual General Meeting shall be:
 - to confirm the minutes of the last preceding Annual General Meeting and of any Extraordinary General Meetings held since that meeting
 - to receive and consider the office bearer's written reports
 - elect office bearers of the Society.
- (c) An Extraordinary General Meeting may be called by the Management Committee of the Society whenever it thinks fit.
 - (i) The Management Committee shall, on the requisition in writing of not less than four (4) financial members of the Society, convene an Extraordinary General Meeting.
 - (ii) A requisition of members for an Extraordinary General Meeting;

- (a) Shall state the purpose for an Extraordinary General Meeting.
 - (b) Shall be signed by the members making the requisitions.
 - (c) Shall be lodged with the Secretary.
- (iii) Extraordinary General Meetings shall be held within sixty (60) days of receipt by the Secretary of the requisition.
- (iv) The Secretary shall at least twenty one (21) days before the date fixed for the holding of the Extraordinary General Meeting, cause to be sent by prepaid post to each member, a notice specifying the place, date and time of the meeting and nature of the business proposed to be transacted at the meeting.

21. QUORUMS AT MEETINGS

- (a) Thirty Three and One Third (33-1/3) or more of the number of financial members shall form a quorum for the Annual General Meeting, Ordinary or Extraordinary meetings.
- (b) Any seven (7) office bearers of the Society shall form a quorum at Management Committee Meetings.
- (c) No item of business shall be transacted unless a quorum of members entitled under these rules to vote is present.
- (d) If within half an hour after the appointed time for the commencement of the meeting a quorum is not present, the meeting shall stand adjourned to the next scheduled meeting of the Society.
- (e) If at the adjourned meeting a quorum is not present within half an hour after the time appointed for the commencement of the meeting, the members present (being not less than five (5)) shall constitute a quorum.

22. VOTING

- (a) Upon any question arising at any meeting of the Society, a member has only one vote.
- (b) All votes shall be given personally.
- (c) In the case of a tied vote, the chairperson of the meeting shall be entitled to exercise a second or casting vote.
- (d) Only financial members and the honorary life members of the Society over the age of eighteen (18) years shall have the privilege of:
 - (i) Moving or seconding any motion.

- (ii) Voting on any motion under discussion.
- (e) Any visitor present at the meeting may enter into any relevant discussion before the chair, at the discretion of the Chairperson but shall not be entitled to move or second any motion or take part in any vote.

23. PRESIDING MEMBER

- (a) The President or in the absence of the President, the Vice President, shall preside as Chairperson at each meeting of the Society.
- (b) In the absence of the President and Vice President, or if these are unwilling to act, the members present shall elect one of their number to preside as Chairperson at the meeting.

24. ADJOURNMENT

The Chairperson of a meeting at which a quorum is present, may, with the consent of the majority members present at the meeting, adjourn the meeting to the next scheduled meeting of the Society but no business shall be transacted at the next scheduled meeting of the Society until the business left unfinished at the adjourned meeting is concluded.

25. FINANCE

- (a) The income and the property of the Society shall be applied solely to the promotions of its objects in a manner as the Management Committee determines.
- (b) No part thereof shall be paid or transferred directly or indirectly by way of dividend or bonus or otherwise by way of pecuniary profit to the members.
- (c) Remuneration may be paid in good faith to officers and the servants of the Society or other persons in return for services to the Society.
- (d) The Society's funds shall be vested in a banking account in the name of the Society with any two (2) of the President, Secretary or Treasurer to operate, with a minimum of two (2) signatories.
- (e) All accounts are to be paid by cheque through the Society's cheque account. However, small amounts, at the discretion of the Secretary, may be paid through the Petty Cash account.
- (f) The Treasurer shall supply the Secretary with money, as deemed by the Management Committee, for Petty Cash.
- (g) The Treasurer's Report will include details of the Society's financial position at all General and Management Committee meetings of the Society. He or she may elaborate on income and expenditure if so desired/requested.
- (h) The financial year of the Society shall cease on June 30 of each year.

- (i) The Treasurer shall table an audited balance sheet for the year ended June 30, at each Annual General Meeting.

26. PROPERTY OF THE SOCIETY

All assets of the Society in any form shall only be stored or kept in such places as approved by the Management Committee.

27. PUBLIC OFFICER

The Public Officer of the Society shall be the Secretary in office.

28. COMMON SEAL

- (a) The common seal of the Society shall be kept in the custody of the Public Officer.
- (b) The common seal shall not be affixed to any instrument except by the authority of the Management Committee and the affixing of the common seal shall be attested to by the signatures of one member of the Management Committee and the Public Officer.

29. INSPECTION OF BOOKS

The records, books and other documents of the Society shall be open for inspection, free of charge, by any member of the Society at any reasonable hour as agreed upon by that member and the office bearer having custody of such records, books and other documents.

30. AUDITOR

- (a) The members shall, at each Annual General Meeting, appoint an auditor who shall not be required to be formally qualified, to audit the accounts operated by the office bearers of the Society and to provide a written report to the members at each Annual General Meeting on the results of such audit.
- (b) The auditor appointed under Clause (a) of this rule, shall be designated as society auditor and shall be entitled to rely upon the information submitted by the Treasurer and the Management Committee of the Society.

31. WINDING UP OF THE SOCIETY

The association may be wound up in the manner provided for in the Act. In the event that a 75% majority of the financial members present vote in favour of winding up of the Society at an Annual General Meeting or an Extraordinary General Meeting convened for that purpose, the retiring Management Committee shall be responsible for the establishment of a trust for disposing of the Society's Net Assets.

If, upon winding-up or dissolution of the Society there remains, after satisfaction of all its debts and liabilities, any property whatsoever, the same shall not be paid to or distributed among members of the Society, but shall be distributed to other body or bodies having similar objects or to such charitable body or bodies, and which shall prohibit the distribution of income and property to members.

32. INSURANCE

- (a) The Society shall maintain public liability insurance at all times.
- (b) In addition to the required insurance under Clause (a), the Society may effect and maintain other insurances.

33. ALTERATIONS TO THE OBJECTS, RULES, BY LAWS AND CONSTITUTION

- (a) No alterations or addition, addition to or deletion may be made to these objects, rules, by laws and constitution, except at the Annual General Meeting or Extraordinary General Meeting convened for this purpose.
- (b) Any member of the Society who may desire to amend the Objects, Rules and Bylaws of the Society must, within twenty one (21) days prior to the date fixed for the Annual General Meeting or Extraordinary General Meeting, advise the secretary in writing:-
 - (i) The Object, Rule and/or Bylaw he or she wishes to amend.
 - (ii) The Amendment he or she wishes to make and the reasons for the proposed change.
 - (iii) Upon receipt of any such request, the Secretary shall record the matter on the agenda of the Annual General Meeting or Extraordinary General Meeting for discussion.

34. QUESTIONS UNPROVIDED FOR

Any question or matter which may arise, not being specified or dealt with within these Rules, shall be dealt with by the Management Committee whose decision shall be final.