



# TOWNSVILLE GAMEFISHING CLUB INC. CONSTITUTION

(Amended 8/4/08 and passed by Special Resolution at Special General Meeting 05/06/08)

## 1. NAME:

*The name of the association shall be "Townsville Game Fishing Club Inc".*

## 2. OBJECTS:

*The objectives for which the association is formed are:-*

- a) *To promote and further the sport of game fishing both as a recreation and a potential source of scientific data for the use and benefit of mankind and to foster tag and release of billfish.*
- b) *To encourage and assist in research programs dealing with the conservation and orderly management of all marine species and the pollution of their natural habitat.*
- c) *To endeavour to ensure that all members obey the rules as determined herein, both in the letter and spirit and to maintain the highest ethical standards at all times and on all occasions.*
- d) *To remain affiliated with the Queensland Game Fishing Association (Q.G.F.A.) and to capture fish in accordance with the rules of Game Fishing Association of Australia (G.F.A.A.).*
- e) *To keep and maintain records of fish captures and to submit to the proper authorities on behalf of the member's claims for record fish captures.*
- f) *To maintain historical records of the activities of the Club and the members.*
- g) *To engage in competitions with other Clubs affiliated through their State association with G.F.A.A.*
- h) *To promote, enhance and advance the sport of saltwater game angling by publicity through any lawful current media for the distribution of news.*
- i) *To promote instructional and social activities among members and to award trophies.*
- j) *To affiliate with any society, body or association having similar objects for the purpose of better attaining or otherwise furthering the objects and interest of the club.*
- k) *To purchase, transfer, sell, assign, mortgage, charge, lease, hire or exchange land, boats and /or any other property or goods in any manner authorised by law.*
- l) *To do all such acts as may be deemed necessary in order to achieve any or all of the above objects.*
- m) *To use any income derived from the club to be used solely for the development of fishing and to promote this to all members of the community at all times.*
- n) *To encourage and promote, within the membership, safety at sea.*

## 3. POWERS:

*The association has the powers of an individual. The association may:*

- (a) *Enter into contracts; and*
- (b) *Acquire, hold, deal with and dispose of property; and*
- (c) *Make charges for services and facilities it supplies; and*
- (d) *Do other things necessary or convenient to be done in carrying out its affairs.*
- (e) *The association will take over the funds and other assets and liabilities of the present incorporated association known as "Townsville Game Fishing Club Inc."*
- (f) *The association may also issue secured and unsecured notes, debentures and debenture stock for the association.*

## 4. CLUB MEMBERSHIP:

*The membership of the Club shall consist of ordinary members, and any of the following three (3) Classes Of Members:*

- a) *Member*  
*Fishing member of the Townsville Game Fishing Club.*  
*or*  
*Family member of the Townsville Game Fishing Club*
- b) *Junior Member*
- c) *Life Member*

*The number of ordinary members is unlimited.*



# TOWNSVILLE GAMEFISHING CLUB INC. CONSTITUTION

(Amended 8/4/08 and passed by Special Resolution at Special General Meeting 05/06/08)

## (a1) Member:

Adult Membership will be available to males and /or females over the age of 16 years. Adult members shall be eligible to hold office with the club, and are entitled to vote at any general or special meeting of the club only, however any member under 18 years of age is entitled to all the privileges of membership but is not legally entitled to vote or hold a position on the management committee until they are 18 years old, as they are considered a minor and it is considered that a minor is anyone under the age of 18.

Adults include:

- A husband and/or wife
- A defacto couple
- A single parent, or person/s in the guardian role of any children under the age of 16 years at the commencement of the Club's financial year and shall be known as the primary and secondary adult.

The applying persons on the membership application must specify the primary and secondary adult. The primary adult person applying for Family Membership will be classified as the Ordinary member and will be entitled to all the rights and privileges of an ordinary membership. The secondary adult shall be entitled to all the privileges accorded to the ordinary member save that the secondary adult shall not be eligible for office with the club nor shall they be entitled to vote at any meeting of the club. The children shall be classified as Junior Members. The fee payable for this membership shall be the sum of one ordinary member fee plus an additional amount for the secondary adult and each child, which will be no less than the cost of the affiliation fee with the Q.G.F.A.

## (a2) Family Member

Subject to the committee's discretion, family membership shall be available to the family unit consisting of two adults and any children of that family unit under the age of 16 years at the commencement of the club's financial year.

## (b1) Junior Member:

Any person under the age of 16 years at the beginning of the club's financial year who is elected to membership of the club in accordance with the rules applicable to members shall be a junior member during that year, and succeeding years until attaining the age of sixteen years, at which time senior membership shall be automatically granted.

A Junior Member shall be entitled to all the privileges of membership, save that a junior shall not be eligible for a management committee position within the Club nor shall be entitled to vote at any meeting of the Club. Junior membership is unlimited in numbers. The fee for such membership shall be no less than the cost of the affiliation fee with the Q.G.F.A.

## (c1) Honorary Life Member:

The Committee may submit the name of any member to all other members of the club via post or email so as to receive by majority vote, approval to bestow this honour upon the proposed member by secret ballot. A minimum requirement for such honour shall be, that the member has rendered outstanding service to this club and to the sport of gamefishing. Honorary Life Members have the right to attend all general and other club meetings, and may vote at these meetings but may not vote at any management committee meetings. Life members shall be entitled to all the privileges of membership but they shall not be required to pay an annual subscription, but if wishing to fish as a club member in club competitions will be required to pay all G.F.A.A. & Q.G.F.A. affiliation fees levied on ordinary members.

## **5. APPLICATION FOR MEMBERSHIP:**

- a) Every candidate for admission as a member, or junior member shall make a written application on the club's two paged application form, be proposed by one member (the proposer) and seconded by another member (the seconder), both of whom shall vouch for their personal knowledge of the respectability and fitness of the candidate.
- b) The application form must be signed by the applicant and the applicant's proposer and seconder and be accompanied by the annual membership fee.
- c) The nomination form shall contain the candidate's full name, postal and residential address, contact phone numbers, occupation, date of birth (Junior Membership only) and any other information as the committee may require, Privacy Statement and the duly signed indemnity.

(Amended 8/4/08 and passed by Special Resolution at Special General Meeting 05/06/08)



# TOWNSVILLE GAMEFISHING CLUB INC. CONSTITUTION

(Amended 8/4/08 and passed by Special Resolution at Special General Meeting 05/06/08)

- d) Every application for membership shall be submitted to the Secretary for consideration at the next management committee meeting.
- e) The management committee must decide whether to accept or reject the new member's application by open ballot and simple majority of members present at the next properly constituted meeting.
- f) If the majority of the members of the management committee present at the meeting vote to accept the applicant as a member, the applicant must be accepted as a member for the class of membership applied for.
- g) Subject to acceptance of a new member, the membership shall commence as from the date of receipt by the secretary of the application for membership.
- h) The secretary of the association must, as soon as practicable after the management committee decides to accept or reject an application, give the applicant written notice of the decision.
- i) The committee shall have the right to refuse any application for membership, and it shall not be required to give a reason for doing so.
- j) Upon election of any member the Honorary Secretary shall enter his or her name and other details on a register of members to be kept for that purpose in a current state.
- k) New members shall have access to the club constitution, club rules and G.F.A.A. rules and shall become entitled to the full privileges of membership to which he or she has been elected.
- l) Should the member be a boat owner, the Hon Secretary shall enter the name and particulars of his or her registered or surveyed vessel and towing vehicle to be kept for that purpose.
- m) Any member shall support the objects of the association.

## 6. RESIGNATION OF MEMBERSHIP:

Any member may resign membership by giving to the Secretary written notice to that effect. The resignation will take effect at the time and day the notice is received by the Secretary or if a later time is stated in the notice – the later time.

## 7. WHEN MEMBERSHIP ENDS:

- a) Any member whose actions may be considered as bringing discredit to this club, or its members, shall render such member liable to expulsion by a resolution of the committee, provided that at least one week before the meeting at which such resolution is to be moved such member shall have had notice by certified mail of intended resolution for his or her expulsion from the Management Committee.
- b) The member at such meeting and before the passing of the resolution to terminate a member's membership by the management committee shall have full and fair opportunity, either orally or in writing to show why the membership should not be terminated or to give any explanation or defence he or she may think fit.
- c) A member expelled under this rule shall forfeit all right in claim upon the club and its property.
- d) If, after considering all representations made by the member, the management committee decides to terminate the membership, the secretary of the Management Committee must give written notice of the committee's decision to expel a member pursuant of this rule and this notice shall be sent to such person by Certified Mail to the address of the member appearing in the club books.
- e) Any such expulsion of a person shall have no bearing beyond the affairs of the club.
- f) The Management Committee may terminate a member's membership if the member:
  - Is convicted of an indictable offence; or
  - Does not comply with any of the provisions of these rules; or
  - Conducts himself or herself in a way considered to be injurious or prejudicial to the character or interests of the association.

## 8. APPEAL AGAINST REJECTION OR EXPULSION OF MEMBERSHIP

- a) A person whose application for membership has been rejected, or whose membership has been terminated, may give the secretary written notice of the person's intention to appeal the decision.
- b) A notice of intention to appeal must be given to the secretary within one month after the person receives written notice of the decision.

(Amended 8/4/08 and passed by Special Resolution at Special General Meeting 05/06/08)



# TOWNSVILLE GAMEFISHING CLUB INC. CONSTITUTION

(Amended 8/4/08 and passed by Special Resolution at Special General Meeting 05/06/08)

- c) *If the secretary receives a notice of intention to appeal, the secretary must, within one month after receiving the notice, call a general meeting to decide the appeal.*

## **9. GENERAL MEETING TO DECIDE APPEAL**

- a) *The general meeting to decide an appeal must be held within three months after the secretary receives the notice of intention to appeal.*
- b) *At the meeting, the applicant must be given a full and fair opportunity to show why the application should not be rejected or the membership should not be terminated.*
- c) *Also, the management committee and the members of the committee who rejected the application or terminated the membership must be given a full and fair opportunity to show why the application should be rejected or the membership should be terminated.*
- d) *An appeal must be decided by a majority vote of the members present and eligible to vote at the meeting.*
- e) *If a person whose application for membership has been rejected does not appeal against the decision within one month after receiving written notice of the decision, or the person appeals but the appeal is unsuccessful, the secretary must, as soon as practicable, refund the membership fee paid by the person.*

## **10. MEMBERSHIP FEES:**

- a) *The annual membership fee for each class of member shall be as determined from time to time by the management committee.*
- b) *The club's financial year shall commence on the first day of July each year and end on the last day of June the following year.*
- c) *All annual membership fees shall become due on the first day of July each year and shall become payable annually in advance before the thirty-first day of July in each year.*
- d) *Annual membership fees are payable to the club treasurer.*
- e) *If the annual subscription of a member remains unpaid after the thirty first day of July the member shall become an unfinancial member and may after notice of such has been sent to him or her by the Secretary have his or her membership terminated by resolution of the committee and his or her name removed from the register of members.*
- f) *No unfinancial member shall be allowed to cast his or her vote at a meeting.*
- g) *Upon any person ceasing to be a member of the club pursuant of these rules he or she shall cease to have any right, titles or interest in any of the assets of this club.*

## **11. REGISTER OF MEMBERS:**

*The management committee must keep a register of members and this register is maintained in a current condition by the Club Secretary.*

*The register of members must include the following particulars for each member:*

- *The full name, residential and postal address of the member;*
- *The email address and all relevant contact phone numbers;*
- *The date of admission as a member;*
- *The date of death or resignation of the member;*
- *Details of registered or surveyed boat and tow vehicle;*
- *Details of the termination or reinstatement of membership;*
- *Any other particulars the management committee decide.*

*The register must be open for inspection at all reasonable times, however, before a member may inspect the register, the member must apply to the Secretary to inspect the register.*

*The management committee may, on the application of a member of the association, withhold information about the member (other than the member's full name) from the register available for inspection if the management committee has reasonable grounds for believing the disclosure of the information would put the member at risk of harm.*



# TOWNSVILLE GAMEFISHING CLUB INC. CONSTITUTION

(Amended 8/4/08 and passed by Special Resolution at Special General Meeting 05/06/08)

## 12. PROHIBITION ON USE OF INFORMATION ON REGISTER OF MEMBERS

A member of the association must not;

- a) Use information obtained from the register of members of the association to contact, or send material to, another member of the association for the purpose of advertising for political, religious, charitable or commercial purposes; or
- b) Disclose information obtained in the register to someone else, knowing the information is likely to be used to contact, or send material to, another member of the association for the purpose of advertising for political, religious, charitable or commercial purposes.
- c) Sub rules 12 a) and b) do not apply if the use or disclosure of the information is approved by the association.

## 13. APPOINTMENT OR ELECTION OF SECRETARY

The secretary must be an individual residing in Queensland, or in another State but not more than 65km from the Queensland border, who is –

- a) A member of the association elected by the association as secretary; or
- b) Any of the following persons appointed by the management committee as secretary –
  - 1) A member of the association's management committee;
  - 2) Another member of the association;
  - 3) Another person.
- c) If a vacancy happens in the office of secretary, the members of the management committee must ensure a secretary is appointed or elected for the association within one month after the vacancy happens.
- d) If the management committee appoints a person mentioned in sub rule 13 b)2) as secretary, other than to fill a casual vacancy on the management committee, the person does not become a member of the management committee.
- e) However, if the management committee appoints a person mentioned in sub rule 13 b)2) as secretary to fill a casual vacancy on the management committee, the person becomes a member of the management committee.
- f) If the management committee appoints a person mentioned in sub rule 13 b)2) as secretary, the person does not become a member of the management committee.
- g) In this rule – casual vacancy, on a management committee, means a vacancy that happens when an elected member of the management committee resigns, dies or otherwise stops holding office.

## 14. REMOVAL OF SECRETARY

- a) The management committee of the association may at any time remove a person appointed by the committee as the secretary.
- b) If the management committee removes a secretary who is a person mentioned in rule 13 sub rule b) 1), the person remains a member of the management committee.
- c) If the management committee removes a secretary who is a person mentioned in rule 13 sub rule b) 2) and who has been appointed to a casual vacancy on the management committee under rule 13 sub rule e), the person remains a member of the management committee.

## 15. MEMBERSHIP OF MANAGEMENT COMMITTEE:

- a) The entire general control and management of the club shall be entrusted to the management committee consisting of a President, Vice President, Honorary Secretary, Honorary Treasurer, or Honorary Secretary / Treasurer and up to six members of the club, all of whom shall be elected at the Annual General Meeting each year and shall hold office from 1<sup>st</sup> July to 30<sup>th</sup> June following.
- b) At each annual general meeting of the association, the members of the management committee must retire from office, but are eligible, on nomination, for re-election.
- c) A member of the management committee, other than the secretary appointed under rule 13 sub rule b) 3) must be a member of the association, be 18 years of age and be a financial member of the association.
- d) A member of the association may be appointed to a casual vacancy on the management committee under rule 18.
- e) The committee shall not proceed to any business unless a quorum of more than 50% of the number of management committee members is in attendance.

(Amended 8/4/08 and passed by Special Resolution at Special General Meeting 05/06/08)



# TOWNSVILLE GAMEFISHING CLUB INC. CONSTITUTION

(Amended 8/4/08 and passed by Special Resolution at Special General Meeting 05/06/08)

## 16. ELECTING THE MANAGEMENT COMMITTEE

Each year the whole of the Management Committee shall retire from office but shall be eligible for re-election at the next Annual General Meeting. The Management Committee to manage the affairs of the club for the ensuing year shall be elected in the following manner.

- The committee person shall call nominations for the next year's committee during June each year.
- Those persons so nominated should indicate at the time of nomination their intention to stand for election.
- All eligible financial members are to be notified in writing of the nominations received prior to the July general meeting.
- If the number of candidates duly nominated does not exceed the number required to be elected, the candidates nominated shall at the Annual General Meeting, be declared elected.
- If the number of candidates nominated shall exceed the required elected number, a ballot shall be taken at the Annual General Meeting. Candidates for the position of President, Vice President, Secretary or Treasurer, if defeated become eligible for election to the management committee.

A member of the management committee may only be elected as follows –

- a) Any two members of the association may nominate another member (the candidate) to serve as a member of the management committee;
- b) The nomination must be –
  - in writing; and
  - signed by the candidate and the members who nominated him or her; and
  - given to the secretary at least 14 days before the annual general meeting at which the election is to be held;
- c) each member of the association present and eligible to vote at the annual general meeting may vote for one candidate for each vacant position on the management committee;
- d) if, at the start of the meeting there are not enough candidates nominated, nominations may be taken from the floor of the meeting.
- e) A person may be a candidate only if the person –
  - Is an adult over 18 years; and
  - Is not ineligible to be elected as a member under section 61A of the Act.
- f) A list of candidates' names in alphabetical order, with the names of the members who nominated each candidate, must be posted in a conspicuous place in the office or usual place of meeting of the association for at least 7 days immediately preceding the annual general meeting.
- g) If required by the management committee, balloting lists must be prepared containing names of the candidates in alphabetical order.
- h) The management committee must ensure that, before a candidate is elected as a member of the management committee, the candidate is advised –
  - Whether or not the association has public liability insurance; and
  - If the association has public liability insurance – the amount of the insurance.

## 17. RESIGNATION, REMOVAL OR VACATION OF OFFICE OF MANAGEMENT COMMITTEE MEMBER

- a) A member of the management committee may resign from the committee by giving written notice of resignation to the secretary.
- b) The resignation takes effect at –
  - The time the notice is received by the secretary; or
  - If a later time is stated in the notice – the later time.
- c) A member may be removed from office at a general meeting of the association if a majority of the members present and eligible to vote at the meeting vote in favour of removing the member.
- d) Before a vote of members is taken about removing the member from office, the member must be given a full and fair opportunity to show cause why he or she should not be removed from office.

(Amended 8/4/08 and passed by Special Resolution at Special General Meeting 05/06/08)



# TOWNSVILLE GAMEFISHING CLUB INC. CONSTITUTION

(Amended 8/4/08 and passed by Special Resolution at Special General Meeting 05/06/08)

- e) A member has no right of appeal against the member's removal from office under this rule.
- f) A member immediately vacates the office of member in the circumstances mentioned in section 64 (2) of the Act.

## 18. VACANCIES ON MANAGEMENT COMMITTEE

- a) If a casual vacancy happens on the management committee, the continuing members of the committee may appoint another member of the association to fill the vacancy until the next annual general meeting.
- b) The continuing members of the management committee may act despite a casual vacancy on the management committee.
- c) However, if the number of committee members is less than the number fixed under rule 19 d) as a quorum of the management committee, the continuing members may act to –
  1. Increase the number of management committee members to a number required for a quorum; or
  2. Call a general meeting of the association.

## 19. FUNCTIONS & MEETINGS OF THE MANAGEMENT COMMITTEE

- a) The management committee is responsible for management of the affairs, property and funds of the club in accordance with the Act, rules and regulations legislated upon it.
- b) The management committee has authority to interpret the meaning of these rules and any matter relating to the association on which the rules are silent, but any interpretation must have regard to the Act, including any regulation made under the Act.
- c) The management committee must decide why and how any meeting is to be called and notice of a meeting is to be given in a way decided by the management committee.
- d) The committee shall not proceed to any business unless a quorum of more than 50% of the number of management committee members is in attendance.
- e) The President if present shall take the chair at all meetings both committee and general, and if he or she is not present within ten minutes, the Vice President shall take the chair if present. If the President and Vice President are not present at a meeting then a chairperson shall be elected by resolution of the meeting.
- f) The Committee may appoint sub-committees consisting of members of the association considered appropriate by the committee to help with the conduct of the association's operations. A member of the subcommittee who is not a management committee member is not entitled to vote at a management committee meeting. A subcommittee may elect a chairperson of its meetings. If a chairperson is not elected, or if the chairperson is not present the members may choose one of their number to be chairperson. A subcommittee may meet and adjourn as it considers appropriate. A question arising at a subcommittee meeting is to be decided by a majority vote of the members present at the meeting and if the votes are equal, the question is decided in the negative.
- g) The committee is empowered from time to time to make, alter and revoke rules and by-laws not inconsistent with the rules for the internal management of the club. All such rules and by-laws until revoked shall be binding on all members of the club as if they were contained in the rules of the club.
- h) The meeting of the committee shall be held every month, notwithstanding the foregoing management committee meetings may be waived providing that not two consecutive management committee meetings may be so waived.
- i) Special management committee meetings shall be held when and as required upon the request of the committee and shall be convened by notice to be given to members by email or in writing by the secretary at least 7 clear days before such meeting.
- j) A question or resolution arising at a committee meeting is to be decided by a majority vote of only committee members present at the meeting and, if the votes are equal, the chairperson shall have a casting vote that he or she must exercise.

(Amended 8/4/08 and passed by Special Resolution at Special General Meeting 05/06/08)



# TOWNSVILLE GAMEFISHING CLUB INC. CONSTITUTION

(Amended 8/4/08 and passed by Special Resolution at Special General Meeting 05/06/08)

- k) A member of the management committee must not vote on a question about a contract or proposed contract with the association if the member has an interest in the contract or proposed contract and, if the member does vote, the member's vote must not be counted.
- l) The management committee shall each year revise and update the Townsville Game Fishing Club Inc. Rules and By-Laws. A copy of the current rules is provided to every new member upon acceptance of his or her application for membership.
- m) Attendance by telephone is permitted at committee meetings so as to ensure a quorum can be made on each occasion with physically absent committee members.
- n) The management committee may exercise the powers of the association –
  - I. To borrow, raise or secure the payment of amounts in a way the members of the association decide; and
  - II. To secure the amounts mentioned in 19. n) I. or the payment or performance of any debt, liability, contract, guarantee or other engagement incurred or to be entered into by the association in any way, including by the issue of debentures (perpetual or otherwise) charged upon the whole or part of the association's property, both present and future; and
  - III. To purchase, redeem and pay off any securities issued; and
  - IV. To borrow amounts from members and pay interest on the amounts borrowed; and to mortgage or charge the whole or part of its property; and
  - V. To issue debentures and other securities, whether outright or as security for any debt, liability or obligation of the association; and
  - VI. To provide and pay off any securities issued; and
  - VII. To invest in a way the members of the association may from time to time decide.
  - VIII. For sub rule 19.n) iv), the rate of interest must not be more than the current rate being charged for overdrawn accounts on money lent (regardless of the term of the loan) by:
    - 1) The financial institution for the association; or
    - 2) If there is more than one financial institution for the association – the financial institution nominated by the management committee.

## 20. SPECIAL MEETING OF MANAGEMENT COMMITTEE

If the secretary receives a written request signed by at least 33% of management committee members, the secretary must call a special meeting of the committee by giving each member of the committee notice of the meeting within seven days after the secretary receives the request.

If the secretary is unable or unwilling to call the special meeting, the president must call the meeting.

A request for a special meeting must state –

- a) Why the special meeting is called, and
- b) The business to be conducted at the meeting.

A notice of a special meeting must state –

- a) The day, time and place of the meeting; and
- b) The business to be conducted at the meeting.

A special management committee meeting must be held within seven days after notice of the meeting is given to the management committee members.

## 21. ACTS NOT AFFECTED BY DEFECTS OR DISQUALIFICATIONS:

Acts not affected by defects or disqualifications include an act performed by the Management Committee, a sub-committee or a person acting as a member of the Management Committee is taken to have been validly performed. This applies even if the act was performed when:

- There was a defect in the appointment of a member of the Management Committee, sub-committee or person acting as a member in the Management Committee; or
- A Management Committee member, sub-committee member or person acting as a member of the Management Committee was disqualified from being a member.





# TOWNSVILLE GAMEFISHING CLUB INC. CONSTITUTION

(Amended 8/4/08 and passed by Special Resolution at Special General Meeting 05/06/08)

## 22. RESOLUTIONS OF MANAGEMENT COMMITTEE WITHOUT MEETING:

*A resolution signed either in written or email form by each member of the Management Committee is as valid and effectual as if it had been passed at a committee meeting that was properly called and held.*

*A resolution mentioned in the subsection above may consist of several documents in like form, each signed by one or more members of the Management Committee.*

## 23. CLUB RULES AND BY-LAWS:

*The association has a set of Club Rules that have been developed and ratified by the Management Committee. The Management Committee can make, amend or repeal any club rule or by-law, not consistent with the rules for the internal management of the association. A rule or by-law may be set aside by a special resolution carried at a general meeting. However an amendment, repeal or addition is valid only if it is registered by the chief executive.*

## 24. DUTIES OF OFFICE BEARERS:

### (A) PRESIDENT:

*The President shall be the senior executive officer and subject to the Management Committee Clause 15 of this constitution, and shall preside at all Management Committee, General and Special Meetings of the club. He or she shall have the right to vote on every motion and shall have in the case of an equality of voting, a casting vote which he or she must exercise.*

### (B) VICE PRESIDENT:

*In the absence of the President, a Vice President shall assume the duties and responsibilities of the president.*

### (C) HONORARY SECRETARY:

*The Honorary Secretary shall be the principal administrative officer of the club, subject to the direction of the president and per or by the executive committee. The Honorary Secretary's duties shall include:*

- a) Calling meetings of the association, including preparing notices of a meeting and of the business to be conducted at the meeting in consultation with the president of the association; and*
- b) To maintain all club books in good order and condition ready for inspection.*
- c) To ensure full and accurate minutes of all questions, matters, resolutions and other proceedings of each management and club meeting.*
- d) To ensure the accuracy of the minutes, the minutes of each management committee, special, annual and general meeting must be signed by the chairperson of the meeting, or the chairperson of the next management meeting, verifying their accuracy.*
- e) To undertake detailed co-ordination of the Annual General Meeting under the direction of the management committee.*
- f) To conduct the correspondence of the club under the direction of the President and the Management Committee and to preserve copies of all correspondence.*
- g) To produce to the President on request, any books or papers in his or her possession and to give any information as may be required of him or her.*
- h) To make annually for the President and committee a full report of the clubs activities.*
- i) To maintain a register of all members including full name, postal and residential address, email address, contact phone numbers, date of admission, date of death or resignation, details of registered or surveyed boat and tow vehicle, details of termination or reinstatement of membership; and any other particulars the management committee decide.*
- j) Cause full and accurate minutes of all questions, matters, resolutions and other proceedings of every management committee meeting and general meeting to be entered in a book to be open for inspection at a reasonable time by any financial member who previously applies to the Secretary for that inspection.*
- k) For the purpose of insuring the accuracy of the recording of such 'minutes', the minutes of every Management Committee Meeting shall be signed by the Chairperson of that meeting or the chairperson of the next succeeding Management Committee Meeting verifying their accuracy.*



# TOWNSVILLE GAMEFISHING CLUB INC. CONSTITUTION

(Amended 8/4/08 and passed by Special Resolution at Special General Meeting 05/06/08)

- l) For the purpose of insuring the accuracy of the recording of such 'minutes', the minutes of every General Meeting shall be signed by the Chairperson of that meeting or the Chairperson of the next succeeding general meeting verifying their accuracy
- m) To maintain a list of club property.
- n) To provide all possible support as required for club activities.

## (D) HONORARY TREASURER:

The Honorary Treasurer's duties shall be:

- a) To receive all monies and subscriptions paid to the club and to deposit such in bank or bank accounts as may from time to time be determined by the Management Committee.
- b) To deposit all monies received into the bank account as soon as is practicable after receipt.
- c) To maintain proper books of accounts and to enter therein all monies received and disbursed.
- d) To pay all accounts with club cheques signed by two authorised persons.
- e) To certify and submit accounts for payment as required.
- f) To pay accounts as necessary and to obtain tax invoices, vouchers and receipts for all monies paid.
- g) At each regular Management Committee meeting to lay on the table for inspection by the management committee, all bank statements and bank deposit books written up to date and a statement of receipts and disbursements with opening and closing balances for scrutiny by the management committee.
- h) To prepare a balance sheet at the close of each financial year and submit to the Annual General Meeting of the club.
- i) To have the accounts and financial books of the club prepared as soon as practicable after the close of the financial year as specified by the Act and to present these at a Management Committee meeting for scrutiny.
- j) To have the accounts audited annually and to prepare the audited financial statements to be put to the Annual General Meeting for adoption and then provide a statement for Secretary to return to Office of Fair Trading within one month of their adoption by the Annual General Meeting.
- k) To generally perform such work as necessary to ensure full control over administration and recording of the club's financial transactions and position.

## (E) WEIGHMASTER:

The Weigh master's duties shall be:

- a) To keep records of all captures.
- b) To record and forward to relevant authorities all tag and release details.
- c) To maintain Club photographs, scrap albums and club statistics.
- d) To lodge monthly returns with Q.G.F.A.
- e) To arrange to have TGFC owned weighing scales checked and certified annually. This certification is to coincide with and be recorded in the minutes of the A.G.M.

## 25. ANNUAL GENERAL MEETING:

An Annual General Meeting shall be held at least once in every calendar year within six months of the end of the club's financial year.

The following business must be conducted at each Annual General Meeting:

- Receiving the statement of income and expenditure, assets, liabilities and mortgages, charges and securities affecting the property of the club for the last financial year,
- Presenting the auditor's report on the financial affairs of the club for the last financial year,
- Presenting the audited statement to the meeting for adoption in compliance with the Act,
- Electing of members of management committee,
- Appointing a financial auditor,
- Any other business of which notice shall have been given in writing to the Secretary no less than fourteen days preceding such meeting.



# TOWNSVILLE GAMEFISHING CLUB INC. CONSTITUTION

(Amended 8/4/08 and passed by Special Resolution at Special General Meeting 05/06/08)

- Information concerning such other business as mentioned in the previous sentence shall be communicated to members not later than seven days prior to the Annual General meeting. The Secretary shall advise members at least twenty-one days before, of the date of the Annual General Meeting.
- Minutes from the previous Annual General Meeting must be read and confirmed.
- The annual general meeting shall not proceed to any business unless a quorum of equal to the number of members of the management committee plus one is in attendance.

## **26. SPECIAL GENERAL MEETING:**

The Management Committee may at any time, and shall on the request of (10) ten members stating the business for which it is required convene a Special General Meeting, for any specific purpose.

- A Special General Meeting shall not proceed to any business unless a quorum of equal to the number of members of the management committee plus one is in attendance.

## **27. NOTICE OF ANNUAL AND SPECIAL GENERAL MEETINGS:**

The Honorary Secretary shall at least 21 days before any Annual or Special General Meeting send to every member at his or her address registered in the Club books, notice of such meeting stating the time when, and the place where it will be held and the business that will be brought before it. This notice can be sent by email or written advice if no email service is available. No business other than business of a formal nature shall be brought forward at any Annual or Special General Meeting unless notice thereof shall have been duly given as herein provided. If the secretary is unable or unwilling to call the annual or special meeting, the president must call the meeting.

## **28. MONTHLY GENERAL MEETING:**

The secretary may call a general meeting of the association by giving 14 days notice of the meeting to each member of the association. A notice of general meeting must state the business to be conducted at the meeting. If the secretary is unable or unwilling to call the meeting, the president must call the meeting. The management committee may decide the way in which the notice must be given. This notice can be sent by email or written advice if no email service is available.

However, notice of the following meetings must be given in writing –

- a) Meetings to hear and decide the appeal of a person against the management committee's decision
  - to reject the person's application for membership of the association; or
  - to terminate the person's membership of the association.
- b) Meetings called to hear and decide a proposed special resolution of the association.

Monthly General meetings of the membership will be held at least 10 times in each financial year, usually monthly. All eligible financial members and life members present shall be entitled to speak and vote on all matters properly brought forward, each member having one vote and in the case of equality of votes, the Chairperson shall have a second or casting vote.

No business may be conducted at a general meeting unless there is a quorum of members when the meeting proceeds to business.

The general meeting shall not proceed to any business unless a quorum of equal to the number of members of the management committee plus one is in attendance.

## **29. PROCEDURE AT GENERAL MEETING:**

At all General Meetings the chair shall be taken by the most Senior Executive Member present or if no Senior Executive Member be present by some member chosen by the meeting. The chairperson must conduct the meeting in a proper and orderly manner.

## **30. VOTING AT A GENERAL MEETING**

Every question, matter, motion or resolution (unless otherwise expressly provided in these rules) shall be decided by a majority of votes and in the case of equality of votes, the Chairperson shall have a second or casting vote.



# TOWNSVILLE GAMEFISHING CLUB INC. CONSTITUTION

(Amended 8/4/08 and passed by Special Resolution at Special General Meeting 05/06/08)

*Each member present and eligible to vote in accordance with Rule 4 shall have one vote and in the case of equality of votes the chairperson shall have a casting vote as well as a primary vote. A member is not entitled to vote at a general meeting if the member's annual subscription is in arrears at the date of the meeting.*

*In the case of a member being absent from the meeting and a vote on a resolution is required at that meeting, then an apology and the absentee vote may be sent to the Secretary either written or by email so as to reach the Secretary prior to the starting time of the meeting. A member who participates in a meeting as mentioned in the last sub rule is taken to be present at the meeting.*

*Such a vote must be marked VOTE on the outside of the envelope in the case of a written vote or VOTE as the heading of the email and must be submitted by the Secretary to the meeting in an unopened condition.*

*The vote will be by show of hands of those members present and eligible to vote. In reckoning a quorum members present in person and members who have voted in accordance with the absentee vote shall be counted.*

*Minutes from the previous meeting that would have been sent to members by email are to be moved and seconded as true and correct. If the previous meeting minutes were not sent out to members then the minutes must be read and confirmed.*

## **31. CHAIRPERSON'S DECLARATION DECISIVE:**

*At any meeting (unless a poll is demanded by five members) a declaration by the Chairperson that a resolution has been carried, or carried by a particular majority, or lost, or not carried by a particular majority shall be conclusive.*

## **32. REGULATIONS FOR POLL:**

*If a poll is demanded by any five members it shall be taken in such manner and at such time and place and either immediately or after all adjournment not exceeding seven days as the chairperson of the meeting directs, and the result of the poll as declared by the chairperson shall be deemed to be the resolution of the meeting at which the poll was demanded.*

## **33. FUNDS AND ACCOUNTS:**

*The club shall open an account or accounts with bank or banks as determined by the Management Committee and the funds of the association must be kept in these accounts.*

*Records and accounts must be kept in the English language showing full and accurate particulars of the financial affairs of the association.*

*All amounts must be deposited in the financial institution account as soon as practicable after receipt.*

*All cheques for \$100 or more shall be paid as necessary by cheques signed by any two of the following registered signatories: President, Honorary Secretary or Honorary Treasurer or any one of three other members of the association who have been authorised by the Management Committee to sign cheques issued by the association. However, one of the persons who signs the cheque must be the President, Honorary Secretary or Honorary Treasurer.*

*All expenditure must be approved and ratified at a Management Committee meeting.*

*All cheques must be crossed "Not Negotiable" other than cheques for wages, allowances or petty cash recoupment.*

*A petty cash account must be kept on the imprest system and the Management Committee must decide the amount of petty cash to be kept in the account.*

*The Treasurer as soon as is practicable after the end of the financial year, shall ensure a statement containing the following particulars is prepared:*

- The income and expenditure for the financial year just ended;*
- The Association's assets and liabilities at the close of the year;*
- The mortgages, charges and securities affecting the property of the association at the close of the year.*

*The auditor must examine the statement prepared and present a report to the Secretary before the next Annual General Meeting following the financial year for which the audit was made.*

*The income & property of the Association must be used solely in promoting the Association's objects and exercising the Association's powers.*

*The Management Committee when surplus funds are available shall invest any money it deems fit in authorised trustee investments.*



# TOWNSVILLE GAMEFISHING CLUB INC. CONSTITUTION

(Amended 8/4/08 and passed by Special Resolution at Special General Meeting 05/06/08)

The financial year for the Club shall be from 1st July of one year to 30th June of the next year and the financial year closes on 30<sup>th</sup> June each year.

## 34. DOCUMENTS:

The Management Committee must ensure the safe custody of books, documents, instruments of title and securities of the association.

## 35. NOTICES:

Any notices required to be given under these rules shall be in writing and shall be served on the members either personally, by post or email to the address of the member or by SMS phone text message to the mobile phone number recorded in the member's register.

## 36. WINDING UP:

The Club may be dissolved by a Special General Meeting convened for that purpose, the quorum for which shall be not less than half the financial members being present in person. The Club may be dissolved in the event of the membership being less than seven (7) persons. It may be dissolved upon the vote of seventy-five percent majority of the members present and entitled to vote at a General Meeting convened to consider the question.

Any assets on hand shall, after payment of all expenses and liabilities be handed over to an organization having objectives similar or in part similar to the objectives of the Club, such organization or organizations to be determined by the members at or before the time of dissolution.

## 37. DISTRIBUTIONS OF SURPLUS ASSETS TO ANOTHER ENTITY:

If the Association be wound up in accordance with the provisions of the Associations Incorporation Act 1981, and there remains, after satisfaction of all its debts and liabilities, any, property whatsoever, the same shall not be distributed among the association members but, shall be given or transferred to another entity or institution having objects similar to the association's objects; and which shall prohibit the distribution of the entity's income and assets to its members to an extent at least as great as is imposed on the association under or by virtue of Part 10 of the Act, such institution to be determined by the members of the association.

## 38. ALTERATIONS TO CONSTITUTION:

Subject to the provisions of the Associations Incorporations Act 1981, the rules may be amended, rescinded or added to from time to time by a special resolution carried at any Special or General Meeting convened for that purpose upon due notice provided that no such amendment, rescission or addition shall be valid unless same shall have been previously submitted to and approved by the Chief Executive.

## 39. COMMON SEAL

The management committee must ensure the association has a common seal.

The common seal must be :

- a) kept securely by the management committee; and
- b) used only under the authority of the management committee.

Each instrument to which the seal is attached must be signed by a member of the management committee and countersigned by –

- a) the secretary; or
- b) another member of the management committee; or
- c) someone authorized by the management committee.

**The End**