

Registered Number

.....**PISTOL CLUB**
CONSTITUTION

I certify that the rules are true and correct and passed by special resolution at

held on

Name

Position

Signature

Lodged with the Department of Commerce on:

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PART 1 — PRELIMINARY

1. Terms used

In these Constitution, unless the contrary intention appears —

Act means the *Associations Incorporation Act*;

Commissioner means the person for the time being designated as the Commissioner under the Act;

committee means the management committee of the Club;

financial records includes —

- (a) invoices, receipts, orders for the payment of money, bills of exchange, cheques, promissory notes and vouchers; and
- (b) documents of prime entry; and
- (c) working papers and other documents needed to explain —
 - (i) the methods by which financial statements are prepared; and
 - (ii) adjustments to be made in preparing financial statements;

general meeting, of the Club, means a meeting of the Club that all members are entitled to receive notice of and to attend;

member means a person who is an ordinary member, social member, life member or an associate member of the Club;

ordinary committee member means a committee member who is not an office holder of the Club under rule 24(3);

ordinary member means a member with the rights referred to in rule 9(3);

register of members means the register of members referred to in the Act;

special general meeting means a general meeting of the Club other than the annual general meeting;

special resolution means a resolution passed by the members at a general meeting, as defined in the Act;

subcommittee means a subcommittee appointed by the committee under rule 49(1)(a);

WAPA means the West Australian Pistol Association (Inc.)

2. Name

The name of the Club is:, (hereinafter referred to as “the Club”).

3. Objects

The objects of the Club are:

- (a) to promote safe, proficient and enjoyable participation and competition in pistol shooting for all age groups at Club, Zone, State, National and International level; and
- (b) to affiliate with WAPA.

PART 2 — ASSOCIATION TO BE NOT FOR PROFIT BODY

4. Not for profit body

- (1) The property and income of the Club must be applied solely towards the promotion of the objects or purposes of the Club and no part of that property or income may be paid or otherwise distributed, directly or indirectly, to any member, except in good faith in the promotion of those objects or purposes.
- (2) A payment may be made to a member out of the funds of the Club only if it is authorised under subrule (3).
- (3) A payment to a member out of the funds of the Club is authorised if it is —
 - (a) the payment in good faith to the member as reasonable remuneration for any services provided to the Club, or for goods supplied to the Club, in the ordinary course of business; or
 - (b) the payment of interest, on money borrowed by the Club from the member, at a rate not greater than the cash rate published from time to time by the Reserve Bank of Australia; or
 - (c) the payment of reasonable rent to the member for premises leased by the member to the Club; or
 - (d) the reimbursement of reasonable expenses properly incurred by the member on behalf of the Club.

PART 3 — MEMBERS

Division 1 — Membership

5. Eligibility for membership

- (1) Any person who supports the objects or purposes of the Club is eligible to apply to become a member.

6. Applying for membership

- (1) A person who wants to become a member must apply in writing to the Club on the prescribed form.
- (2) The application must include a member's nomination of the applicant for membership.
- (3) The application must be signed by the applicant and an active and financial member nominating the applicant.
- (4) The applicant must specify in the application the class of membership, if there is more than one, to which the application relates.

7. Dealing with membership applications

- (1) The committee must consider each application for membership of the Club and decide whether to accept or reject the application.
- (2) Subject to subrule (3), the committee must consider applications in the order in which they are received by the Club.
- (3) The committee may delay its consideration of an application if the committee considers that any matter relating to the application needs to be clarified by the applicant or that the applicant needs to provide further information in support of the application.
- (4) The committee must not accept an application unless the applicant —
 - (a) is of good character;
 - (b) has paid the requisite nomination fee;
 - (c) agrees to abide by the Constitution and Club Rules;
 - (d) is eligible under rule 5; and
 - (e) has applied in accordance with rule 6.
- (5) An application for membership must be determined by a simple majority of the committee.
- (6) The committee may reject an application even if the applicant complies with the criteria in subrule (4).
- (7) The committee must notify the applicant of the committee's decision to accept or reject the application as soon as practicable after making the decision. In the case of rejection the Club must refund in full the nomination fee.
- (8) If the committee rejects the application, the committee is not required to give the applicant its reasons for doing so.

8. Becoming a member

An applicant for membership of the Club becomes a member when —

- (a) the committee accepts the application; and
- (b) the applicant pays any membership fees payable to the Club under rule 13.

9. Classes of membership

- (1) The Club consists of ordinary members, social members, life members and any associate members provided for under subrule (2).
- (2) The Club may have any class of associate membership defined and approved by resolution at a general meeting.
- (3) Ordinary members and life members have full voting rights and any other rights conferred on members by these rules or approved by resolution at a general meeting or determined by the committee.
- (4) An associate member has the rights referred to in subrule (3) other than full voting rights.
- (5) A social member has no voting rights and may not shoot or have support for a pistol licence from the Club.
- (6) The Committee may recommend any person to be elected a life member of the Club for meritorious work for the Club, and on being elected a life member such persons shall remain a life member during their lifetime. A life member may only be elected at a general meeting by 75% majority of members present and voting. A life member shall not be liable for the payment of annual club subscription, but will be liable for the WAPA capitation fee.
- (7) The committee may recommend the withdrawal of life membership if that person is found guilty of conduct which would render the person liable to suspension or expulsion as an ordinary member. The withdrawal of life membership may only be passed at a general meeting.
- (8) The number of members of any class is not limited unless otherwise approved by resolution at a general meeting.

10. When membership ceases

- (1) A person ceases to be a member when any of the following takes place —
 - (a) for a member who is an individual, the individual dies;
 - (b) the person resigns from the Club under rule 11;
 - (c) the person is expelled from the Club under rule 15; or
 - (d) the person ceases to be a member under rule 13(4).
- (2) The secretary must keep a record, for at least one year after a person ceases to be a member, of —
 - (a) the date on which the person ceased to be a member; and
 - (b) the reason why the person ceased to be a member.

11. Resignation

- (1) A member may resign from membership of the Club by giving written notice of the resignation to the secretary.
- (2) The resignation takes effect —

- (a) when the secretary receives the notice; or
- (b) if a later time is stated in the notice, at that later time.

(3) A person who has resigned from membership of the Club remains liable for any fees that are owed to the Club (the owed amount) at the time of resignation.

(4) The owed amount may be recovered by the Club in a court of competent jurisdiction as a debt due to the Club.

12. Rights not transferable

The rights of a member are not transferable and end when membership ceases.

Division 2 — Membership fees

13. Membership fees

- (1) The nomination fee (if any) and the annual membership fee to be paid for membership of the Club must be set at a general meeting.
- (2) The fees determined under subrule (1) may be different for different classes of membership.
- (3) A member must pay the annual membership fee to the treasurer, or another person authorised by the committee to accept payments, by the date (the **due date**) determined by the committee.
- (4) If a member has not paid the annual membership fee within the period of three months after the due date, the member ceases to be a member on the expiry of that period.
- (5) If a person who has ceased to be a member under subrule (4) offers to pay the annual membership fee after the period referred to in that subrule has expired —
 - (a) the committee may, at its discretion, accept that payment; and
 - (b) if the payment is accepted, the person's membership is reinstated from the date the payment is accepted.
- (6) The committee may set a late payment fee in the Rules or By-laws.

Division 3 — Register of members

14. Register of members

- (1) The secretary, or another person authorised by the committee, is responsible to maintain the register of members and record in that register any change in the membership of the Club.
- (2) The register of members must include each member's:
 - (c) name;
 - (d) class of membership;
 - (e) the date on which each member becomes a member; and
 - (f) address, either residential, postal or email address as nominated by the member.
- (3) The register of members must be kept at the secretary's place of residence, or at another place determined by the committee.

- (4) A member who wishes to inspect the register of members must contact the secretary to make the necessary arrangements.
- (5) If —
 - (a) a member inspecting the register of members wishes to make a copy of, or take an extract from, the register; or
 - (b) a member makes a written request to be provided with a copy of the register of members,
—the committee may require the member to provide a statutory declaration setting out the purpose for which the copy or extract is required and declaring that the purpose is connected with the affairs of the Club.
- (6) Members must notify the secretary of any changes of address within 28 days.
- (7) The secretary of WAPA must be notified of changes to the register.

PART 4 — DISCIPLINARY ACTION, DISPUTES AND MEDIATION

Division 1 — Disciplinary action

15. Suspension or expulsion

- (1) In this rule —
member, in relation to a member who is expelled from the Club, includes former member.
- (2) The committee may decide to suspend a member's membership, expel a member from the Club, or apply another penalty if —
 - (a) the member contravenes any portion of the Constitution or Club Rules or By-laws; or
 - (b) the member acts detrimentally to the interests of the Club or unfairly to another member.
- (3) The secretary must give the member written notice of the proposed suspension or expulsion at least 21 days before the committee meeting at which the proposal is to be considered by the committee.
- (4) The notice given to the member must state —
 - (a) when and where the committee meeting is to be held; and
 - (b) the grounds on which the proposed suspension or expulsion is based; and
 - (c) that the member, or the member's representative, may attend the meeting and will be given a reasonable opportunity to make written or oral (or both written and oral) submissions to the committee about the proposed suspension or expulsion;
- (5) At the committee meeting, the committee must —
 - (a) give the member, or the member's representative, a reasonable opportunity to make written or oral (or both written and oral) submissions to the committee about the proposed suspension or expulsion; and
 - (b) give due consideration to any submissions so made; and
 - (c) decide —
 - (i) whether or not to suspend the member's membership and, if the decision is to suspend the membership, the period of suspension; or
 - (ii) whether or not to expel the member from the Club.
- (6) A decision of the committee to suspend the member's membership or to expel the member from the Club takes immediate effect.
- (7) The committee must give the member written notice of the committee's decision, and the reasons for the decision, within seven days after the committee meeting at which the decision is made.

16. Consequences of suspension

- (1) During the period a member's membership is suspended, the member —
 - (a) loses any rights (including voting rights) arising as a result of membership; and
 - (b) is not entitled to a refund, rebate, relief or credit for membership fees paid, or payable, to the Club.
- (2) A suspended member must surrender all Club supported pistols in his possession to the Commissioner of Police or a registered firearms dealer for safe keeping during the period of suspension.

- (3) When a member's membership is suspended, the secretary must record in the register of members —
 - (a) that the member's membership is suspended; and
 - (b) the date on which the suspension takes effect; and
 - (c) the period of the suspension.
- (4) When the period of the suspension ends, the secretary must record in the register of members that the member's membership is no longer suspended.
- (5) Rules 15 and 16 shall not prevent the committee from applying other penalties, including suspension of certain privileges or financial penalty.

Division 2 — Resolving disputes

17. Term used: member

In this Division —

grievance procedure means the procedures set out in this Division;

party to a dispute includes a person who ceases to be a member within 6 months before the dispute has come to the attention of each party to the dispute.

18. Application of Division

- (1) The procedure set out in this Division (the grievance procedure) applies to disputes under or relating to the constitution —
 - (a) between members; or
 - (b) between one or more members and the Club.

19. Parties to attempt to resolve dispute

The parties to a dispute must attempt to resolve the dispute between themselves.

20. How grievance procedure is started

- (1) If the parties to a dispute are unable to resolve the dispute between themselves within 28 days after the dispute has come to the attention of each party, any party to the dispute may start the grievance procedure by giving written notice to the secretary of —
 - (a) the parties to the dispute; and
 - (b) the matters that are the subject of the dispute.
- (2) Within 28 days after the secretary is given the notice, if the dispute is not resolved a committee meeting must be convened to consider and determine the dispute.
- (3) The secretary must give each party to the dispute written notice of the committee meeting at which the dispute is to be considered and determined at least seven days before the meeting is held.
- (4) The notice given to each party to the dispute must state —
 - (a) when and where the committee meeting is to be held; and
 - (b) that the party, or the party's representative, may attend the meeting and will be given a reasonable opportunity to make written or oral (or both written and oral) submissions to the committee about the dispute.
- (5) If —

- (a) the dispute is between one or more members and the Club; and
- (b) any party to the dispute gives written notice to the secretary stating that the party —
 - (i) does not agree to the dispute being determined by the committee; and
 - (ii) requests the appointment of a mediator under rule 22,

the committee must not determine the dispute.

21. Determination of dispute by committee

- (1) At the committee meeting at which a dispute is to be determined, the committee must —
 - (a) give each party to the dispute, or the party's representative, a reasonable opportunity to make written or oral (or both written and oral) submissions to the committee about the dispute; and
 - (b) give due consideration to any submissions so made; and
 - (c) determine the dispute.
- (2) The committee must give each party to the dispute written notice of the committee's determination, and the reasons for the determination, within 7 days after the committee meeting at which the determination is made.

22. Determination of dispute by mediation

- (1) The Committee may request the president of WAPA or the president's delegate from the WAPA committee to mediate the dispute.
- (2) The nominated mediator must not:
 - (a) have a personal interest in the matter that is the subject of the mediation; or
 - (b) be biased in favour of or against any party to the mediation.
- (3) The parties to the mediation must attempt in good faith to settle the matter that is the subject of the mediation.
- (4) Each party to the mediation must give the mediator a written statement of the issues that need to be considered at the mediation at least 5 days before the mediation takes place.
- (5) In conducting the mediation, the mediator must —
 - (a) give each party to the mediation every opportunity to be heard; and
 - (b) allow each party to the mediation to give due consideration to any written statement given by another party; and
 - (c) ensure that natural justice is given to the parties to the mediation throughout the mediation process.
- (6) The mediator cannot determine the matter that is the subject of the mediation.
- (7) The mediation must be confidential, and any information given at the mediation cannot be used in any other proceedings that take place in relation to the matter that is the subject of the mediation.

23. Appeal against Suspension or Expulsion

- (1) Any member suspended or expelled shall have the right to appeal against such penalty but such appeal must be lodged in writing with the secretary within 21 days of notice being given. If any such appeal should be lodged a special general meeting must be held within 28 days of receipt of appeal at which meeting the appellant may explain his actions or speak in support of such appeal.

- (2) Upon the hearing of an appeal a vote shall be taken and a majority vote shall decide whether the appeal shall be upheld or dismissed or the penalty varied, except that the variation shall not exceed the original.
- (3) In the event of an appeal not having being lodged within the time frame allowed the dispute resolution shall be considered final and conclusive.

PART 5 — COMMITTEE

Division 1 — Powers of Committee

24. Committee

- (1) The committee members are the persons who, as the management committee of the Club, have the power to manage the affairs of the Club.
- (2) Subject to the Act, this constitution, the Club Rules and By-laws and any resolution passed at a general meeting, the committee has power to do all things necessary or convenient to be done for the proper management of the affairs of the Club.
- (3) The committee must take all reasonable steps to ensure that the Club complies with the Act, this constitution and the Club Rules and By-laws.

Division 2 — Composition of committee and duties of members

25. Committee members

- (1) The committee members consist of —
 - (a) the office holders of the Club; and
 - (b) four ordinary committee members.
- (2) The following are the office holders of the Club —
 - (a) the President;
 - (b) the Vice President;
 - (c) the Secretary;
 - (d) the Treasurer;
 - (e) the Captain;
 - (f) the Vice Captain ISSF;
 - (g) the Vice Captain Non ISSF;
 - (h) the Scorer/Handicapper;
 - (i) the Coach.
- (3) A person may be a committee member if the person is —
 - (a) an individual who has reached 18 years of age; and
 - (b) an ordinary member.
- (4) A person must not hold two or more of the offices mentioned in subrule (2) at the same time.

26. President

- (1) The president shall be the senior officer of the Club.
- (2) The president has the powers and duties relating to convening and presiding at committee meetings and presiding at general meetings provided for in this constitution.
- (3) The president shall be an ex-officio member of all regular and special sub-committees of the Club.

27. Vice President

The vice president shall perform the duties of the president in the president's absence or at the president's request.

28. Secretary

The secretary shall:

- (1) deal with the Club's correspondence;
- (2) consult with the chairperson regarding the business to be conducted at each committee meeting and general meeting;
- (3) prepare the notices required for meetings and for the business to be conducted at meetings;
- (4) maintain on behalf of the Club the register of members, and recording in the register any changes in the membership;
- (5) maintain on behalf of the Club an up-to-date copy of this constitution;
- (6) unless another member is authorised by the committee to do so, maintain on behalf of the Club a record of committee members and other persons authorised to act on behalf of the Club;
- (7) ensure the safe custody of the books of the Club, other than the financial records, financial statements and financial reports, as applicable to the Club;
- (8) maintain full and accurate minutes of committee meetings and general meetings; and
- (9) carry out any other duty given to the secretary under this constitution or by the committee.

29. Treasurer

The treasurer shall:

- (1) ensure that any amounts payable to the Club are collected and issuing receipts for those amounts in the Club's name;
- (2) ensure that any amounts paid to the Club are credited to the appropriate account of the Club, as directed by the committee;
- (3) ensure that any payments to be made by the Club that have been authorised by the committee or at a general meeting are made on time;
- (4) ensure the safe custody of the Club's financial records, financial statements and financial reports, as applicable to the Club;
- (5) coordinate the preparation of the Club's financial statements before their submission to the Club's annual general meeting;
- (6) provide any assistance required by an auditor or reviewer conducting an audit or review of the Club's financial statements; and
- (7) carry out any other duty given to the treasurer under this constitution or by the committee.

30. Captain

The Captain shall:

- (1) have charge of all ranges and shall be responsible for the observance of safety on these ranges; and
- (2) be responsible for the conduct of all competitions in accordance with all rules.

31. Vice Captains

The Vice captains shall:

- (1) assist the Captain with his duties in the applicable shooting discipline; and
- (2) perform the duties of the Captain during the Captain's absence or at the Captain's request.

32. Scorer/Handicapper

The Scorer/Handicapper shall be responsible for:

- (1) the recording of all scores of Club competitions;
- (2) determining handicaps of members as necessary and monitoring grades;
- (3) preparing activity reports and statements as required to comply with Firearms regulations and WAPA regulations.

33. Coach

The Coach shall instruct and advise members in the techniques of pistol shooting and organise coaching as appropriate.

Division 3 — Election of committee members and tenure of office

34. How members become Committee members

A member becomes a committee member if the member —

- (a) is elected to the committee at an annual general meeting; or
- (b) is appointed to the committee by the committee to fill a casual vacancy.

35. Nomination of committee members

- (1) At least 21 days before an annual general meeting, the secretary must send written notice to all the members calling for nominations for election to the committee.
- (2) A member who wishes to be considered for election to the committee at the annual general meeting may nominate by written notice or verbally at the annual general meeting.

36. Election

- (1) At the annual general meeting, a separate election must be held for each position of office holder of the Club.
- (2) If only one member has nominated for an office holder position, the chairperson of the meeting must declare the member elected to the position. If more than one member has nominated for a position, the ordinary members at the meeting must vote by secret ballot to decide who is to be elected to the position.
- (3) If only four members have nominated for an ordinary committee position, the chairperson of the meeting must declare the members elected to the position. If more than four members have nominated for a position, the ordinary members at the meeting must vote by secret ballot to decide who is to be elected to the positions.
- (4) Each ordinary member present at the meeting may vote for one member who has nominated for the position.
- (5) A member who has nominated for the position may vote for himself or herself.
- (6) On his or her election, the new president of the Club may take over as the chairperson of the meeting.

37. Term of office

- (1) The term of office of a committee member begins when the member —
 - (a) is elected at an annual general meeting or under subrule 38(3)(b); or
 - (b) is appointed to fill a casual vacancy under rule 40.
- (2) Subject to rule 38, a committee member holds office until the positions on the committee are declared vacant at the next annual general meeting.
- (3) A committee member may be re-elected.

38. Resignation and removal from office

- (1) A committee member may resign from the committee by written notice given to the secretary or, if the resigning member is the secretary, given to the president.
- (2) The resignation takes effect —
 - (a) when the notice is received by the secretary or president; or
 - (b) if a later time is stated in the notice, at the later time.
- (3) At a general meeting, the Club may by resolution —
 - (a) remove a committee member from office; and
 - (b) elect a member who is eligible under rule 25(3) to fill the vacant position.
- (4) A committee member who is the subject of a proposed resolution under subrule (3)(a) may make written representations (of a reasonable length) to the secretary or president and may ask that the representations be provided to the members.
- (5) The secretary or president may give a copy of the representations to each member or, if they are not so given, the committee member may require them to be read out at the general meeting at which the resolution is to be considered.

39. When membership of committee ceases

- (1) A person ceases to be a committee member if the person —
 - (a) dies or otherwise ceases to be a member; or
 - (b) resigns from the committee or is removed from office under rule 38; or
 - (c) becomes ineligible to accept an appointment or act as a committee member under the Act;
 - (d) becomes permanently unable to act as a committee member because of a mental or physical disability; or
 - (e) fails to attend 3 consecutive committee meetings, of which the person has been given notice, without having notified the committee that the person will be unable to attend.

40. Filling casual vacancies

- (1) The committee may appoint a member who is eligible under rule 25(3) to fill a position on the committee that —
 - (a) has become vacant under rule 38; or
 - (b) was not filled by election at the most recent annual general meeting or under rule 38(3)(b).
- (2) If the position of secretary becomes vacant, the committee must appoint a member who is eligible under rule 25(3) to fill the position within 28 days after the vacancy arises.

- (3) Subject to the requirement for a quorum under rule 46, the committee may continue to act despite any vacancy in its membership.
- (4) If there are fewer committee members than required for a quorum under rule 46, the committee may act only for the purpose of —
 - (a) appointing committee members under this rule; or
 - (b) convening a general meeting.

41. Validity of acts

The acts of a committee or subcommittee, or of a committee member or member of a subcommittee, are valid despite any defect that may afterwards be discovered in the election, appointment or qualification of a committee member or member of a subcommittee.

42. Payments to committee members

- (1) In this rule —
committee member includes a member of a subcommittee;
committee meeting includes a meeting of a subcommittee.
- (2) A committee member is entitled to be paid out of the funds of the Club for any out-of-pocket expenses for travel and accommodation properly incurred —
 - (a) in attending a committee meeting or
 - (b) in attending a general meeting; or
 - (c) otherwise in connection with the Club's business.
- (3) Payment of honoraria in accordance with rule 60 may be authorised in lieu of reimbursement of accumulated out of pocket expenses as permitted by rule 4(3)(d).
- (4) All other payments to committee members must be authorised by resolution of the Club.

Division 4 — Committee meetings

43. Committee meetings

- (1) The committee must meet at least six times in each year at the dates, times and places determined by the committee.
- (2) The date, time and place of the first committee meeting must be determined by the committee members as soon as practicable after the annual general meeting at which the committee members are elected.
- (3) Special committee meetings may be convened by the chairperson or any two committee members.
- (4) Notice of each committee meeting must be given to each committee member at least 48 hours before the time of the meeting.

44. Procedure and order of business

- (1) The president or, in the president's absence, the vice president must preside as chairperson of each committee meeting.
- (2) If the president and vice president are absent or are unwilling to act as chairperson of a meeting, the committee members at the meeting must choose one of them to act as chairperson of the meeting.
- (3) The procedure to be followed at a committee meeting must be determined from time to time by the committee.
- (4) The order of business at a committee meeting may be determined by the committee members at the meeting.
- (5) A member or other person who is not a committee member may attend a committee meeting if invited to do so by the committee.
- (6) A person invited under subrule (5) to attend a committee meeting —
 - (a) has no right to any agenda, minutes or other document circulated at the meeting; and

- (b) must not comment about any matter discussed at the meeting unless invited by the committee to do so; and
 - (c) cannot vote on any matter that is to be decided at the meeting.
- (7) A member of the committee who has a material personal interest as defined in the Act in a matter being considered at a committee meeting must:
 - (a) as soon as he or she becomes aware of that interest, disclose the nature and extent of his or her interest to the committee;
 - (b) not be present while the matter is being considered at the meeting or vote on the matter; and
 - (c) disclose the nature and extent of the interest at the next general meeting of the Club.
- (8) The secretary must record every disclosure made by a committee member of a material personal interest in the minutes of the committee meeting at which the disclosure is made.

45. Use of technology to be present at committee meetings

- (1) The presence of a committee member at a committee meeting need not be by attendance in person but may be by that committee member and each other committee member at the meeting being simultaneously in contact by telephone or other means of instantaneous communication.
- (2) A member who participates in a committee meeting as allowed under subrule (1) is taken to be present at the meeting and, if the member votes at the meeting, the member is taken to have voted in person.

46. Quorum for committee meetings

- (1) A simple majority of the elected committee members shall constitute a quorum for the conduct of the business of a committee meeting.
- (2) Subject to rule 40(4), no business is to be conducted at a committee meeting unless a quorum is present.
- (3) If a quorum is not present within 30 minutes after the notified commencement time of a committee meeting —
 - (a) in the case of a special meeting — the meeting lapses; or
 - (b) otherwise, the meeting is adjourned to the same time, day and place in the following week.
- (4) If —
 - (a) a quorum is not present within 30 minutes after the commencement time of a committee meeting held under subrule (3)(b); and
 - (b) at least 2 committee members are present at the meeting,
 -those members present are taken to constitute a quorum.

47. Voting at committee meetings

- (1) Each committee member present at a committee meeting has one vote on any question arising at the meeting.
- (2) A motion is carried if a majority of the committee members present at the committee meeting vote in favour of the motion.
- (3) If the votes are divided equally on a question, the chairperson of the meeting has a second or casting vote.

- (4) A vote may take place by the committee members present indicating their agreement or disagreement or by a show of hands, unless the committee decides that a secret ballot is needed to determine a particular question.
- (5) If a secret ballot is needed, the chairperson of the meeting must decide how the ballot is to be conducted.

48. Minutes of committee meetings

- (1) The committee must ensure that minutes are taken and kept of each committee meeting.
- (2) The minutes must record the following —
 - (a) the names of the committee members present at the meeting;
 - (b) the name of any person attending the meeting under 44(5);
 - (c) the business considered at the meeting;
 - (d) any motion on which a vote is taken at the meeting and the result of the vote.
- (3) The minutes of a committee meeting must be issued within 30 days after the meeting is held.
- (4) The chairperson must ensure that the minutes of a committee meeting are reviewed and signed as correct by —
 - (a) the chairperson of the meeting; or
 - (b) the chairperson of the next committee meeting.
- (5) When the minutes of a committee meeting have been signed as correct they are, until the contrary is proved, evidence that —
 - (a) the meeting to which the minutes relate was duly convened and held; and
 - (b) the matters recorded as having taken place at the meeting took place as recorded; and
 - (c) any appointment purportedly made at the meeting was validly made.

Division 5 — Subcommittees and subsidiary offices

49. Subcommittees and subsidiary offices

- (1) To help the committee in the conduct of the Club's business, the committee may, in writing, do either or both of the following —
 - (a) appoint one or more subcommittees;
 - (b) create one or more subsidiary offices and appoint people to those offices.
- (2) A subcommittee may consist of the number of people, whether or not members, that the committee considers appropriate.
- (3) A person may be appointed to a subsidiary office whether or not the person is a member.
- (4) Subject to any directions given by the committee —
 - (a) a subcommittee may meet and conduct business as it considers appropriate; and
 - (b) the holder of a subsidiary office may carry out the functions given to the holder as the holder considers appropriate.

50. Delegation to subcommittees and holders of subsidiary offices

- (1) In this rule —

non-delegable duty means a duty imposed on the committee by the Act or another written law.

- (2) The committee may, in writing, delegate to a subcommittee or the holder of a subsidiary office the exercise of any power or the performance of any duty of the committee other than —
 - (a) the power to delegate; and
 - (b) a non-delegable duty.
- (3) A power or duty, the exercise or performance of which has been delegated to a subcommittee or the holder of a subsidiary office under this rule, may be exercised or performed by the subcommittee or holder in accordance with the terms of the delegation.
- (4) The delegation may be made subject to any conditions, qualifications, limitations or exceptions that the committee specifies in the document by which the delegation is made.
- (5) A delegation under this rule does not prevent the committee from exercising or performing at any time the power or duty delegated.
- (6) Any act or thing done by a subcommittee or by the holder of a subsidiary office, under a delegation under this rule has the same force and effect as if it had been done by the committee.
- (7) The committee may, in writing, amend or revoke the delegation.

PART 6 — GENERAL MEETINGS OF CLUB

51. Annual general meeting

- (1) The committee must determine the date, time and place of the annual general meeting.
- (2) If the Commissioner's approval is needed under the Act to hold the annual general meeting more than six months after the end of the Club's financial year, the secretary must apply to the Commissioner for that approval within four months after the end of the financial year.
- (3) The ordinary business of the annual general meeting is as follows —
 - (a) to confirm the minutes of the previous annual general meeting and of any special general meeting held since then if the minutes of that meeting have not yet been confirmed;
 - (b) to receive and consider —
 - (i) the committee's annual reports on the Club's activities during the preceding financial year;
 - (ii) the financial statements of the Club for the preceding financial year; and
 - (iii) a copy of the report of the review or auditor's report on the financial statements;
 - (c) to set the honoraria and approve payment of honoraria;
 - (d) to elect the office holders of the Club and other committee members;
 - (e) to appoint or remove a reviewer or auditor of the Club's finances;
 - (f) to confirm or vary the nomination fees, membership fees and other amounts (if any) to be paid by members.
- (4) Any other business of which notice has been given in accordance with these rules may be conducted at the annual general meeting.
- (5) Any member wishing to move a motion at the annual general meeting shall give written notice to the secretary not later than(*insert date*)

- (6) If the annual general meeting has not been called within six months of after the end of the Club's financial year, any(*insert number appropriate to your club*) members may convene and conduct an annual general meeting, provided such a meeting is convened and conducted in all other aspects in accordance with this constitution.

52. Special general meetings

- (1) The committee may convene a special general meeting.
- (2) The committee must convene a special general meeting if at least 20% of the members require a special general meeting to be convened.
- (3) The members requiring a special general meeting to be convened must —
 - (a) make the requirement by written notice given to the secretary; and
 - (b) state in the notice the business to be considered at the meeting; and
 - (c) each sign the notice.
- (4) The special general meeting must be convened within 28 days after notice is given under subrule (3)(a).
- (5) If the committee does not convene a special general meeting within that 28 day period, at least 10 of the members making the requirement may convene the special general meeting.
- (6) A special general meeting convened by members under subrule (5) —
 - (a) must be held within three months after the date the original requirement was made; and
 - (b) may only consider the business stated in the notice by which the requirement was made.

53. Notice of general meetings

- (1) The secretary or, in the case of a special general meeting convened under rule 52(5), the members convening the meeting, must give to each member —
 - (a) at least 21 days' notice of a general meeting if a special resolution is to be proposed at the meeting; or
 - (b) at least 14 days' notice of a general meeting in any other case.
- (2) The notice must —
 - (a) specify the date, time and place of the meeting; and
 - (b) indicate the general nature of each item of business to be considered at the meeting; and
 - (c) if a special resolution is proposed —
 - (i) set out the wording of the proposed resolution;
 - (ii) state that the resolution is intended to be proposed as a special resolution.

54. Presiding member and quorum for general meetings

- (1) The president or, in the president's absence, the vice president must preside as chairperson of each general meeting.
- (2) If the president and vice president are absent or are unwilling to act as chairperson of a general meeting, the committee members at the meeting must choose one of them to act as chairperson of the meeting.
- (3)(*insert number appropriate to your club*) members of the Club shall form a quorum.
- (4) No business is to be conducted at a general meeting unless a quorum is present.

- (5) If a quorum is not present within 30 minutes after the notified commencement time of a general meeting —
 - (a) in the case of a special general meeting — the meeting lapses; or
 - (b) in the case of the annual general meeting — the meeting is adjourned to —
 - (i) the same time and day in the following week; and
 - (ii) the same place, unless the chairperson specifies another place at the time of the adjournment or written notice of another place is given to the members before the day to which the meeting is adjourned.
- (6) If —
 - (a) a quorum is not present within 30 minutes after the commencement time of a general meeting held under subrule (5)(b); and
 - (b) at least 2 ordinary members are present at the meeting,

- those members present are taken to constitute a quorum.

55. Adjournment of general meeting

- (1) The chairperson of a general meeting at which a quorum is present may, with the consent of a majority of the ordinary members present at the meeting, adjourn the meeting to another time at the same place or at another place.
- (2) Without limiting subrule (1), a meeting may be adjourned —
 - (a) if there is insufficient time to deal with the business at hand; or
 - (b) to give the members more time to consider an item of business.
- (3) No business may be conducted on the resumption of an adjourned meeting other than the business that remained unfinished when the meeting was adjourned.
- (4) Notice of the adjournment of a meeting under this rule is not required unless the meeting is adjourned for 14 days or more, in which case notice of the meeting must be given in accordance with rule 53.

56. Minutes of general meeting

- (1) The secretary, or a person authorised by the committee from time to time, must take and keep minutes 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 record —
 - (a) the names of the ordinary members attending the meeting;
 - (b) the financial statements presented at the meeting, as referred to in rule 51(3)(b)(ii); and
 - (c) any report of the review or auditor's report on the financial statements presented at the meeting, as referred to in rule 51(3)(b)(iii).
- (4) The minutes of a general meeting must be issued within 30 days after the meeting is held.
- (5) The chairperson must ensure that the minutes of a general meeting are reviewed and signed as correct by —
 - (a) the chairperson of the meeting; or
 - (b) the chairperson of the next general meeting.
- (6) When the minutes of a general meeting have been signed as correct they are, in the absence of evidence to the contrary, taken to be proof that —

- (a) the meeting to which the minutes relate was duly convened and held; and
- (b) the matters recorded as having taken place at the meeting took place as recorded;
and
- (c) any election or appointment purportedly made at the meeting was validly made.

PART 7 — FINANCIAL MATTERS

57. Control of funds

- (1) The Club must hold one or more accounts in the name of the Club with a financial institution from which all expenditure of the Club is made and into which all funds received by the Club are deposited.
- (2) Subject to any restrictions imposed at a general meeting, the committee may approve expenditure on behalf of the Club.
- (3) The committee may authorise the treasurer to expend funds on behalf of the Club up to a specified limit without requiring approval from the committee for each item on which the funds are expended.
- (4) All cheques, drafts, bills of exchange, promissory notes, electronic funds transfers and other negotiable instruments of the Club must be signed, or electronically authorised by —
 - (a) 2 committee members; or
 - (b) one committee member and a person authorised by the committee,except that if two persons are living in domicile then only one shall have the authority to sign.
- (5) All funds of the Club must be deposited into the Club's account within 14 working days after their receipt.

58. Financial records

- (1) The Club must keep financial records that —
 - (a) correctly record and explain its transactions, financial position and performance; and
 - (b) enable financial statements to be prepared.
- (2) The treasurer must prepare a monthly financial statement to be presented to each committee meeting, such statement to be certified by the treasurer and after acceptance by the meeting a copy to be held by the secretary.
- (3) The Club must retain the financial records for at least seven years after the transactions covered by the records are completed.

59. Financial Year

The financial year of the Club shall end on of (*insert date*) each year.

60. Honorarium

- (1) Honoraria for the next 12 month period shall be set at the annual general meeting.
- (2) Payment of the honoraria for the just completed 12 month period shall be confirmed by the annual general meeting taking into consideration the recommendation of the committee.

61. Levies

- (1) The Club in a general meeting may authorise the imposition of per capita levies on all members.
- (2) The motion to authorise the levy shall state the purpose and the due date for payment.
- (3) If a levy is unpaid after 28 days from the due date, the committee may declare any defaulting member suspended until the levy is paid.

- (4) If the levee remains unpaid for 60 days from the due date the defaulter shall cease to be a member.

PART 8 — GENERAL MATTERS

62. Pistol Licences

The procurement and licensing of pistols by members to fulfil the objects of the Club shall be carried out in accordance with the WAPA Regulations.

63. Alcohol and Drugs

- (1) No person whether a member of the Club or not shall:
 - (a) consume intoxicating liquor on Club premises unless permission has been granted by the committee or an officer authorised by the committee, or
 - (b) be admitted to any range while shooting is in progress or be allowed to handle firearms while under the influence of liquor or drugs.
- (2) Any member of the Club committee may deem a person to be under the influence of liquor or drugs.

64. Rules and By-Laws

- (1) The committee may, from time to time, make, amend or revoke Rules and By-laws relating to the conduct of shooting and the behaviour of the members.
- (2) A Rule or By-law is of no effect to the extent that it is inconsistent with the Act or this constitution.
- (3) The secretary shall ensure that copies of the Rules and By-Laws are readily available for inspection by members.

65. Executing documents and common seal

- (1) The Club may execute a document without using a common seal if the document is signed by—
 - (a) 2 committee members; or
 - (b) one committee member and a person authorised by the committee.
- (2) If the Club has a common seal —
 - (a) the name of the Club must appear in legible characters on the common seal; and
 - (b) a document may only be sealed with the common seal by the authority of the committee; and
 - (c) the document must be signed and dated by the secretary and co-signed by the president or vice president.
- (3) The secretary must make a written record of each use of the common seal.
- (4) The common seal must be kept in the custody of the secretary or another committee member authorised by the committee.

66. Giving notices to members

- (1) In this rule —

recorded means recorded in the register of members.

- (2) A notice or other document that is to be given to a member under this constitution is taken not to have been given to the member unless it is in writing and —
 - (a) delivered by hand to the recorded address of the member; or
 - (b) sent by prepaid post to the recorded postal address of the member; or
 - (c) sent by facsimile or electronic transmission to an appropriate recorded number or recorded electronic address of the member.
- (3) A notice delivered by prepaid post shall be deemed to have been served five days following the day of posting.

67. Custody of books and securities

- (1) Subject to subrule (2), the secretary must keep in his or her custody or under his or her control the books and any securities of the Club.
- (2) The treasurer must keep in his or her custody or under his or her control the financial records and, as applicable, the financial statements or financial reports of the Club.
- (3) Subrules (1) and (2) have effect except as otherwise decided by the committee.
- (4) The books of the Club must be retained for at least seven years.

68. Record of office holders

The secretary must keep in his or her custody or under his or her control the record of committee members and other persons authorised to act on behalf of the Club.

69. Inspection of records and documents

- (1) Subrule (2) applies to a member who wants to inspect —
 - (a) the register of members; or
 - (b) the record of the names and addresses of committee; or
 - (c) any other record or document of the Club.
- (2) The member must contact the secretary to make the necessary arrangements for the inspection.
- (3) The inspection must be free of charge.
- (4) If the member wants to inspect a document that records the minutes of a committee meeting, the right to inspect that document is subject to any decision the committee has made about minutes of committee meetings generally, or the minutes of a specific committee meeting, being available for inspection by members.
- (5) The member may make a copy of or take an extract from a record or document referred to in subrule (1) but does not have a right to remove the record or document for that purpose.
- (6) The member must not use or disclose information in a record or document referred to in subrule (1) except for a purpose —
 - (a) that is directly connected with the affairs of the Club; or
 - (b) that is related to complying with a requirement of the Act.

70. Winding up the Club

(1) In this rule —

surplus property, in relation to the Club, means property remaining after satisfaction of —

- (a) the debts and liabilities of the Club; and
- (b) the costs, charges and expenses of winding up or cancelling the incorporation of the Club

but does not include books relating to the management of the Club.

(2) A notice of motion to dissolve the Club may be presented on the agenda of an annual general meeting or a special general meeting called for that specific purpose.

(3) For any such special resolution to be accepted there must be a 75% majority of votes cast counted in the affirmative.

(4) In the event of the resolution being confirmed by a 75% majority of the votes cast, the committee shall, at such date as was specified in The Notice of the Resolution to Members, commence the total realisation of all of the property and assets of the Club.

(5) If upon the dissolution and winding up of the Club and the satisfaction of all of its debts and liabilities there remains any surplus property or funds whatsoever it shall not be disposed of by distribution among members.

(6) All surplus property or funds remaining shall be given or transferred to:

- (c) another Incorporated club or association having objects similar wholly or in part to the Objects of this Club; or
- (d) for charitable purposes.

Such institution shall be determined by the members at or prior to the date set for Dissolution.

71. Alteration of constitution

(1) If the Club wants to alter or rescind this constitution, the Club may do so only by special resolution and by otherwise complying with the Act.

(2) For any such special resolution to be accepted there must be a 75% majority of votes cast counted in the affirmative.

(3) Amendments to the constitution do not take effect until required documents are lodged with the Commissioner.

(4) The required documents must be lodged within one month after the special resolution is passed.

NAME OF PISTOL CLUB

RULES

1. MEMBERSHIP

1. There shall be two types of membership - full and social. Full membership will cover both adult and junior categories.
2. The number of full members shall be limited to 300. After 300 is reached, new full members will only be accepted as vacancies occur. Full members will have full voting rights.
3. Social membership will be granted to non shooting persons. Social members will not have voting rights.

2. CLUB FEES

1. The nomination fee for full membership shall be determined at the Annual General Meeting. One nomination fee shall cover a couple living in domicile including children under 18 years of age.
2. The nomination fee will also apply to people transferring from another WAPA affiliated club or people wishing to obtain membership of the Club whilst also being a member of another WAPA affiliated club.
3. The nomination fee for ex-members shall be twenty percent of the standard nomination fee.
4. The annual fee for full adult membership shall be determined at the Annual General Meeting plus WAPA affiliation.
5. The annual fee for married couples living in domicile shall be twice the full adult fee less 10 percent.
6. The annual fee for full junior membership shall be twenty five percent of the full adult fee.
7. Pro rata fees for new membership shall be:

Jul 1 - Sep 30	full fee plus affiliation
Oct 1 - Dec 31	80% full fee plus affiliation
Jan 1 - Mar 31	55% full fee plus affiliation
Apr 1 - May 31	30% full fee plus affiliation
Jun 1 - Jun 30	0% full fee plus affiliation
8. The Committee shall be able to determine individual reduced fees for pensioners or cases of hardship.
9. The fee for social members shall be ten per cent of the full adult fee.
10. Annual fees become due on 1 July each year and must be paid by the 15th of September each year after which a late payment fee shall apply. Any member who has not paid his fees by the first committee meeting after the 30st of September in any year shall be deemed unfinancial. The late payment fee shall be twenty percent of the full adult fee.

3. RANGE FEES

1. Range fees shall be determined by the Committee.
2. The fees applicable for each range shall be displayed on that range.

4. SHOOTING TIMES

1. Shooting starts:

—	Saturday	1.00pm
—	Sunday	9.00am
—	Tuesday	6.30pm

2. Any late arrivals may shoot when all nominated shooters have completed their event.
3. Any shooter wishing to shoot twice may do so when all nominated shooters have completed their event.

5. ACTIVITY

1. Each time a person attends a Club range he must record his attendance in the "Attendance Book". This applies whether he intends shooting or not.
2. Each person attending an organised Club shoot must complete the full course to qualify as an attendance.
3. Club members who possess their own pistols must adhere to the minimum activity requirements as stated in the WAPA Regulations for Activity Requirements.
4. The Scorer-handicapper is to present a list of members who have failed to comply with the minimum activity requirement to each committee meeting.

6. CLUB PISTOLS

1. The holding of Club Pistols by members of the Club shall be in accordance with the WAPA Regulations for Club Pistols.
2. The Club Captain shall be one of the "Named Officers".
3. Shooters using Club Pistols shall sign for them in the book designed for this purpose. The "Named Officer" in charge will apply his signature to the record upon return of the Club Pistol.

7. VISITORS

1. Prospective members will only shoot on Club ranges at organised Club shoots.
2. Prospective members shall be permitted to use pistols in accordance with the WAPA Regulations for Trial Shoots and Use of Members Pistols.
3. Prospective members shall be granted up to three (3) trial shoots without gaining membership. To continue after three trial shoots have been attained prospective members must apply for membership of the Club.
4. Members of WAPA affiliated clubs if given prior permission by a Club official may use Club ranges on days other than organised Club shoots.

8. EQUIPMENT

1. Each shooter shall provide his own patches and shall patch the target he is using during the shoot.
2. On the live fire ranges the red flags must be raised before any shooting commences and lowered when all shooting is completed for the day.
3. All targets and accessories must be stored when shooting is completed for the day.

9. HANDICAP

1. A new shooter to the event will be handicapped on completion of three shoots in the event.
2. A shooter will be re-handicapped each time he breaks handicap.
3. A shooters handicap will be re-assessed by taking the average of the highest three scores from his last five official Club shoots. This average will be subtracted from the total possible score in the event and the remainder will be the new handicap.
4. All shooters handicaps will be re-assessed in each event one week prior to that event in the Clubs championships. This new handicap cannot be higher than the previous handicap.
5. All shooters handicaps will be re-assessed for all events at the end of March. This handicap can be either higher or lower than the previous handicap.