



Constitution of The West Australian Gun Club (Incorporated)

1. INTERPRETATION

In these rules unless inconsistent with the context or subject matter:

- (A) "Annual Meeting" means the Annual General Meeting.
- (B) "General Meeting" means a General Meeting of the Club whether Annual or Special.
- (C) "Special Meeting" means every General Meeting of the Club other than the Annual General Meeting.
- (D) "Juvenile" means a person under the age of eighteen years.
- (E) "The Club" means The West Australian Gun Club (Incorporated).
- (F) "The Committee" means the Officers and Committee for the time being of the Club.
- (G) "Month" means calendar month.
- (H) "The Act" means the Associations Incorporations Act 2015 and its amendments.
- (I) The singular number shall include the plural number and vice versa.
- (J) "Member" shall mean both male and female persons.
- (K) ACTA (Inc) means The Australian Clay Target Association (Inc).
- (L) WACTA (Inc) means The Western Australian Clay Target Association (Inc).
- (M) WAGC means The West Australian Gun Club (Incorporated).
- (N) Ordinary members means Full, Veteran, Partner /Spouse and Life members.

2. NAME

The name of the Club shall be The West Australian Gun Club (Incorporated) or WAGC.

3. OBJECTS

The primary objective of the Club is:

- (A) To foster and encourage the sport of Clay Target Shooting;
- (B) to arrange and organise practice shoots;
- (C) to arrange matches and competitions both among members and affiliated clubs;
- (D) to improve the standard of shooting among members; and.

- (E) to institute safety measures in the handling of firearms.

4. POWERS

The Club shall have the following powers:

- (A) To purchase, take on lease, or exchange, hire or acquire and maintain any real or personal property and any rights and privileges in relation thereto.
- (B) To erect and to improve and repair or to pull down and rebuild buildings and other structures.
- (C) To sell, exchange, lease, mortgage, hire, and dispose of, turn to account or otherwise deal with all or any of the real and personal property of the Club.
- (D) To borrow or raise and secure the payment of money in such manner as the Club thinks fits with the power to issue debentures, grant mortgages, charges or any other class of security upon or charge in all or any of the Club property, real or personal (both present and future) and to redeem or pay off such security.
- (E) To invest and deal with the monies of the Club not immediately required for the purposes of the Club in such a manner as may from time to time be determined.
- (F) To appoint, employ and pay officers and servants and to dismiss or suspend any officer or servant.
- (G) To lay out, construct, build, erect, alter or maintain upon the premises for the time being belonging to or occupied by the Club facilities for Clay Target shooting and a Club house and other erections incidental thereto, and to furnish fit up and maintain the same for the use of the members of the Club house and to provide all necessary equipment appliances and conveniences therefore.
- (H) To apply for a Club Registered License under the Liquor Control Act 1988 as amended and to supply refreshment, accommodation and entertainment for members.
- (I) To promote, hold or enter into either alone or jointly with any other Club or association, tournaments, competitions and matches.
- (J) To become affiliated with or subscribe to any national, state or regional Clay Target shooting association or any other association or body

whose objects are similar to the objects of the Club and if thought fit to withdraw or retire from any such association or body other than the national body.

(K) To determine the colours of the Club.

5. NOT FOR PROFIT BODY

(A) 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.

(B) A payment may be made to a member out of the funds of the Club only if it is authorised under sub-rule (C).

(C) A payment may be made to a member out of the funds of the Club is authorised if it is:

- a) the payment is good faith to a 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.

6. QUALIFICATION FOR MEMBERSHIP

(A) No candidate shall be elected as a member unless they have first paid their entrance fee (if any shall be required to be paid) and if they shall not pay their subscriptions within one month of their election the

Committee may make their election null and void that they shall nevertheless remain liable for payment of all monies payable by them on their election.

(B) The secretary shall immediately notify new members of their election to the Club and shall furnish them with a copy of the rules and a copy of the Clubs Code of Conduct, and, on election new members become entitled to the privileges and be bound by the rules and by-laws of the Club and by consequences resulting from breach or non-performance thereof and shall there by absolve every person concerned in carrying out and enforcing such rules from all personal responsibility or legal liability on such accounts.

(C) All members and visitors should behave in accordance with the WAGC Code of Conduct for Members and Visitors.

7. MEMBERSHIP

The Club shall consist of members of the following classifications:

- (A) Ordinary members consisting of Full members, Partner/Spouse members, Veteran members and Life members.
- (B) Associate members.
- (C) Honorary members.
- (D) Junior members.
- (E) Social members.
- (F) New Start members.
- (G) Special Club member.
- (H) Recreational member.

7.1 Any person desiring to become a member of the Club shall complete and lodge with the Club Secretary and or the Bar/ Operations staff a membership application form in the form prescribed by the Committee. The form must be completed with all information requested, a Proposer and Secunder, the completed Coaching report and acknowledgment of payment of monies through a Receipt number issued by the Bar / Operations staff.

7.2 TRANSFER OF CLUBS BY REGISTERED SHOOTER

If a registered shooter wishes to transfer their affiliation from one club to another during the year they may only do so with the approval of the State Association in accordance with the ACTA constitution Section 38.7. If a registered shooter changes club affiliation during the year then they must remain affiliated with the club to which they have transferred for the remainder of the year.

8. ELECTION OF MEMBERS

A member desiring to nominate a person for membership (other than for life or honorary membership) may do so by handing to the Club Secretary and or the Bar / Operations staff a signed application form as may be prescribed by the Committee. The nomination form, or an extract thereof as prescribed by the Committee, shall thereupon be exhibited on the notice board in a conspicuous place for a period of fourteen (14) days and thereafter the Committee may either elect such a person to membership or at its discretion refuse the application for membership without giving its reasons for such refusal. Upon an ordinary or junior member being elected as a member of the Club the Secretary shall register them with the Australian Clay Target Association. From time to time the Club shall pay the registration fees of Ordinary, New Start and Junior members payable to the ACTA (Inc).

9. ASSOCIATE MEMBERS

A member of a Club affiliated with the ACTA (Inc), and whose registration fees thereto are paid through that Club is eligible for election as an Associate member, provided that such member shall upon election as an Associate member shall pay such membership fees as are determined by the Committee and may enjoy the privileges of membership of the Club except that an Associate member shall not be entitled to vote at general meetings of the Club and to hold any office in the Club.

10. LIFE MEMBERS

Life members are those who, because of having rendered important and valuable services to the Club, have been elected as Life members at an annual meeting or a special general meeting of the Club. Proposals for Life Membership shall be considered by the Committee and if circumstances justify it shall bear their recommendation to the annual meeting or the special general meeting, at which for election two-thirds of the votes cast must be favourable. Life members are entitled to the full privileges of the Club. They are exempt from the payment of the annual subscription except such minimum subscriptions as may from time to time be required under an Act or regulation to which the Club is subject, but shall be liable for registration fees and levies imposed by any sports association with which the Club shall for the time being be affiliated while they are active members of the Club.

11. HONORARY MEMBERS QUALIFICATION

An Honorary membership can be granted to Club Patrons, Sponsors, Selected Government Officers and any other such persons as the Committee may decide from time to time. No person shall be allowed to become an Honorary Member of the Club who;

- (A) Does not possess the qualifications defined by these rules;
- (B) Who was afforded the privileges of the Club as an Honorary member at any time within three months immediately preceding; or
- (C) Who is a juvenile.

11.1 Subject to the provisions of Rule 12, any person who is:

- (A) Accredited member of any recognized sports club, having objects similar, wholly or in part to those of this Club;
- (B) Is a person of distinguished position or attainment including members or local authorities outside the Local Council areas;
- (C) A member of the Armed Forces of any country outside Australia; or

(D) An official of ACTA (Inc) with which this Club is affiliated or any other such association from any State or Territory of Australia, or from overseas, shall be deemed to be qualified for and may be elected as an Honorary Member of the Club as hereinafter provided.

12. NOMINATION OF HONORARY MEMBERS

If suggested Honorary member shall be proposed on a written form signed by a member such form setting out that such a person is, to the knowledge of his proposer, eligible according to the rules of the Club to be elected as an Honorary member. Such form shall be posted on the notice board and at any time not less than seven days thereafter (their time of such posting to be marked thereon) the suggested member shall be deemed to be elected, provided that the form has been initiated as approved by at least two members of the Committee neither of whom shall be the proposer and the candidate shall be advised in writing of such admission.

12.1 Honorary membership shall be elected for such person as the Committee may think fit provided that no person shall be an Honorary Member for a longer period than one month in any calendar year.

12.2 No person shall be allowed to become an Honorary Member of the Club or be relieved of the payment of the regular subscription except those possessing the qualifications described in these rules and such membership shall be subject to the conditions and regulations prescribed by these rules.

13. SOCIAL MEMBERS

(A) At no time shall persons be elected as social members if their election would increase the ratio of Social Members to be greater than 20% of the number of Ordinary, New Start, Life and Junior Members.

(B) Social Members may avail themselves of the Club's facilities for social purposes, but not avail themselves of any other form of operation conducted by the Club such as practice, competitions and

in particular, participation in the instructional activities of the Club in respect of clay target shooting, gun handling and safety precautions.

(C) Social Members shall not be entitled to any voting rights at General or Special meetings of the Club.

14. JUNIOR MEMBERS

(A) Junior Members shall be juveniles who shall not be entitled to vote at general meetings of the Club. Junior Members shall not be admitted to any portion of the Club premises where liquor is sold or consumed unless accompanied or under the supervision of an adult present at the Club.

(B) Junior members shall be entitled to exercise all shooting privileges of the Club.

15. NEW START CLUB MEMBERS

New Start Club Members are people who, by A.C.T.A (Inc), have been given a one-year provisional period prior to converting across to the other membership categories:

(A) At no time shall persons be elected as New Start Members if their election would increase the ratio of New Start Junior Members.

(B) May avail themselves of the Club's facilities for practice and in particular, participate in the instruction activities of the Club in respect of clay target shooting, gun handling and safety precautions.

(C) New Start Members shall not be entitled to any voting rights at general or special meetings of the Club.

16. OTHER MEMBERS

1. Special Club Members are people who:

(A) Wish to retain their membership with a specific Club outside of the metropolitan area or State, but reside within the constraints of rule 9 regarding Club membership and have paid their club, State and

National affiliation fees with that club, but wish to have full use of the Club's facilities.

- (B) These members pay the cost of the Full Club membership fee as determined by the Committee.
 - (C) Special Club members who pay the full Club membership fee will have the same rights as an Ordinary member of the Club except as limited by Rule 31.
2. Recreational Members
- (A) Recreational members are members who wish to use the facilities of the Club and are non-competitive shooters conforming with the ACTA Membership Categories
 - (B) This class of membership is only available to those who do not wish to compete at any other registered Club in Australia.

17. ENTRANCE FEE AND SUBSCRIPTIONS

Ordinary, New Start, Special Club, Recreational Member, Social, Associate and Junior members shall pay an entrance fee of such respective amounts (if any) as shall from time to time be determined by the Committee.

17.1 The annual subscription for each class of membership shall be such as shall from time to time be determined by Committee but shall not be less than the minimum annual subscription from time to time as prescribed by the Act.

17.2 The annual subscription shall be payable annually in advance on the first day of January in each year provided that any existing member joining after the first day of July in each year shall pay half year Club subscription but the full appropriate category State and National fees only to the end of the current year provided further that no aliquot part of the current year's subscription paid by a member shall be less than the minimum subscription from time to time prescribed by the

Act. New members joining after first day of July in each year will pay the half year subscription in accordance with State, National and Club fee determination. Any member whose subscription shall remain unpaid for a period of one month from the date from which the subscription shall become due for payment shall cease to be a member of the Club and the Secretary of the Club shall thereupon remove the name of such member from the list of members of the Club.

18. ANNUAL MEETINGS

The annual meetings shall be held on such a day and at such a time and place during any of the first four months of each year as the Committee may determine.

19. SPECIAL MEETINGS

The Secretary shall whenever required by the Committee or by a requisition made in writing by not less than thirty (30) members of the Club or 20% Of Club members, whichever is the lesser number at the time, convene a special meeting. Any requisition made by members shall express the object of the meeting proposed to be called, and on receipt thereof the secretary shall forthwith convene a special meeting to be held in no less than fourteen (14) days nor more than twenty-eight days from the time of the requisition being sent and if in the case of a requisition by members aforesaid the meeting shall not be convened as aforesaid within the time aforesaid the requisitionists or any of them may convene such meeting.

20. NOTICE OF GENERAL MEETINGS

Fourteen (14) days notice at least of every General meeting specifying the time and place of the meeting and nature of the business shall be posted on the notice board in the Club house at least fourteen days before the date of the meeting.

21. QUORUM

At any general meeting of the Club not less than thirty (30) members of the Club or 20% of those entitled to vote, whichever is the lesser number at the time, shall form a quorum.

22. PROXY VOTING

The methods of Proxy or Absentee voting will not be accepted as a voting method for any Annual, Special or General Meeting in alignment with Section 18, 19 and 20* of the Constitution, unless the member can prove that they will be absent from the meeting due to bona fide work commitments, holidaying overseas or medically incapacitated to attend. Proof must be provided to the Secretary a minimum of fourteen (14) days in advance for Proxy voting forms to be sent out and returned seven days prior to the Annual General Meeting.

23. ADJOURNMENT

If within half an hour from the time appointed for a General Meeting a quorum of members is not present, the meeting if convened upon the requisition of members shall be dissolved but in any other case it shall stand adjourned to the same day in the following week at the same time and place, and if at such adjournment meeting a quorum of members be not present, the members present shall be a quorum and may transact the business for which the meeting was called.

23.1 The chairperson of any meeting may adjourn the same from time to time but no business shall be transacted at any adjournment meeting other than the business left unfinished at the meeting of which the adjournment took place.

24. CHAIRPERSON OF MEETING

The President of the Club or their absence, the Vice President, shall preside at every meeting of the Club. If within ten minutes after the appointed time of the meeting none of the persons aforesaid is present the meeting may elect its own chairperson.

25. QUALIFICATION TO ATTEND MEETING AND VOTE

Members of all classifications (other than Honorary members) shall be entitled to be present at all general meetings of the Club but no members other than Ordinary, New Start Members, Special Club Members, Recreational Members, and Life Members shall be entitled to address any meeting or vote at any meeting.

26. ORDER OF BUSINESS AT ANNUAL MEETING

The following shall be the order of business at an Annual Meeting:

- (A) Read and confirm the minutes of the last Annual Meeting and any Special General Meeting since.
- (B) To receive the Committee's report and financial accounts.
- (C) Declaration of ballots (if any) for the election of officers, Committee Members and the election of an auditor for the ensuing year.
- (D) To deal with notices of motion and such other business as may be transacted without notice.

27. RECORD OF MEETINGS

Minutes of the proceedings at every General Meeting shall be entered and kept in a Minute Book, and the said Minute Book, when signed, shall be conclusive evidence that the proceedings minuted therein were regular and actually took place as minutes at the meeting duly convened and held and shall be binding on all the members.

28. MANAGEMENT

The Club shall be managed and controlled by a Committee, which shall be the sole authority for the interpretation of the rules, regulations and by-laws of the Club.

29. COMMITTEE

The Committee of the Club shall consist of:

- (A) President

- (B) Vice President
- (C) Immediate Past President
- (D) Treasurer
- (E) An Honorary Secretary (if there be no paid Club Secretary)
- (F) Trap Captain
- (G) Skeet Captain
- (H) ISSF Captain
- (I) ACTA Sporting Captain
- (J) Trap Maintenance Officer
- (K) Target Management Officer
- (L) 3 Ordinary Committee Members

Who shall be elected by the general body of members as hereinafter provided in each year and shall hold office until the time of the next Annual General Meeting. All office bearers in office at the date of adoption of these rules shall hold office until the time of the next Annual General Meeting. Only WAGC members can be elected to the WAGC Committee but are ineligible to serve on the WAGC Committee if they are concurrently serving on the Committee or executive of any other ACTA gun club.

The following office bearers will also be elected at the Annual General Meeting but will not form part of the Committee:

- i. Trap Vice Captain
- ii. Skeet Vice Captain
- iii. ISSF Vice Captain
- iv. ACTA Sporting Vice Captain.

30. PATRON

At an Annual General Meeting of members, a Patron (special support role) may be appointed.

31. ELECTION OF OFFICE AND COMMITTEE MANAGEMENT

- (A) No person shall be eligible to be nominated or elected as a member of the Committee or as an office bearer of the Club unless they:

- i. Are a financial Ordinary member of the Club;
- ii. Have nominated the Club as their primary or home club with ACTA.

- (B) They shall be nominated in writing by two financial members and such nomination, together with the written consent of the candidate, shall be in the hands of the Secretary at least fourteen (14) days prior to the date of the Annual Meeting.
- (C) A ballot shall be conducted at the Annual General Meeting for any positions on the Committee or positions as office bearers that become vacant at that meeting. Should there be more than one nomination for any position on the day the Chairperson shall determine the method of conducting the ballot. A motion must be proposed, seconded and carried before any Ballot papers can be destroyed at the completion of the Meeting.
- (D) A Member must declare their intention to serve on the Committee or as an office bearer under Rule 31 (A). A candidate may declare their positions through nominations in the order of preference.
- (E) Nominations for all positions first come from candidates nominated under Rule 31 (A). Only after all vacant positions have been offered to candidates then nominations can come from the floor.
- (F) Members can only be elected for one Committee or office bearer position.
- (G) No one shall hold the office of President of the Club for more than four successive years.

32. MEETINGS OF THE COMMITTEE

Committee shall meet not less than once in every month for the transaction of ordinary business and six members shall form a quorum. Except where otherwise in these rules expressly provided, all questions arising at any meeting of the Committee shall be determined by a majority of the votes of the members present. The Chairperson of the meeting shall in the case of equality of votes have a second or casting vote if their vote is required. The President or in their absence, the Vice President shall be the chairperson at every meeting of the Committee. Minutes of all resolutions and proceedings

of such Committee shall be entered in a book to be provided for that purpose.

32.1 The President may at any time summon a meeting of the Committee to deal with any matters requiring immediate attention.

33. POWERS OF COMMITTEE

Without prejudice to, or limiting the powers conferred by these rules, the Committee shall have the power to do any one or more of the following:

- (A) To purchase or otherwise acquire any books, newspapers or periodicals or dispose of the same as it may think fit.
- (B) To determine from time to time the conditions on which and times members may use the property of the Club or any part thereof, and the manner, times and conditions, how and when and under which premises of the Club or part thereof shall be used by the members or any of them.
- (C) To appoint from time to time and remove a paid Secretary and all such servants and assistants as may in the opinion of the Committee be necessary and pay such salary and wages to such Secretary, servants and Assistants as the Committee may think fit and to define their respective duties.
- (D) To delegate (subject to conditions as it thinks fit) any of its powers to sub-committees consisting of such members of the Club as it shall think fit and to make regulations as to the proceedings of such sub-committees as may be thought desirable provided however that every member of such sub-committees shall be members of the Club and shall report to and be responsible to the Committee provided further that the decisions of the sub-committees shall be subject to ratification by the Committee.
- (E) To pay any servant of the Club any gratuity for diligent and faithful service as the Committee may deem fit. These payments will be recorded in the Minutes of the Committee meeting in the month they are paid.

- (F) To purchase or to enter into the accept any lease or tenancy of the premises thereon or furniture goods and effects wherewith the business for the Club may be carried on as the Committee may think fit and for such time or term and on such conditions and at such rent as it may be expedient.
- (G) To draw, make, accept, endorse and issue negotiable securities or instruments of whatsoever kind or nature and to determine by which officers of the Club such negotiable securities or instruments shall be signed.
- (H) To make and defend all legal proceedings by or on behalf of the Club and to appoint all necessary attorneys for such purpose.
- (I) To register the Club under the "Associations Incorporations Act 2015".
- (J) With the consent of the general meeting to borrow raise or secure payment of money.
- (K) Sell and dispose of assets of the Club as may.
- (L) To make by-laws not inconsistent with these rules for the regulation and management of the Club the shooting of Clay Targets by members and for the conduct of the election of officers and of members and to alter amend or rescind them as occasions may require. A book containing the by-laws and any revocation or such as a place as the Committee may appoint for that purpose. All such by-laws and any such revocation or alteration thereof shall be enforced and be binding on all members until disallowed by a meeting of the members of the Club. Any alteration to the rules and by-laws shall be posted on the notice board.
- (M) To make a call (not exceeding the amount of the annual subscription for each class of member payable for the then current year) on all members excluding such class or classes of members as the Committee shall from time to time approve and the amount of such call when so made shall be debt due to the Club by each member on whom the call is made.
- (N) set Annual subscription fees
- (O) To authorize and approve expenditure for any major equipment or infrastructure necessary for the operations of the Club.

34. DISQUALIFICATION OF COMMITTEE PERSON

Any member of the Committee shall vacate their office by resolution of the Committee if they:

- (A) Cease to be a member of the Club, or be suspended from membership, or
- (B) Resign from the Committee or be removed from office by resolution at a general meeting of the Club; or
- (C) Become ineligible to accept an appointment or act as a Committee member under section 39 of the Act; or
- (D) Become permanently unable to act as a Committee member because of a mental or physical disability; or
- (E) Be absent without leave of the Committee from three (3) consecutive ordinary meetings for the Committee.

35 COMMITTEE'S POWER TO SUSPEND OR EXPEL MEMBERS

The Committee shall have the power to suspend or expel any member of the Club who:

- (A) Shall fail in the observance or commit any breach of any Rule of the Club or any by-law of the Committee or any other order or direction of the Committee or of any General Meeting, or
- (B) Shall be convicted of any offence punishable summarily or any kind of crime or misdemeanour, or
- (C) Shall in the sole and absolute judgement and discretion of the Committee have been guilty in or out of the Club premises, or any act, practice, conduct, matter or thing calculated to bring discredit on the Club or its members or to impair or to affect the enjoyment of the Club by other members.
- (D) The Committee may suspend or expel any such member on proof of its satisfaction of the events or any of the above mentioned.

36. PROCEDURE

In the Event of the Committee acting under Rule 35 the following shall be the procedure:

- (A) A charge must in the first place be made either by a member of the Committee, or by a resolution of the Committee, stating the nature of the offence of which the member has been accused.
- (B) The Committee shall then cause a notice to be sent by Registered mail to the member complained against to attend before the Committee to answer the said charge and also their accuser, if any, and the Secretary must on the application by either party send a notice to any other member to appear and give evidence, provided that such application must be made three clear days before the date of the hearing of such charge. Seven clear days' notice must be given of such hearing. Should either of the parties fail to attend the Committee shall take evidence and decide the case the same as if all parties were present.
- (C) If after hearing the evidence the Committee shall be of the opinion that the charge is substantiated they shall inflict such penalty as they may think fit either by fine, suspension from privileges of membership for a certain time, or by expulsion; and shall thereupon cause notice of such penalty to be sent by Registered mail to the member charged at their last address, and in the case of expulsion the name of such member shall be erased from the list of members, and shall cease to enjoy the privileges of a member.
- (D) Any member of the Club who may be aggrieved by any determination of the Committee in the application of Rule 35 has the option to appeal one or more of the Committee's decisions. They must lodge the intent to appeal with the Secretary within 7 days of the Committee's determination and giving notice to that effect. Following the receipt of a notice of intended appeal the Committee must arrange for the appeal to be heard and determined by the State Administrative Tribunal as provided for under Section 182(1) of the Act. The member shall be advised of the date and location of the hearing by the State Administrative Tribunal by the Secretary by Registered mail. Costs for the hearing are to be paid for by the member appealing the decision. Should the State Administrative Tribunal rule in favour of the member then the costs must be reimbursed by the Club and the recommendation to be taken on and adhered to by the Committee.

Until the hearing of any such appeal the decision of the Committee shall have full effect, the same as if no appeal had been made.

- (E) Should any members, having been expelled in accordance with Rules 33-35, shall be notified to the State and National bodies of Clay Target shooting under which the Club is affiliated and the reasoning for the expulsion.
- (F) Whereby the expulsion involves the serious offence/s regarding firearms and threats, the Committee shall immediately inform the Western Australian Police of the decision of the Club with the ex-members name and address for Police actioning.

37. MEMBERS NOT ENTITLED TO TAKE PROCEEDINGS

No member shall be entitled to take action or proceedings against the Club for or in respect of any such suspension as foresaid and the decision of the Committee subject to any appeal shall be final and binding in respect thereof.

38. RESIGNATION OR RETIREMENT OF OFFICERS

An Office Bearer of the Committee may at any time resign or retire his office by giving to the Secretary notice in writing of his resignation.

39. CASUAL VACANCIES

In the event of vacancies occurring in the number of Committee Members, the Committee may elect members to fill such vacancies and such members shall continue until resignation, retirement, cancellation by the Committee or until the next Annual General Meeting is held.

40. COMMON SEAL

The Club shall have a common seal, which shall be kept in the custody of the Secretary and shall not be affixed to any document except by the authority of the Committee and in the presence of two members

of the Committee. Any document to which the seal is affixed shall be countersigned by the President or an officer appointed by the Management Committee for that purpose.

41. ACCOUNTS

The financial year for the Club shall commence on the first day of January each year. The accounts shall be closed on the last day of December in each year and a balance sheet containing a summary of the assets and liabilities of the Club on these dates shall be made out and a copy thereof posted on the notice board prior to the date of the Annual General Meeting. The accounts shall be maintained by either a hard copy ledger or on any approved accounting package with Report printing capability.

42. NOTICES

Any notice given under this Constitution may be given in writing, by sending same through the post by registered post, facsimile or other electronic means addressed to the person as shown in the register of Members and Delegates. The notices shall be deemed to have been served seven days following the day of posting.

43. AUDITOR

- (A) The election of the Auditor shall be made by the Club at the annual meeting each year and shall be a certified Chartered or a Public Accountant specialising in Auditing practices.
- (B) An auditor shall be eligible for re-election and if any casual vacancy occurs in the office of any auditor appointed by the Club, the Committee shall fill the appointment until the next annual meeting.
- (C) Every auditor shall have a list delivered to him of all books kept by the Club, and it shall at all reasonable times have access to the books and accounts of the Club.
- (D) An audit by a certificated Chartered or a Public Accountant shall be made once each year of all the Club's financial transactions for

submission to the Annual General Meeting or when deemed necessary by the Club.

44. DUTIES OF THE SECRETARY

The Secretary shall be responsible to the Committee and as such, carry out the following duties in accordance with the Committees direction:

- (A) It shall be the duty of the Secretary to conduct the correspondence of the Club and also keep full and accurate minutes of the proceedings of all meetings of members, and of the Committee. Any such minutes signed by any person purporting to be the Chairperson of any meeting of members shall be conclusive evidence that the proceedings minuted were regular and took place at a meeting duly convened and held.
- (B) The Secretary shall maintain a register to be provided for that purpose and record in that register the full name of each member of the Club specifying the member's residential, postal or email address, class of membership and date of election and shall delete there from the names of any person who has ceased to be a member. Changes to the register must be recorded within 28 days after the change occurs. The register must be kept at the Secretary's place of residence or at another place determined by the Committee.
- (C) A member who wishes to inspect the register of members must contact the Secretary to make the necessary arrangements.
- (D) If:
 - a) a member inspecting the register wishes to make a copy of, or take an extract from, the register of members under section 54(2) of the Act; or
 - b) a member makes a written request under section 56(1) of the Act to be provided with a copy of the register of members, then the Committee may require that member to first provide to the Secretary 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.
- (E) All notices electronically mailed or e-mailed, facsimiled, delivered or posted to such address on the register of members by the Secretary

shall be valid. If no address be given all notices left at the clubhouse shall be sufficient.

- (E) The books and any securities of the Club must be kept in the Secretary's custody or under the Secretary's control.

45. DUTIES OF THE TREASURER

The Treasurer shall be responsible for the recording of any income derived and any expenditure the Club has identified in accordance with common business practices, and as such carry out the following duties under the direction of the Committee:

- (A) Receive all monies on behalf of the Club, and to pay such monies into such account at such bank as the Committee may decide. Such account shall be operated upon as the Committee shall determine.
- (B) Shall keep correct accounts and books of the Club showing its financial affairs and particulars usually shown in the Club book of accounts of the like nature, shall make up an annual statement of accounts and balance sheet of the Club to the thirty first day of December each year, which shall, after audit be available to members by the Annual General Meeting.
- (C) All monies received by the Treasurer shall be deposited to the credit of the Club's bank account within seven days of receipt. The Treasurer may delegate this responsibility, on authority of the Committee, to the Bar / Operations staffs to ensure that all monies received by the Club are recorded through the Clubs cash register.
- (D) All payments and or expenditure of accounts of the Club shall be conducted by any two of the four persons authorised by the Committee. Authorised three of the four signatories in any event shall be the President, Vice President, Treasurer and any other person authorised by the Committee. At no time can two Committee members, who are related, be authorised to co-sign the payments.
- (E) Subject to rules 44 (A) and (C), the Club may authorise the Treasurer or other authorised persons to hold petty cash to facilitate the efficient workings of the Club. Cash limits shall be authorised by the Committee and all cash purchases will be recorded in a Petty Cash

Book or the Bar Summary Report with documentary proof of the same.

- (F) A Bookkeeper may be employed by the Club to assist the Treasurer and is responsible to the Treasurer in fulfilling the accounting requirements of the Club.
- (G) The Bar/Operations staff are directly responsible to the Treasurer for any or all immediate day to day financial management and accordingly provides a daily, weekly and monthly report.

46. SERVANTS AND OR STAFF

- (A) No servant and or staff of the Club shall receive any money or gratuity from any member of the Club or stranger admitted in the Clubhouse or from any tradesman on any pretext whatsoever on pain of instant dismissal.
- (B) No juvenile shall be employed in the Club but this restriction shall not apply to persons employed in administration and grounds work of the Club PROVIDED THAT no juvenile shall serve alcoholic beverages in accordance with the Liquor Control Act 1988 and amendments.
- (C) No steward, cook or other employee of the Club shall be called upon to serve longer hours than persons employed in a public house, hotel, restaurant or coffee place may for the time being lawfully employed.
- (D) No servant or staff of the Club shall be sent out of the Club on any errand whatsoever except by direction of a member of the Committee.
- (E) The conduct of any servant or staff of the Club shall in no way be made a matter of personal reprimand by any member but shall be brought immediately to the attention of a Committee member or the Committee in writing signed by the member complaining.

47. REMOVAL OR INJURY OF PROPERTY

No member or visitor shall take from the Club rooms or injure or destroy any of the property of the Club, and any loss or damage resulting from any breach of this Rule shall be made good by the member or visitor

concerned. The Committee shall assess the amount to be paid by the member or visitor and the assessment shall be final and conclusive.

48. LOSS OR DAMAGE TO PROPERTY

The Club shall not be held responsible for the loss or damage to any article whatsoever brought into the Clubhouse or Club grounds by members, guests or visitors.

49. ADMISSION TO PARTS OF CLUB PREMISES

No member of the Club other than the Committee or appointed staff shall be allowed behind the bar or secure areas of the Club under any pretext except with the approval of a member of the Committee or the Secretary or appointed Bar / Operations staff.

50. RESOLVING DISPUTES BETWEEN MEMBERS

In this Constitution the grievance procedure for resolving disputes between members means the procedures set out below.

- (A) The parties to a dispute must attempt to resolve the dispute between themselves within 14 days after the dispute has come to the attention of each party.
- (B) If the matter cannot be resolved in this manner, then the parties must seek out a Committee member to help adjudicate. It is also recommended to document the dispute in the identified Complaints Register with full details of those involved and the matter concerned.
- (C) If the parties to a dispute are unable to resolve the dispute between themselves or with the assistance of a Committee member then any party to the dispute may start the grievance procedure by giving written notice to the Secretary of:
 - I. The parties to the dispute; and
 - II. The matters that are the subject of the dispute.
- (D) Within 28 days after the Secretary is given notice, a Committee meeting must be convened to consider and determine the dispute.

- (E) The notice given to each party to the dispute must state when and where the Committee meeting is to be held; and that the party, or the 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.
- (F) At the Committee meeting at which a dispute is to be considered and determined, the Committee must:
 1. 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
 2. give due consideration to any submissions so made; and
 3. determine the dispute.
- (G) 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.

51. GUESTS, TEMPORARY MEMBERS AND OR VISITORS

Members may introduce guests and or visitors subject to the following conditions:

- (A) The guests and or visitors name shall be recorded in a book to be kept for that purpose and such entry shall be attested by the signature of the introducing member, and such member shall be responsible for payment of all fees.
- (B) Any person who has been refused membership of the club or who is under the suspension or expulsion from the club shall not be admitted as a guest of any member of the club.
- (C) No person who has been an unsuccessful candidate for admission to the Club shall be admitted as a guest and or visitor.
- (D) The member introducing the guest shall be responsible for the proper conduct of that guest whilst on the club premises. A member may, at their expense, and with the approval of the club Committee, supply liquor to

guests, without limitation as to number, at a function held by or on behalf of that member, at the club premises.

- (E) Guests and or visitors may be admitted only use of such part of the Club premises as shall be set apart for their use between such hours as may for the time being allowed by law. A guest shall be supplied with liquor to be consumed on the club premises only.
- (F) A guest shall not be supplied with liquor in the club premises except on invitation and in the company of that member.
- (G) The maximum number of guests per member per day for the purposes of section 48(4)(b) of the Act is three (3).
- (H) A member introducing a guest and or visitor who wishes to use the Club's shooting facilities must take such action as is necessary to satisfy himself that his guest and or visitors is fully informed of the Club's safety procedures and is capable of safely handling a firearm.
- (I) Any guest and or visitor attending the Club do not have the right to open any of the shooting facilities available at the Club. Only members are able to open the shooting facilities and must remain with their guests and or visitor until completion of their use of the shooting facilities.
- (J) As a member of, an official of, or a person assisting a team that is to contest a pre-arranged shoot.
- (K) A person who is on any day visiting the club as a member or an official of another club:- that is to engage in a pre-arranged event with the host club conducted for the purposes of one of the host clubs principal objects; or that is to hold a pre-arranged function at the host club involving the use of the host club's sporting facilities, may be taken to be a person who is accorded temporary membership on that day.

52. LIQUOR

- (A) No liquor shall be sold or supplied for consumption elsewhere than on the Club premises.
- (B) No payment or part payment to any Secretary, Treasurer, Manager or other officer or servants or Bar / Operations staff of the Club shall be made by way of commission or allowance from or upon the receipts of the Club for liquor supplied.

- (C) No liquor shall be sold or supplied to any juvenile (i.e. any person under the age of 18).
- (D) The Club shall only be open for the sale of liquor during such hours (within the hours permitted under the Liquor Control Act 1988) as the Committee shall from time to time determine. No liquor shall be sold or disposed of on Christmas Day, Good Friday or before noon on Anzac Day except as permitted under the provisions of the Act.
- (E) The Club shall nominate a person as the approved manager pursuant to the provisions of section 100 of the Act. Where the approved manager is absent for periods in excess of those specified in section 100 of the Act, the club shall appoint a temporary manager and the relevant application shall be lodged with the Director of Liquor Licensing.
- (F) As soon as is practicable after the making of any proposal for a change to the Constitution or Rules of the Club, the Secretary shall provide to the Director of Liquor Licensing, certified particulars of the change proposed. No effect will be given to the change without the prior approval of the Director.
- (G) No stranger shall be permitted to use the club premises and no member or other person shall admit any stranger to use the club premises.

53. BETTING

No member guest or visitor shall be allowed to make a betting book in the Club premises.

54. MEMBERSHIP SUBSCRIPTION LISTS

No subscription, lawful raffle or sweepstake list shall be exhibited or canvassed for on the Club premises except by the permission of the Committee. Privacy Rules apply.

55. DUES RECOVERABLE AT LAW

Notwithstanding anything herein obtained, all subscriptions owing by any member under these Rules and all monies owing and payable by any member of the Club for liquor supplied or delivered to such member or any other account whatever shall be recoverable by the Club by action in any Court of Law against such member whether such member shall at the time of commencement of action have ceased to be a member or not. In any proceeding the Club need not prove the election of Committee, the passing of these Rules or the authority to sue, but all such matters may sufficiently be proved by the oral evidence of the Secretary and or Bar / Operations staff.

56. NOTICES EXHIBITED IN CLUB HOUSE

Every notice is to be directed to be exhibited on the Club Notice Board, which shall be maintained in a conspicuous place on the Club premises.

57. ALTERATION OR REPEALING OF RULES

No new rules shall be made nor any existing rule altered or repealed except by Special Resolution which is passed by the votes of seventy five per cent (75%) majority of members present and entitled to vote at the General Meeting of the Club recorded at the Annual General Meeting or at any Special Meeting of the Club. The proposed Rules or alteration(s) shall be exhibited on the Notice Board at least fourteen (14) days immediately preceding the date of the meeting and a copy thereof shall have been posted to every member at least seven (7) days prior to the date of the meeting. As soon as practicable after the making of the proposal for a change of the Constitution or Rules of the Club, the Secretary shall provide to the Associations Section, Department of Commerce, certificated particulars of the change proposed. No effect will be given to the change without prior approval of the Associations Section, Department of Commerce.

58. DISSOLUTION

The Club may be dissolved by Special Resolution which is passed by the votes of seventy five per cent (75%) majority of members present and

entitled to vote at the General Meeting of the Club recorded at a Special Meeting called for such purpose and thereupon the assets of the Club shall be realised. If, upon the dissolution or winding up of the Club, there remains after the satisfaction of all debts and liabilities any property whatsoever, the same shall be paid or distributed to another association incorporated under the Act which has similar objects and which shall prohibit the distribution of it or their income and property among its members.

59. CONFLICTS

- (A) In the event of any conflict between any provision of this Constitution and any of the provisions of the Act, the Act shall prevail to the extent of any such inconsistency.
- (B) Any unresolvable conflict involving a member of the WAGC may be referred to WACTA or ACTA for consideration.

60. CONFLICT OF INTEREST

A Committee member shall declare their interest in any:

- (A) Contractual matter;
- (B) Selection matter; disciplinary matter, or
- (C) Other financial matter;

In which a conflict of interest arises or may arise, and shall, unless otherwise determined by the Committee, absent themselves from debate on such matter and shall not be entitled to vote in respect of such matter. In the event of any uncertainty as to whether it is necessary for a Committee member to absent themselves from debate and refrain from voting, the issue should be immediately determined by vote of the Committee, or if this is not possible, the matter shall be adjourned or deferred.

61. INDEMNITY

The members of the WAGC Committee and all officers of the Club shall from time to time and at all times be saved harmless and kept indemnified from and against all costs, charges, losses, damages and expenses which they or any of them shall incur in any action and

proceedings which they shall be plaintiffs or defendants when properly conducting the affairs of the WAGC. PROVIDED THAT they have acted by direction or with the approval of the WAGC Committee, whether such approval is given before or after the event.

No WAGC Committee member shall be liable for acts, receipts, deeds, neglects or defaults alone. Any person employed by the WAGC shall for the purpose of this rule be deemed a WAGC Committee member.