

ASSOCIATIONS INCORPORATION ACT 1981

VICTORIAN CLAY TARGET ASSOCIATION INC.

STATEMENT OF PURPOSES

The purposes for which the Incorporated Association is formed are all or any one or more of the following:

- (a) To continue to carry on the Association and activities heretofore carried on by the unincorporated body known as Victorian Clay Target Association.
- (b) To administer the sport of clay target shooting in Victoria.
- (c) To promote, encourage and develop the sport of clay target shooting and the formation of clay target clubs.
- (d) To ensure uniformity of rules for the control and regulation of clay target shooting.
- (e) To control in conjunction with any affiliated club in Victoria shooting programmes including interstate competitions.
- (f) To instruct in the safe handling of firearms.
- (g) To become the official body in Victoria recognizable by the State Government on matters relating to the promotion of the sport of clay target shooting and in matters of legislation relating to shotgun firearms control and clay target shooting grounds.
- (h) To provide a chain of communication through club and zone councils for individual suggestions and problems and consequently to present – if necessary – a considered State recommendation to the Australian Clay Target Association or its successors.
- (i) To acquire, take on lease, hold, exchange, dispose of, surrender, keep, develop, manage and maintain Association premises, facilities and equipment.
- (j) To acquire, take on lease, hold, exchange, dispose of, surrender and deal in all kinds of real and personal property and any rights or privileges which the Association may deem fit for all or any of the purposes herein.
- (k) To employ and remunerate any person or persons for all or any of the purposes herein.
- (l) To undertake and execute any trusts and agencies in connection with all or any of the purposes herein.
- (m) To do all such acts, matters and things deemed by the Association to be conducive to, incidental or conveniently done in connection with all or any of the purposes herein.
- (n) To do all or any of the foregoing acts, matters or things either alone or in conjunction with any person, association, club or corporate bodies and with any duly constituted authority acting on behalf of the Crown.

ASSOCIATIONS INCORPORATION ACT 1981

VICTORIAN CLAY TARGET ASSOCIATION INC.

RULES

NAME

1. The name of the Incorporated Association is the VICTORIAN CLAY TARGET ASSOCIATION INC. (In these Rules called “the Association”).

INTERPRETATION

2. In these Rules, unless the contrary intention appears:

“The Act” means the Associations Incorporation Act 1981.

“The Regulations” means regulations under the Act.

“Member of the association” means a club for the time being affiliated with the Association and “affiliated club” has a like meaning.

“Executive Council” means the committee of management of the Association constituted in accordance with Rule 7.

“General Meeting” means a general meeting of members of the Association convened in accordance with these Rules and where the context permits includes annual general meeting.

A reference in these rules to the “Australian Clay Target Association” shall include such Association and its successor or successors.

A reference to the male gender where the context permits includes a reference to the female gender.

MEMBERSHIP

3. (1) The membership of the Association shall comprise:
  - (a) Every club which at the date of incorporation of the association is affiliated with the Association, and
  - (b) Any club which after the said date is granted affiliation in accordance with these Rules.
- (2) Any club desirous of affiliating with the Association and not affiliated with the Association at the time of the incorporation of the Association (or which was affiliated at that time but whose affiliation has since ceased) and which has a principal purpose of promoting, controlling and conducting the sport of clay target shooting shall be eligible for affiliation with the Association and may make application for affiliation in writing to the Executive Council.
- (3) Each application for affiliation shall set forth the names and addresses of the officers, and the names and addresses of all members of the club and note which of such members are registered with the

Australian Clay Target Association through that club and shall be accompanied by the prescribed fee for affiliation.

- (4) As soon as practicable after receipt of an application for affiliation the Executive Council shall consider such application and if the Executive Council shall approve such application the applicant club shall be granted affiliation.
- (5) Granting of affiliation with the Association shall operate as an agreement binding the Association and every affiliated club to abide by these Rules and to accept and enforce all the Associations decisions.
- (6) The Association reserves the right to refuse affiliation to any club and shall not be obliged to give a reason for any such refusal.

#### RESIGNATION

4. (1) A club wishing to resign or determine its affiliation with the Association shall give written notice to the Secretary and upon the expiration of 14 days from the giving of the written notice such club shall cease to be affiliated with the Association.
- (2) A club so resigning or determining its affiliation shall be liable for any fees or levies owing by the club to the Association up to the time of cessation of Affiliation.

#### REGISTER OF MEMBERS

5. (1) The Secretary shall keep and maintain a Register of Members in which shall be entered the full name, address and date of entry of each affiliated club and the date of cessation of affiliation of a club, where applicable, and the Register shall be available for inspection by the office bearers of any affiliated club.
- (2) Affiliated clubs shall register their own individual members with the Association and keep such registrations up to date at all times.

#### ENTRANCE FEES AND SUBSCRIPTIONS

6. (1) There shall be no entrance fee unless and until the Association in general meeting shall otherwise determine.
- (2) The annual subscription payable to the Association shall be \$10.00 per affiliated club (or such other amount as may from time to time be prescribed by the Association in general meeting) plus such further amount (if any) per individual member of an affiliated club as the Executive Council or Association in general meeting may from time to time prescribe.
- (3) The annual subscription for any year is due and payable on the 1<sup>st</sup> day of January of that year.
- (4) Clubs affiliating with the Association part way through a year shall pay the full annual subscription for that year.

- (5) The financial year of the Association shall commence on the 1<sup>st</sup> day of July in each year and shall end on the 30<sup>th</sup> day of June of the following year.
- (6) If the annual subscription or any other monies owing to the Association by an affiliated club shall be in arrears and remain after 30 days of a notice from or on behalf of the Association is served requiring payment thereof then the Executive Council may by resolution cancel the affiliation of such club whereupon the affiliation of such club shall forthwith cease.

#### EXECUTIVE COUNCIL

7. (1) The State of Victoria shall be divided into four zones as follows:
  - (a) North West Zone.
  - (b) North East Zone.
  - (c) South East Zone.
  - (d) South West Zone.
- (2) Each zone shall form its own Council and three delegates from each zone, including the Executive Member from that zone, shall make up the Association Executive Council.
- (3) The zone delegates shall be elected at a zone council meeting, within the zone, at which all clubs in the zone shall have equal voting power. The zone council secretary shall advise the names and addresses of the zone delegates to the Secretary of the Association seven clear days prior to the annual general meeting of the Association.
- (4) One delegate from each zone shall retire each year in an order initially decided at the meeting of the zone council at which the original zone delegates are elected and each delegate shall remain in office as a member of the Executive Council until such membership shall become vacant in accordance with these Rules. Retiring delegates shall be eligible for re-election.
- (5) The delegates forming the Executive Council shall elect a President and Vice President from amongst themselves and shall appoint a Treasurer and Secretary immediately following each annual general meeting of the Association and the retiring officers shall stay in office until such time as the elections and appointments aforesaid take place.
- (6) All members of the Executive Council shall be financial members of an affiliated club and shall be registered with the Association and with the Australian Clay Target Association.

- (7) A delegates membership of the Executive Council shall become vacant if such delegate:
  - (a) ceases to be a member of his affiliated club,
  - (b) he retires as hereinbefore provided, or
  - (c) he resigns.
- (8) Any vacancy in the Executive Council shall be filled by a delegate appointed by the zone council to which the vacating delegate's club belonged. In the event of the vacating delegate being also an officer of the Association, the Executive Council shall then elect one of its members to fill his office.
- (9) In the event of any delegate to the Executive Council being unable to attend a meeting of that council, the zone council of which he is a delegate, may appoint a substitute delegate to attend in his place without notification to the State Council. Such substitute delegate shall not act as an officer of the Executive Council.
- (10) A delegate or substitute delegate may represent only one zone at any one time.
- (11) At any meeting of the Executive Council a Quorum shall consist of five delegates with representation from at least three zones.
- (12) Meetings of the Executive Council shall be held three times per year and at such other times as the Executive Council may determine and notice of each meeting shall be given to each member of the Executive Council a reasonable time before such meeting.
- (13) The President, or in his absence the vice President shall have power to convene meetings of the executive Council at any time provided at least twenty one clear days notice of the meeting shall be given to all members of the Executive Council.
- (14) Meetings of the Executive Council shall be conducted in accordance with the procedure set out in Rule 23.
- (15) At meetings of the Executive Council save as is otherwise provided in these Rules each delegate or substitute delegate as the case may be shall have one vote.

#### POWERS OF THE EXECUTIVE COUNCIL

8. Subject to a general over-riding authority of a general meeting the Executive Council shall have the control and management of the business and affairs of the Association.
9. In addition to the powers otherwise conferred upon the Executive Council by these Rules, it shall have full power and authority:
  - (1) To grant or refuse affiliation to any club.
  - (2) In accordance with these Rules to expel, suspend, disqualify or fine any affiliated club for such period as the Executive Council thinks fit.
  - (3) To rescind or amend without notice of motion a previous resolution or decision of the Executive Council.
  - (4) To appoint sub-committee for any purpose or purposes.
  - (5) To conduct a postal ballot of all affiliated clubs, through their zone councils, upon any matter or question which the Executive Council

considers to be such that a postal ballot is desirable. Each affiliated club shall only be entitled to one postal vote.

- (6) To determine, and adjust from time to time, the wages and salaries of any paid employees of the Association.
- (7) To make a special levy from time to time upon affiliated clubs for the purpose of meeting the expenses of the Association.

#### SECRETARY AND TREASURER

10. The duties and authorities of the Secretary and Treasurer shall be as the Executive Council shall decide upon from time to time and each shall be recorded as a written duty statement.
11.
  - (1) The Secretary shall be an employee of the Association and his appointment, the determination of and adjustment of his salary and his termination of employment shall be fully controlled by the Executive Council.
  - (2) The Secretary shall not have voting powers at any meeting of the executive Council or of the Association.
  - (3) The Secretary shall not be a zone delegate of the Association.
  - (4) The office of the Secretary shall be at such place as decided by the Executive Council from time to time.

#### DELEGATES TO REPRESENT THE ASSOCIATION ON THE AUSTRALIAN CLAY TARGET ASSOCIATION EXECUTIVE COMMITTEE

12. Delegates to the Australian Clay Target Association Executive Committee shall be elected by the members present at the last Executive Council meeting of the calendar year. The delegates to the Australian Clay Target Association Executive Committee shall be elected from members of the Executive Council. Substitute delegates shall not be eligible.

#### GENERAL MEETINGS

13. The annual general meeting of the Association shall be held at the time and location of the interstate Trap Teams Match in each year or as otherwise decided by the Executive Council.
14. Special general meetings of the Association may be convened by the Secretary of the Association in the following circumstances:-
  - (a) Upon the motion of the Executive Council.
  - (b) Following a resolution from a general meeting of any one zone council, or
  - (c) Upon a requisition of at least 100 persons registered with the Association.
15. At least twenty-eight clear days notice in writing of the time, date, place and agenda of all general meetings of the Association shall be given to all officers of the Association, to all members of the Executive Council, to the Secretaries of each zone council and to the Secretaries of all affiliated clubs.

16. The accidental omission to give notice of any general meeting to any person or persons entitled to receive the same shall not invalidate the meeting or any resolution passed thereat and it shall be competent for a special general meeting to pass a resolution that so much of Rule 15 be suspended as will permit the special general meeting to proceed as if twenty-eight days notice thereof had been given in any case in which less than twenty-eight clear days notice shall have been given.
17. Representation at all general meetings shall be as follows:
  - (1) Each affiliated club shall be represented by one delegate who shall be entitled to one vote.
  - (2) Each club delegate shall, when attending a general meeting, produce and submit an authority signed by the President and Secretary of his club and stating that he is the delegate to that particular meeting.
  - (3) Each member of the Executive Council shall be entitled to be present as the delegate from the club of which he is a member.
  - (4) Quorum at General Meetings  
At all general meetings of the Association, twelve members shall be a quorum. If within one half hour from the time appointed for the meeting a quorum of members is not present, the meeting if convened on the requisition of members shall be dissolved. In any other case it shall be adjourned to a date fixed by the Executive Council of which due notice shall be given to each member and if at the adjourned meeting a quorum of members is not present within one half hour of the time appointed for the meeting the members present shall be a quorum.
18. Upon all matters or questions arising at any general meeting of the Association upon which a vote is to be taken, the voting shall be by show of hands except where a poll is demanded by at least three persons present at such meeting and entitled to vote thereat.
19. No business except that for which the meeting shall have been called may be transacted at any special general meeting.
20. The Association in general meeting shall have complete control of all Association affairs, and whenever it is provided that any act or thing may be done by the Executive Council then it shall be read subject to the right of a general meeting to vary, add to or rescind any resolution of the Executive Council.
21. At the annual general meeting of the Association the President shall submit a written report of the past years activity including a financial statement and balance sheet audited by the appointed auditor of the Association.

22. The business of the annual general meeting shall be:-

Apologies

Confirmation of Minutes of the previous annual general meeting.

Presidents Report.

Receiving and considering the financial statements, balance sheet and such other statements submitted in accordance with Section 30(3) of the Act.

Receiving of particulars of delegates to the Executive Council for the ensuing year.

Appointment of Auditor.

Notices of Motion.

Alterations and additions to the Rules and Statement of Purposes.

Correspondence.

### PROCEEDINGS AT MEETINGS

23. The following rules shall apply to all general meetings of the Association and meetings of the Executive Council.
- (1) The President, or in his absence, the Vice President shall preside. In the absence of the President and Vice President, the persons present shall appoint one of their number to preside at such meeting. The Chairman of an Executive Council meeting shall have a casting vote in the event of an equality of votes on any question.
  - (2) No member shall speak more than once to a question, except in explanation or reply.
  - (3) A member who formally seconds a motion or amendment without making a speech may speak in support at a subsequent stage of the debate.
  - (4) A reply shall only be allowed to a member who has moved a substantive motion.
  - (5) No member shall interrupt another while speaking except on a point of order.
  - (6) Upon a member raising a point of order, the member then speaking shall sit down until it has been decided. The member rising to order shall state concisely the point of order and the Chairman, without discussion shall give his ruling.
  - (7) It shall be competent for any member to move a motion of dissent from the Chairmans ruling. The mover of the motion shall concisely state his point and the seconder and the Chairman may only speak to such motion.
  - (8) A member may move the adjournment of the debate. If the motion be resolved int eh negative, the mover shall not be allowed to speak again on the question under debate. No member shall move the adjournment at the end of the speech.
  - (9) If there has been considerable debate, any member may move "That the question be now put" and such motion, being duly seconded, shall



be put without debate. If carried, the question shall be put to the vote; if lost, the debate shall proceed.

- (10) An amendment may be moved on the original motion, and the Chairman shall put the amendment to the meeting first, and if carried, it shall be declared to embody the decision of the meeting superseding the motion. When the amendment has been negated, a further amendment may be moved, which, if carried, shall in turn supersede the motion. If there be no amendment carried the original motion shall be put after the mover has replied.
  - (11) The Chairman shall refuse any amendment which is a direct negative or which does not preserve the substance of the original motion.
  - (12) The Chairman shall put all questions first in the affirmative then in the negative and may do so as often as may be necessary to enable him to determine the sense of the meeting thereon and thereupon his decision shall be final unless a poll be called for.
24. Unless and until otherwise determined there shall be no entitlement to vote by proxy save as provided in Rule 36.

#### POSTAL VOTES

25. Whenever the Executive Council in pursuance of Rule 9(5) decides to conduct a postal ballot upon any question or matter the Secretary of the Association shall advise the Secretaries of the zone councils and shall post to the Secretary of every affiliated club a clear statement of the matter or question to be voted upon with a request that such affiliated club shall send its entitlement vote thereon to the Secretary of the Association within a time specified which shall not be less than one calendar month after the post aforesaid. Postal votes shall only be opened at a properly constituted meeting.
26. In the event of less than 25% of votes entitled to be cast on the matter in question being received by the Secretary of the Association within the time specified in question voted shall be deemed to have been lost. In the event of 25% or more votes being received within the specified time the question shall be decided on the majority of votes and in the event of voting being equal the question voted upon shall be deemed to have been lost.

#### LIFE MEMBERS

27. Life membership of the Association may only be conferred upon a person at an annual general meeting of the Association in recognition of outstanding and exceptional services to the Association.

## BANKING AND CHEQUES

28. The Association shall open a bank account with such bank at such place as the Executive Council shall decide and any two of the President, Secretary, Treasurer, or other signatory authorized by the Executive Council, shall have authority to sign cheques and operate on such account.

## DISCIPLINE

29. (1) Subject to these Rules and the regulations the Executive Council may by resolution expel, suspend, disqualify or fin an affiliated club if the Executive Council is of the opinion that such club has:
- (a) refused and/or neglected to comply with these Rules; or
  - (b) has been guilty of conduct unbecoming an affiliated club or prejudicial to the interests of the Association.
- (2) Before the Executive Council shall expel, suspend, disqualify or fine a club the club concerned shall be given 7 clear days notice by certified letter of the meeting at which the appropriate resolution is proposed.
- (3) The club concerned shall have and be given the opportunity of being heard at such meeting and shall be permitted to produce witnesses and evidence on its own behalf.
- (4) If a club is refused affiliation, expelled, suspended, disqualified or fined it may request the appropriate zone council to make submissions to the Executive Council in respect thereof and shall further have the right to appeal to the Association in general meeting within one month of the decision of the Executive Council.
- (5) On an appeal to the Association in general meeting the decision of that meeting shall be final and binding on the matter put before it.
- (6) If any affiliated club shall be suspended, disqualified or expelled by the Executive Council such club shall not be entitled to hold or conduct any District, State or Commonwealth Championship competition during the period of the suspension or disqualification or for so long as it remains expelled from the Association.

## BY LAWS

30. (1) The Executive Council may make by-laws not inconsistent with the Rules of the Association and of the Australian Clay Target Association in relation to the following matters:-
- (a) The management of the affairs of the Association.
  - (b) The qualifications of any person to compete in any competition or event.
  - (c) Handicapping and handicappers.

- (d) Refereeing and Referees.
- (2) The Executive Council may also alter or rescind any such by-laws and fix and enforce penalties for the breach thereof.
- (3) Any by-laws may be disallowed or altered by a majority of members present at the annual general meeting or a special meeting of the Association.

#### AUSTRALIAN CLAY TARGET ASSOCIATION SHOOTING RULES

- 31. The Association shall adopt the Definitions of Terms for Clay Target Shooting and the Rules and Regulations relating to Clay Target Shooting of the Australian Clay Target Association.
- 32.
  - (1) All Championships (Commonwealth, State and District) and Interstate Teams Competitions for the State of Victoria shall be allocated each year by the Executive Council.
  - (2) The Association Secretary shall, before the 31<sup>st</sup> day of May in each year, advise the Secretary of each zone council of the Championships and Teams Competitions that may be applied for by clubs within their zones for the following year.
  - (3) The zone council Secretaries shall then, before the 31<sup>st</sup> day of July in each year, advise the Secretary of the Association of the description and location of each Championship or Teams Competition allocated to Clubs within their zone.
- 33.
  - (1) The Executive Council shall approve the shooting dates of all Open Championships or major shooting programmes. A major shooting programme is one on which cash or trophy value in excess of \$100.00 is allocated for any one event.
  - (2) the zone council Secretaries shall, before the 1<sup>st</sup> day of October in each year, supply the Secretary of the Association with details of shooting dates and major programme details, for each club within the zone, for the following year.
  - (3) Following approval by the Executive Council, the Secretary of the Association shall submit details of Championship Allocations, Shooting Dates and Major Programmes to the Secretary of the Australian Clay Target Association for formal approval when this is required, and shall prepare a programme booklet, containing the details from Rule 33(2) for all zones, to be distributed as directed by the Executive Council.
- 34. All Championship competitions in Victoria, shall be controlled and shot for under the Rules of the Association and the Championship conditions laid down by the Australian Clay Target Association.
- 35. Any person who is duly registered with any State Association or with the Australian Clay Target Association as a member of any club howsoever affiliated shall be eligible to compete in all Commonwealth, State and District Championship events in the state of Victoria.

#### ALTERATION OF RULES AND STATEMENT OF PURPOSES

36. These rules and the Statement of Purposes of the Association shall not be altered except by Special Resolution, being a Resolution passed by a majority of not less than three fourths of the affiliated clubs of the Association entitled under these Rules to vote and voting in accordance with these rules at a General Meeting of which not less than 21 days notice specifying the intention to propose the resolution as a Special Resolution has been given in accordance with these Rules. Proxy voting on such a Special Resolution shall be permitted.

#### SEAL

37. (1) The Common Seal of the Association shall be kept in the custody of the Secretary.
- (2) The Common Seal shall not be affixed to any instrument except by the authority of the Executive Council or Association in general meeting and the affixing of the Common Seal shall be attested by the signatures of two members of the Executive Council.

#### WINDING UP

38. In the event of the winding up or cancellation of the Association the assets of the Association shall be disposed of in accordance with the provisions of the Act.

#### CUSTODY OF RECORDS

39. The Secretary shall keep in his custody or under his control all books, documents and securities of the Association which shall be kept available for inspection on behalf of affiliated clubs.

#### UNFORSEEN MATTERS

40. Should any matter arise for which provision has not been made in these Rules the Executive Council may take such action as it deems necessary to protect the interests of the Association.

#### IRREGULARITY

41. Notwithstanding anything in those Rules hereinbefore provided all Acts and decisions of the Executive Council or the Association shall notwithstanding that it be afterwards discovered that there was some defect in the doing of the

Act or making of the decision be as valid and effective as if there was not such defect unless it was proved that the act or decision aforesaid was made in fraud or bad faith.

#### FUNDS

42. The funds of the Association shall be derived from annual subscriptions, levies, donations and such other sources as the Executive Council or Association in general meeting may determine.

#### NOTICES

43. (1) A notice may be served by or on behalf of the Association upon any affiliated club either by personally serving such notice on the person shown in the Register of Members as the President or Secretary of such club or by sending it by post to such President or Secretary at his address shown in the Register of Members.
- (2) Where a document is properly addressed pre-paid and posted to a person as a letter, the document shall, unless the contrary is proved, be deemed to have been given to the person at the time at which the letter would have been delivered in the ordinary course of the post.