



**Working German Shepherd &  
Dogsport Clubs of Australasia  
Incorporated**

**Constitution**

# RULES AND REGULATIONS

## Working German Shepherd & Dogsport Clubs of Australasia Incorporated

### **PART 1 – PRELIMINARY**

#### **1. NAME**

- 1.1. The name of the Incorporated Association is the **Working German Shepherd & Dogsport Clubs of Australasia Incorporated** (herein referred to as "WGSDCA").

#### **2. INTERPRETATION**

In these Rules, except in so far as the context or subject matter otherwise indicates or requires:

- 2.1. **BOM** means the WGSDCA Board of Management;
- 2.2. **Application for Membership** means an application for admission as a Member either individually or as a Club of WGSDCA on the prescribed form, and also includes application for re-admission to Membership;
- 2.3. **Body** means, where the context reasonably admits, a Club, Society, Association, Company or Group of persons irrespective of whether such body is incorporated or unincorporated;
- 2.4. **Constituent Bodies** means each WGSDCA Affiliated Club regardless of category of membership;
- 2.5. **Categories of Membership** means all categories of Membership as contained and described in Rule 7;
- 2.6. **Department** means the Department of Fair Trading;
- 2.7. **Director-General** means the Director-General of the Department of Services, Technology and Administration;
- 2.8. **Financial Year** means the financial year of WGSDCA as defined by Rule 56;
- 2.9. **Special General Meeting** means a General Meeting of WGSDCA other than an Annual General Meeting;
- 2.10. **Rules** means the Rules of WGSDCA as contained in this document and where the context so admits, includes a paragraph or sub-paragraph thereof, and includes any amendments to same which may from time to time be made;
- 2.11. **Regulation** includes the By-Laws of WGSDCA and any amendments to same as may occur from time to time;
- 2.12. **Objects** mean the Objects of WGSDCA as required by the Act and set forth in these Rules;
- 2.13. **BOM Members** means the President, Vice President, Treasurer, Secretary, and Director of Judges of WGSDCA for the time being and from time to time;
- 2.14. **the Act** means the *Associations Incorporations Act, 2009.*;
- 2.15. **the Regulation** means the *Associations Incorporation Regulation 2016.*;

2.16. **Appendix** means the procedural appendices of WGSDCA;

### **3. IN THESE RULES:**

- 3.1. A reference to a function includes a reference to a power, authority, and duty;
- 3.2. A reference to the exercise of a function includes, where the function is a duty, a reference to the performance of a duty;
- 3.3. The provisions of the *Interpretation Act 1987* apply to and in respect of these rules in the same manner as those provisions would so apply if these Rules were an instrument made under the *Act*.
- 3.4. Words importing singular include the plural and vice versa where the context so permits.

### **4. OBJECTS**

Objects of WGSDCA are:

- 4.1. To promote responsible breeding, training and trailing of the German Shepherd Dog as a working, service and companion dog with a foremost emphasis on the welfare and wellbeing of the German Shepherd Dog.
- 4.2. To preserve and safeguard the characteristics of the German Shepherd Dog breed as defined by the SV Breed Standard with a foremost interest in improving its physical and mental soundness.
- 4.3. To promote the awareness, development and advancement of Dogsport (IGP) within the community.
- 4.4. To promote and conduct the holding of trials, exhibitions, displays, breed worthiness tests, demonstrations, workshops, seminars, lectures and any other associated activity; and where applicable to donate prizes and make awards for competition at same.
- 4.5. To collect, verify and publish, or otherwise distribute, information pertaining to German Shepherd Dog related activities.
- 4.6. To raise funds to use towards the furtherance of the aims and objects of WGSDCA.
- 4.7. To invest the funds of WGSDCA in such manner as the Members shall determine.
- 4.8. To foster relations with other Clubs and bodies having similar aims.
- 4.9. To promote sportsmanship and good fellowship amongst Members and those participating in or attending at trials and all Dogsport related activities.

### **5. POWERS**

- 5.1. WGSDCA shall have all of the powers conferred by Section 17 of *the Act* save and except such modifications and exclusions as are specified in this Rule.

# RULES AND REGULATIONS

## Working German Shepherd & Dogsport Clubs of Australasia Incorporated

### **PART 2 – MEMBERSHIP**

#### **6. MEMBERSHIP QUALIFICATION**

- 6.1. The Membership of WGSDCA shall consist of not less than five (5) Full Individual Members.
- 6.2. A person is qualified to be a member of WGSDCA if, but only if:
  - 6.2.1 The person is a person referred to in Section 15(1) (a), (b), (c) of the *Act* and has not ceased to be a member of WGSDCA at any time after incorporation of WGSDCA under the *Act*.
  - 6.2.2 The person is a natural person:
  - 6.2.3 The person meets the membership criteria as provided by Rule 8 and applies for membership as provided by 9, and
  - 6.2.4 The person is interested in IGP Dogsport
- 6.3. An IGP Club is qualified to affiliate with the WGSDCA if such Club has been approved for Membership of WGSDCA in accordance with these Rules.
- 6.4. Affiliate Member clubs shall not be members of other IGP type organisations.
- 6.5. All members of a WGSDCA affiliated Club(s) must be Individual Members of WGSDCA. A person can only subscribe to WGSDCA Individual Membership through one (1) WGSDCA Club Affiliate.

#### **7. CATEGORIES OF INDIVIDUAL MEMBERSHIP**

- 7.1 There shall be seven (7) categories of Individual Membership of WGSDCA as follows:
  - 7.1.1 Youth Member,
  - 7.1.2 Honorary Member,
  - 7.1.3 Life Member,
  - 7.1.4 Social Member,
  - 7.1.5 Probationary Individual Member,
  - 7.1.6 Full Member, or
  - 7.1.7 Dual Member
- 7.2 And upon admission to any of the above categories of Membership, all persons shall be deemed to have agreed to be bound by the Objects, Rules and Regulations of WGSDCA for the time being in force.

#### **8. DEFINITIONS OF INDIVIDUAL MEMBERSHIP:**

##### **8.1. Youth Member**

Means a person who is under 18 years of age who applies to become a Youth Member of WGSDCA, in accordance with the provisions of Rule 9 below. Youth Members shall not be required to pay any fees or subscriptions. They shall be entitled to all privileges of Membership during the Youth Membership period with the exception of, standing for any Office of WGSDCA or receiving any publication issued by WGSDCA. At the age of 18, if the Youth Member wishes to continue membership with WGSDCA, they must then lodge a Full Membership application and thereafter the provisions of Rule 9 below in relation to application for Membership shall be applied.

## 8.2. Honorary Member

Upon resolution by the BOM, a person or persons may be offered honorary membership. This is intended to honour a person or persons for an achievement or for a service to WGSDCA. They shall be entitled to all privileges of Membership, with the exception of standing for any Office of WGSDCA and shall receive a subscription to the official publication.

## 8.3. Life Member

Is a Member who, whether by payment or not, is admitted as a Life Member of WGSDCA upon resolution by the BOM.

## 8.4. Social Member

Means a person who applies to WGSDCA to become a Social Member in accordance with the provisions of Rule 9 below. A Social Member of WGSDCA may attend AGM and SGM meetings. An individual subscribing to Social Membership of WGSDCA have no voting rights. A Social Member may access the WGSDCA HD/ED Scheme, WGSDCA sanctioned Puppy ("ZAP-W") and Endurance tests as well as show and breed survey evaluations. A social member cannot be nominated as a candidate for any Office of WGSDCA.

## 8.5 Probationary Individual Membership

- (a) Means an individual who hold membership in a WGSDCA Club Affiliate and who is nominated by said WGSDCA Club Affiliate and who applies to WGSDCA individual membership in accordance with the provision of Rule 9 below, and
- (b) who shall undertake a twelve (12) months probationary period.
- (c) Probationary individual members of WGSDCA are entitled to all privileges of Membership but have no voting rights.
- (d) A probationary member cannot be submitted as a candidate for any Office positions of WGSDCA.
- (e) The BOM may at any time revoke the individual probationary membership should the BOM deem an individual's action not to be in the best interest of the Association.
- (f) An individual subscribing to WGSDCA individual membership may apply for Full individual Membership or Dual Membership, if such person(s) has completed twelve (12) months probationary period and subject to the provisions provided in Rules 6, 8.6 and 9

## 8.6 Full Individual Membership

Means a person who has undertaken twelve (12) months probationary individual membership and applies for Full WGSDCA Individual Membership subscription in accordance with the provisions of Rule 9 below. A Full Member of WGSDCA is entitled to receive all privileges of Membership and subject to Rule 6.2.4 to submit themselves as a candidate for any Office of WGSDCA.

## 8.7 Dual Membership

- 8.7.1 Where two (2) Members of the same family residing together wish to apply for Membership of WGSDCA, the Membership will be considered as a Dual Membership and appropriate reduction in fees will apply, as prescribed by WGSDCA from time to time.
- 8.7.2 Only one (1) copy of any WGSDCA publication shall be issued to each Dual Membership.
- 8.7.3 Each Member of a Dual Membership shall be treated as an individual for the purposes of the provisions outlined in Rules 8.5 and 10.

# 9 APPLICATION FOR INDIVIDUAL MEMBERSHIP

9.5 An Application for Membership to any Category of Membership shall be on such form as the BOM from time to time prescribes and must be signed by the Secretary of the affiliated Club to which the person is a member and lodged with the WGSDCA Secretary.

9.6 As soon as practicable following the receipt of the Membership application, the Secretary shall

advise the Applicant of their acceptance into the category of Membership applied for. Upon payment of the prescribed Membership fee (where applicable) within fourteen (14) days of notification of acceptance, the person shall be admitted as a Member of WGSDCA to the category of Membership applied for.

- 9.7 Upon admittance to any category of Membership, the Secretary shall make the appropriate notation in the Register of Members, recording the date on which the Member was admitted and the category of Membership applicable.

## **10 PRIVILEGES OF INDIVIDUAL MEMBERSHIP**

- 10.1 Subject to the restrictions and limitations prescribed in Rule 6 & 8, the privileges of an Individual Member shall be:
- 10.2 The right to attend all General Meetings of WGSDCA;
- 10.3 To submit themselves as a candidate for any Office of WGSDCA; subject to the following conditions being met:
- 10.3.1 Subscribed to Full Individual Membership of WGSDCA for five (5) continual years, subject to the restrictions of Rules 6 and 8 and;
- 10.3.2 A member of a WGSDCA Affiliate Executive Member Club.
- 10.4 To receive any publication issued by WGSDCA;
- 10.5 To participate in all activities of WGSDCA.

## **11 RENEWAL OF INDIVIDUAL MEMBERSHIP**

- 11.5 A member may prior to 1 July in each year, make application to WGSDCA for re-admission as an Individual Member to the category of Membership held. Upon lodgement of the prescribed renewal form, payment of the annual subscription fee shall be deemed, for all purposes to have been readmitted as a Member to their respective category of Membership.
- 11.6 Where a member fails to lodge the prescribed renewal form and pay the annual subscription fee within one (1) month of the due date, ie 31 July that Member shall cease to be a Member of WGSDCA. They must thereafter re-apply for Membership in accordance with the provisions of Rule 9 above.

## **12 CESSATION OF INDIVIDUAL MEMBERSHIP**

- 12.1 A Member shall cease to be a Member of WGSDCA:
- 12.2 Upon the termination of their period of Membership (whether by effluxion of time or otherwise) unless they shall be re-admitted pursuant to Rule 11 above as a Member of WGSDCA for a further period of Membership;
- 12.3 If they resign that Membership by notice in writing addressed to the Secretary;
- 12.4 If that Member dies;
- 12.5 If pursuant to the Rules, the Member is expelled from WGSDCA.
- 12.6 Where a Member ceases to be a Member for any reason under these Rules, no money shall be refunded in respect of any portion of Membership fees unused in the current financial year.
- 12.7 Where a Member of WGSDCA ceases to be a Member for any reason under these Rules, the Secretary must make the appropriate entry in the Register of Members recording the date on which the Member ceased to be a Member.

## **13 INDIVIDUAL MEMBERSHIP ENTITLEMENTS NOT TRANSFERABLE**

A right, privilege, or obligation, which a person has by reason of being a Member of WGSDCA:

13.1 Is not capable of being transferred or transmitted to another person;

13.2 Terminates upon cessation of the person's membership.

#### **14 CATEGORIES OF AFFILIATE CLUB MEMBERSHIP**

14.1 There shall be five (5) categories of Club Membership of WGSDCA as follows:

14.1.1 Full Executive Club Membership

14.1.2 Inactive Executive Club Membership

14.1.3 Subsidiary Club Membership

14.1.4 Probationary Club Membership

14.1.5 Club Membership

14.2 And upon admission to any of the above categories of Membership, all Clubs shall be deemed to have agreed to be bound by the Objects, Rules and Regulations of WGSDCA for the time being in force.

#### **15 DEFINITIONS OF CLUB MEMBERSHIP**

##### **15.1 Probationary Affiliate Club**

15.1.1 Means a Club that is represented by people subscribing to individual membership of WGSDCA as per Rules 6 and 8 and who shall undertake a three (3) years probationary period, being entitled to all privileges of Membership with the exception of voting at any General Meeting or Annual General Meeting of WGSDCA or nominating a candidate for any Office of WGSDCA;

15.1.2 A Probationary Member Club may apply for Executive Club Membership in writing to the Secretary, if such club has:

15.1.2.1 completed three (3) years probationary period;

15.1.2.2 hosted at least three (3) working trials;

15.1.2.3 had members trialling for at least two (2) consecutive years.

15.1.3 Following receipt of an Application for Executive Club Membership, the Secretary shall advise the BOM of the application in writing within seven (7) days. The BOM must subsequently circulate a Recommendation for Executive Club consideration and decision.

15.1.4 Subject to the approval by majority of Affiliate WGSDCA Executive Clubs, the Secretary shall advise the Club Applicant of said outcome. In the event that the majority of Executive Clubs reject an application for Executive Club Status, such Club will undertake one (1) more probation year.

15.1.5 A Club will remain in the Club Category "Probationary Affiliate Club" if it does not meet the provisions of 15.1.2.1, 15.1.2.2 and 15.1.2.3 after three (3) years of probation.

15.1.6 A Club who meets provisions of 15.1.2.1, 15.1.2.2 and 15.1.2.3 after three (3) years of probation but decides not to apply for Executive Club Membership will be deferred to the Membership Category "Club Membership".

##### **15.2 Full Affiliate Executive Club**

Means a Club who is entitled to receive all privileges of Membership and to submit candidates for any Office of WGSDCA.

##### **15.3 Inactive Affiliate Executive Club**

An Affiliate Club shall be deemed to be inactive if the club:

(a) does not hold or maintain affiliate club criteria as the BOM from time to time prescribes including but not limited to, incorporation status and financial public liability insurance, and;

- (b) has not had at least one (1) member participate in a WGSDCA sanctioned trial each calendar year, and;
  - (c) has not held a WGSDCA sanctioned trial within two (2) calendar years. This clause shall not apply to Executive Clubs located in a state that has a prohibiting legislation on the subject matter of conducting IGP dog sport trials.
- 15.4 An Inactive Affiliate Club shall be entitled to all privileges of Membership with the exception of voting at any General Meeting or Annual General Meeting of WGSDCA or nominating a candidate for any Office of WGSDCA.
- 15.5 Inactive Executive Club Status reverts to Active Executive Club Status when such Inactive Executive Club Affiliate has hosted at least one (1) WGSDCA sanctioned Trial within two (2) calendar years and has had Club member/s, who participated in at least one (1) WGSDCA sanctioned trial each calendar year for two consecutive years.
- 15.6 Affiliate Subsidiary Member Club  
Means a Club who:
- (a) is affiliated with an Affiliate WGSDCA Executive Club and represented by people subscribing to individual membership of WGSDCA as per Rules 6 and 8;
  - (b) is entitled to all privileges of WGSDCA Club Membership with the exception of voting at any General Meeting or Annual General Meeting of WGSDCA or nominating a candidate for any Office of WGSDCA;
  - (c) does not pay a WGSDCA Club Membership subscription fee;
  - (d) may apply for Executive Club Membership after 5 years of affiliation with an Affiliate WGSDCA Executive Club and subject to a simple majority of the Executive Clubs in favour of such Club Membership conversion.
- 15.7 Club Membership  
  
Means a Club who is entitled to receive all privileges of Membership with except for voting at any General Meeting or Annual General Meeting of WGSDCA or nominating a candidate for any Office of WGSDCA. Such Club may convert their WGSDCA membership subscription if fulfilling the criteria as per Rules 15.1. 2

## **16 APPLICATION FOR CLUB MEMBERSHIP**

- 16.1 An Application for Probationary Affiliate Club Membership or Affiliate Subsidiary Club Membership shall be on such form as the BOM from time to time prescribes and must be signed by the Secretary of the Club and lodged with the WGSDCA Secretary.”
- 16.2 Following the receipt of the Membership application, the Secretary shall advise Constituent Bodies of the application in writing within seven (7) days. Upon approval of the BOM and payment of the prescribed Membership fee within fourteen (14) days of notification of acceptance, the applicant may be admitted as a Member of WGSDCA to the category of Membership applied for.
- 16.3 A Probationary Affiliate Member Club shall thereafter undertake a thirty-six (36) months probationary period, being entitled to all privileges of Membership with the exception of voting at any General Meeting or Annual General Meeting of WGSDCA or nominating a candidate for any Office of WGSDCA, after which time such Probationary Affiliate Member is entitled to apply in accordance with the provisions of Rules 14.1 and 16 to become a Full Affiliate Executive Member.
- 16.4 An Affiliate Subsidiary Member Club is entitled to apply in accordance with the provisions of Rules 14.5 and 16 to become a Full Affiliate Executive Member Club.
- 16.5 Following approval by the BOM the Secretary shall advise Constituent Bodies of the Applicant’s Full Affiliate Club status in writing within seven (7) days and shall make the appropriate notation in the Register of Members, recording the date on which the Member was admitted and the category of Membership applicable.



## **17 PRIVILEGES OF CLUB MEMBERSHIP**

- 17.1 Subject to the restrictions and limitations prescribed in Rules 6.3, 6.4, and 15 above, the privileges of a Member Club shall be:
- 17.2 The right to attend all General Meetings of WGSDCA;
- 17.3 The right to vote on all motions considered by WGSDCA;
- 17.4 The right to submit candidate(s) for any Office of WGSDCA;
- 17.5 The right to participate in all activities of WGSDCA.

## **18 RENEWAL OF CLUB MEMBERSHIP**

Subject to the restrictions and limitations prescribed in Rule 15.5:

- 18.1 An Affiliate Club Member may prior to 1 July in each year, make application to WGSDCA for re-admission as an Affiliate Club Member to the category of Membership held. Upon lodgement of the prescribed renewal form, payment of the annual subscription fee, the Affiliate Club Member shall be deemed for all purposes to have been readmitted as an Affiliate Club Member to their respective category of Membership.
- 18.2 Where an Affiliate Member Club fails to lodge the prescribed renewal form and pay the annual subscription fee within one (1) month of the due date, i.e. 31 July that Affiliate Club Member shall cease to be a Member of WGSDCA. They must thereafter re-apply for Membership in accordance with the provisions of Rule 16 above.

## **19 CESSATION OF CLUB MEMBERSHIP**

- 19.1 An Affiliate Club Member shall cease to be a Member of WGSDCA:
- 19.2 Upon the termination of their period of Membership (whether by effluxion of time or otherwise) unless the Affiliate Club shall be re-admitted pursuant to Rule 18 above as a Member of WGSDCA for a further period of Membership;
- 19.3 If they resign that Membership by notice in writing addressed to the Secretary;
- 19.4 Where an Affiliate Club Member ceases to be a Member for any reason under these Rules, no money shall be refunded in respect of any portion of Membership fees unused in the current financial year.
- 19.5 Where an Affiliate Club Member of WGSDCA ceases to be a Member for any reason under these Rules, the Secretary must make the appropriate entry in the Register of Affiliate Clubs recording the date on which the Club ceased to be a Member.

## **20 AFFILIATE CLUB MEMBERSHIP ENTITLEMENTS NOT TRANSFERABLE**

- 20.1 A right, privilege, or obligation, which an Affiliate Club has by reason of being a Member of WGSDCA:
- 20.2 Is not capable of being transferred or transmitted to another Club;
- 20.3 Terminates upon cessation of the Affiliate Club's membership.

## **21 REGISTER OF AFFILIATE CLUBS**

- 21.1 The Secretary of WGSDCA must establish and maintain a Register of Affiliate Clubs of WGSDCA specifying the name and address of each Club Officer who is a Member of WGSDCA, together with

their category of Affiliate Club Membership and the date on which the Club was admitted as a Member.

- 21.2 The Register of Affiliate Club Members must be kept at the principal place of business of WGSDCA and must be open for inspection free of charge by any Member of WGSDCA at any reasonable hour.

## **22 SUBSCRIPTIONS**

- 22.1 The BOM at any time and from time to time may fix the amount of the annual subscription payable by Affiliate Clubs and Individual Members. They may also determine whether an entrance fee shall be paid.

- 22.2 The subscription fees for Affiliate Club and Individual Membership shall be payable annually on 1 July or at such other time as the BOM shall determine from time to time.

- 22.3 An Individual Member or Probationary Affiliate Member applying for Membership after 31 December in any year, upon payment of one-half (1/2) of the prescribed annual subscription fee applicable and any entrance fee, shall be deemed to be a financial Member for the remainder of the current financial year.

- 22.4 Kindred Club Subscription

- 22.4.1. A Club is eligible for Kindred Club Membership if such Club:
- Is registered as a non-for-profit incorporation in Australia, and;
  - Operates under a valid Public Liability Insurance, and;
  - Is represented by people who are dedicated to IGP Dogsport and other GSD-related activities as stipulated by the SV/WUSV, and;
  - Agrees to be bound by the Objects, Rules and Regulations of the WGSDCA for the time being in force.

- 22.4.2. The Kindred Club subscription fee shall be payable annually on 1 July or at such other time as the BOM shall determine from time to time.

- 22.4.3. The WGSDCA BOM may at any time, by instrument in writing, revoke in full such subscription

- 22.4.4. An individual who is associated with a Kindred Club, and who wishes to partake in WGSDCA sanctioned trial, must hold a valid WGSDCA Membership as per Rule 8.

- 22.4.5. The privilege of a Kindred Club is as per §17.5 only.

## **23 MEMBER'S LIABILITIES**

- 23.1 The liability of any Member of WGSDCA to contribute towards the payment of the debts and liabilities of WGSDCA or the costs, charges and expenses of the winding up of WGSDCA shall be limited to the amount, if any, unpaid by the Member in respect of Membership of WGSDCA as required by Rule 22.

## **24 RESOLUTION OF INTERNAL DISPUTES**

- 24.1 Disputes between members (in their capacity as members) of WGSDCA, are to be referred to a community justice centre for mediation in accordance with the *Community Justice Centres Act 1983*.

- 24.2 At least seven (7) days before mediation session is to commence, the parties are to exchange statements of the issues that are in dispute between them and supply copies to the mediator.

## **25 DISCIPLINING AND CONDUCT OF MEMBERS**

- 25.1 Any member who shall be suspended by the Verein fur Deutsche Schaferhund (SV), The World Union of German Shepherd Dog Clubs (WUSV), Verband fur das Deutsche Hundewesen (VDH), and / or Federation Cynologique Internationale (FCI), shall ipso facto cease to be a member of WGSDCA.

- 25.2 An Individual Member or an Affiliate Club Member upon admission to any category of Membership, shall strictly observe and act in conformity with and not otherwise than in accordance with the Rules, Regulations and By-Laws of WGSDCA and will uphold the honour of and use their best endeavours to further the Objects of WGSDCA.
- 25.3 A complaint may be made by any Member of WGSDCA that another Individual Member or Affiliate Club Member of WGSDCA:
- 25.4 Has refused or neglected to comply with a provision or provisions of these Rules; or
- 25.5 Has wilfully acted in a manner prejudicial to the interests of WGSDCA.
- 25.6 Any complaint regarding an Individual Member or Affiliate Club Member of their alleged conduct must be made in writing with a deposit of \$100.00 for each charge and lodged with the WGSDCA Secretary. The deposit shall be forfeited for each charge that is not justified.
- 25.7 The BOM shall as soon as practicable following receipt of such complaint investigate the complaint. The BOM may refuse to deal with a complaint if it considers the complaint to be trivial or vexatious in nature.
- 25.8 If the BOM decides to deal with the complaint, then the WGSDCA Secretary must cause notice of the complaint to be served on the Member concerned within seven (7) days.
- 25.9 The Individual Member or Affiliate Club Member to whom such complaint relates shall furnish to the BOM upon request such information within their knowledge as the BOM requires, at least fourteen (14) days and within such time as the BOM may specify, in respect of the complaint.
- 25.10 If called upon by the BOM, an Individual Member or Affiliate Club Member shall supply upon Statutory Declaration duly made by them or their agent or servant any information required by the BOM pursuant to this Rule.
- 25.11 If after taking into consideration any submissions made by the member in connection with the complaint the BOM is of the opinion that an Individual Member or Affiliate Club Member has wilfully infringed upon any of the Rules, Regulations, By-Laws, or Appendices of WGSDCA, or has been guilty of any conduct prejudicial to WGSDCA or to a Member thereof, the BOM may call their attention to such infringement or conduct by notice in writing addressed to such Individual Member or Affiliate Club Member and shall call upon the Individual Member or Affiliate Club Member to show cause why they should not be expelled from WGSDCA or have their Membership suspended.
- 25.12 If such Individual Member or Affiliate Club Member does not within twenty-one (21) days of the date of the aforesaid notice, either resign their Membership or offer an explanation of the circumstances, either in person or in writing as they may elect, the BOM at a meeting convened solely for that purpose, and if such explanation is not acceptable to the BOM, the BOM may, by resolution, expel the Individual Member or Affiliate Club Member from WGSDCA, or suspend the Individual Member or Affiliate Club Member from Membership of WGSDCA for such period, as the BOM deems fit.
- 25.13 If the BOM expels or suspends the Individual Member or Affiliate Club Member, the Secretary must within seven (7) days after the action is taken, cause written notice to be given to the Individual Member or Affiliate Club Member of the action taken explaining the reasons given by the BOM for having taken that action and of the Member's right of appeal under Rule 26
- 25.14 The expulsion or suspension does not take effect:
- 25.15 Until the expiration of the period within which the Member is entitled to appeal concerned; or
- 25.16 If within that period the Member exercises the right of appeal, unless and until WGSDCA confirms the resolution under Rule 26, whichever is the later.

## **26 RIGHT OF APPEAL OF DISCIPLINED MEMBER**

- 26.1 An Individual Member or Affiliate Club Member may appeal to WGSDCA in a General Meeting against a resolution of the BOM under Rule 25 within seven (7) days after notice of the resolution

is served on the Individual Member or Affiliate Club Member, by lodging with the WGSDCA Secretary a notice to that effect.

- 26.2 The notice may, but need not, be accompanied by a statement of the grounds upon which the Individual Member or Affiliate Club Member seeks to rely for the purposes of the appeal.
- 26.3 On receipt of a notice from an Individual Member or Affiliate Club Member under Rule 26.1 the Secretary must notify the BOM, which is to convene a General Meeting of WGSDCA to be held within twenty-eight (28) days after the date on which the Secretary received the notice.
- 26.4 At a General Meeting of WGSDCA convened in accordance with Rule 26.3
- 26.5 No other business other than the question of the appeal is to be transacted;
- 26.6 The BOM and the Individual Member or Affiliate Club Member must be given the opportunity to state their respective cases orally or in writing, or both and the Individual Member or Affiliate Club Member is entitled to call witnesses on their behalf;
- 26.7 Subject to the restrictions and limitations prescribed in Rule 17 above with respect to Probationary and Inactive Affiliate Clubs the Affiliate Club Members present are to vote by secret ballot on the question of whether the resolution should be confirmed or revoked.
- 26.8 If at the General Meeting WGSDCA passes a resolution by a simple majority in favour of the confirmation of the resolution, the resolution is confirmed and the Member so dealt shall have no claim whatsoever against the BOM or any Affiliate Member Club voting thereupon.

## **27 DISCIPLINE AGAINST CLUB NOT TO AFFECT INDIVIDUAL MEMBERSHIP**

- 27.1 Disciplinary action taken against any WGSDCA Affiliate Club Member, including suspension or expulsion from WGSDCA Affiliate Club Membership, shall have no effect on the Individual Membership of WGSDCA for those individuals who make up the Club.

# RULES AND REGULATIONS

## Working German Shepherd & Dogsport Clubs of Australasia Incorporated

### **PART 3 - THE BOM**

#### **28. POWERS OF THE BOM**

- 28.1. There shall be a Board of Management (BOM) of Working German Shepherd & Dogsport Clubs of Australasia (WGSDCA) and subject to the *Act*, the Regulation and these Rules and to any resolution passed by members in a General meeting:
- 28.2. Is to control and manage the affairs of WGSDCA, and
- 28.3. May exercise all such functions as may be exercised by WGSDCA, other than those functions that are required by these rules to be exercised by a General Meeting of the members of WGSDCA, and
- 28.4. Has the power to perform all such acts and do all such things as appear to the BOM to be necessary or desirable for the proper management of the affairs of WGSDCA. The BOM shall have the authority to interpret the meaning of these Rules and any matter relating to the Association on which these Rules are silent.
- 28.5. Notwithstanding Rule 28.1 above, the Members in a General Meeting may by resolution passed by a simple majority, overrule any decision by the BOM. They may also by a resolution passed by a simple majority of Members instruct the BOM in light of objections expressed by any Member to any such decision to review the decision at its next meeting and make further recommendations to the Members at the next General Meeting thereof.

#### **29. CONSTITUTION AND MEMBERSHIP**

- 29.1. Subject in the case of the first members of the BOM to Section 21 of the *Act*, the BOM shall consist of five (5) Office Bearers who shall reside in Australia or New Zealand, being:
  - 29.1.1. President,
  - 29.1.2. Vice-President,
  - 29.1.3. Secretary,
  - 29.1.4. Treasurer,
  - 29.1.5. Director of Judges.
- 29.2. No Member shall hold more than one (1) BOM position at any time.
- 29.3. Each Member of the BOM shall, subject to these Rules, hold office until the conclusion of the Annual General Meeting following the date of the Member's election, but is eligible for re-election.
- 29.4. The Association must keep a register of committee members, which contain the following particulars in relation to each committee Member:
  - (a) committee member's name,
  - (b) date of birth and residential address,
  - (c) the date on which the committee member takes offices,
  - (d) the date on which the committee member vacates office,
  - (e) such other particulars as may be prescribed by the regulations.
- 29.5. The register must be kept in New South Wales at the main premises of the association, or if the association has no premises, at the association's official address.
- 29.6. Any change in the committee's membership must be recorded in the register within one

month after the change occur. The register must, at all reasonable hours, be kept available for inspection, free of charge, by any person.

- 29.7. Where a casual vacancy occurs amongst the Office Bearers for all positions other than the President for any reason, the BOM may by vote appoint another Member of WGSDCA to the vacant office. Should the President's position become vacant for any reason the Vice President shall be appointed to the President's position. The Member so appointed may continue in office up to and including the conclusion of the Annual General Meeting next following the date of their appointment.
- 29.8. The Director of Judges shall be a current WGSDCA Judge.

### **30. ELECTION OF OFFICE BEARERS**

- 30.1. The Members of the BOM shall be elected at the Annual General Meeting and shall take office at the close of the Annual General Meeting at which they are elected, notwithstanding Rule 29.4, for a period of two (2) years. The President, Treasurer, and Director of Judges must stand down on even years, the Vice President, and Secretary must stand down on odd years.
- 30.2. Only Full Individual Members who have been a continuous member of WGSDCA for five (5) years, who are financial at the time nominations close, and who are members of a WGSDCA Affiliate Club as defined in Rule 14 Members of a Full Affiliated Club Executive Member, are eligible to stand for election for any Office of WGSDCA.
- 30.3. Any WGSDCA member who is also a member of another IGP/VPG organisation in Australia or New Zealand is not eligible to hold office on the WGSDCA Board of Management or any official as designated by the WCGDCA Board of Management, its Committees and Sub committees.
- 30.4. Nomination of Members proposed as Members of the BOM shall be made in writing to the Secretary on such form as the BOM from time to time prescribes at least six (6) weeks prior to the date of the Annual General Meeting and shall be signed by two (2) Full individual members and the nominee. All nominations shall be forwarded to all affiliate Clubs four (4) weeks prior to the AGM.
- 30.5. If insufficient nominations are received to fill a particular position on the BOM, further nominations shall be received at the Annual General Meeting.
- 30.6. The ballot for election of Officers and BOM Members shall be conducted at the Annual General Meeting in such usual and proper manner as the BOM may direct.
- 30.7. The election of the Office Bearers and Members of the BOM shall be by ballot:
- 30.8. Cast by Affiliate Executive Club Representative present at the Annual General Meeting and eligible to vote thereat;
- 30.9. Notwithstanding Rule 30.8 above, any Affiliate Executive Club who is entitled to vote at the Annual General Meeting but unable to attend, shall be entitled to apply to the Secretary for a postal vote. Application for a postal vote must be in writing and lodged with Secretary twenty-one (21) days prior to the Annual General Meeting. Not less than fourteen (14) days prior to the Annual General Meeting, the Secretary, will forward an initialled ballot paper to each applicant and record their names. Members to whom ballot papers are posted will under no circumstances be given a second ballot paper. Completed ballot papers are to be returned to the Secretary in envelopes endorsed "Ballot Papers" not less than two (2) days prior to the Annual General Meeting. These envelopes will be handed unopened to the scrutineers officiating at the poll.
- 30.10. For the purpose of the ballot, a Returning Officer and two scrutineers, who are full individual members, shall be appointed by the Members as the first business of the Annual General Meeting. Upon the appointment of the Returning Officer and scrutineers, the Secretary shall hand to the Returning Officer a list of the Affiliate Executive Clubs of WGSDCA entitled to vote.
- 30.11. Each Affiliate Club Representative wishing to participate in the ballot shall strike from the voting paper all names in excess of the number of positions vacant, and ballot papers containing a greater or lesser number of candidates to be elected shall be invalid.

- 30.12. After the appointment of the Returning Officer and scrutineers, the Returning Officer and scrutineers shall count or cause to be counted by the said person the postal votes returned. This will be in accordance with Rule 30.9 and the votes cast by Members in accordance with Rule 30.8 and 30.10.
- 30.13. The Returning Officer and/or scrutineers shall declare the result of the ballot immediately after the votes have been counted. In the event of an equality of votes in favour of any candidate, which could affect the election of a candidate, the Affiliate Club Representatives at the Annual General Meeting shall elect one of such candidates to fill the vacancy for which they were nominated. By a Resolution passed by a simple majority of Affiliate Clubs present and voting thereon.
- 30.14. If any question should arise as to the validity or invalidity of a voting paper, or whether any particular Member has or has not been elected to any particular office, a statement by the Returning Officer that the relevant voting paper is or is not valid or that a particular Member has or has not been elected to a particular office shall be conclusive.

### **31. DUTIES OF THE PRESIDENT**

- 31.1. The President shall be Chairperson of all meetings and shall, when necessary, speak on behalf of WGSDCA and represent its policy to other persons or organisations, and shall present a written report to the Annual General Meeting.

### **32. DUTIES OF THE VICE PRESIDENT**

- 32.1. The Vice President shall assist the President with the general duties associated with WGSDCA affairs.

### **33. DUTIES OF THE SECRETARY**

- 33.1. The Secretary of WGSDCA must, as soon as practicable after being appointed as Secretary, lodge notice with WGSDCA of their address.
- 33.2. The Secretary of WGSDCA shall exercise and perform all the usual secretarial functions and generally attend to the secretarial work of WGSDCA, and in particular shall keep and maintain:
  - 33.3. The Register of Members;
  - 33.4. Minutes of all proceedings of the BOM and WGSDCA;
  - 33.5. All appointments of office bearers and members of WGSDCA
  - 33.6. The names of members of the BOM present at a BOM meetings or a General meetings, and all proceedings at BOM meetings and General Meetings
  - 33.7. All necessary records of the affairs of WGSDCA;
  - 33.8. A complete record of results of all trials conducted by WGSDCA.

### **34. DUTIES OF THE TREASURER**

- 34.1 The Treasurer shall:
  - 34.2 Receive all monies paid to WGSDCA and record the same to be paid into the banking account of WGSDCA kept for such purpose within fourteen (14) days of the receipt thereof;
  - 34.3 Keep all necessary books of accounts and financial statements as shall be required by the Auditors.

- 34.4 Prepare the annual balance sheet and accounts and accompanying reports;
- 34.5 Submit financial statements to the Members of the BOM and WGSDCA;
- 34.6 Produce to the Members in General Meetings the cashbooks and bank passbooks when requested to do so;
- 34.7 Keep vouchers for payments authorised by WGSDCA and the BOM;
- 34.8 Keep a true and correct inventory of all property of WGSDCA.

### **35. DUTIES OF THE DIRECTOR OF JUDGES**

- 35.1. Shall be the Chairperson of the Judges Committee.

### **36. CASUAL VACANCIES**

- 36.1. For the purposes of these Rules, a casual vacancy in the office of a member of the BOM occurs if the member:
  - 36.1.1. Dies, or
  - 36.1.2. Ceases to be a member of WGSDCA, or
  - 36.1.3. Becomes an insolvent under administration within the meaning of the *Corporations Act 2001* of the Commonwealth, or
  - 36.1.4. Resigns office by notice in writing given to the Secretary, or
  - 36.1.5. Is removed from office under Rule 37, or
  - 36.1.6. Becomes a mentally incapacitated person, or
  - 36.1.7. An Office Bearer or Member of the BOM absenting themselves from three (3) consecutive meetings without the leave of the BOM.

### **37. REMOVAL OF BOM MEMBER**

- 37.1. The Affiliate Club Members being so able to vote in a General Meeting may by Special Resolution remove any Member of the BOM from office before the expiration of that Member's term of office and may by election appoint another person to hold office until the expiration of the term of office of the Member so removed.
- 37.2. Where a Member of the BOM to whom a proposed Special Resolution referred to in Clause 36.1 above relates, makes representations in writing to the Secretary or President (not exceeding a reasonable length of time) and requests that those representations be notified to the Members of WGSDCA the Secretary or the President may send a copy of the representations to each Affiliate Club of WGSDCA, or if the representations are not so sent, the Member is entitled to require that the representations are read out at the meeting at which the resolution is considered.

### **38. MEETINGS OF THE BOM**

- 38.1. The BOM shall meet at least every two (2) months at such place and at such time as the BOM shall from time to time determine.
- 38.2. The Secretary shall convene a Special Meeting of the BOM whenever requested to do so by the President or by two (2) Members of the BOM.
- 38.3. Notice of a meeting given under clause 38.2 must specify the general nature of the business to be transacted at the meeting and no business other than that business is to be transacted at the meeting, except business which the BOM members present at the meeting unanimously agree to treat as an urgent business.



- 38.4. The Secretary or their representative shall attend all meetings of the BOM. The minutes of such meetings signed by the Chairperson thereof or by the Chairperson of a confirmatory meeting shall be accepted as sufficient evidence of the proceedings of such meeting.
- 38.5. The quorum for a BOM Meeting shall be not less than three (3) BOM Members. No business shall be transacted unless a quorum is present. If within a half hour of the time appointed for the meeting a quorum is not present, the meeting shall stand adjourned to the same place and at the same hour of the same day in the following week unless the meeting was a special meeting in which case it lapses.
- 38.6. The President or in the President's absence the Vice-President, shall preside as Chairperson at each BOM Meeting of WGSDCA. If the President and Vice-President are absent from a General Meeting, or are unwilling to act, the Members present shall elect one of their number to preside as Chairperson at the Meeting.
- 38.7. A Member of the BOM shall not vote in respect of any contract or proposed contract with WGSDCA in which they are interested in or in respect of any matter arising thereout and if they do so vote, their vote shall not be counted.

### **39. DELEGATION BY THE BOM TO SUB-COMMITTEES**

- 39.1. On the recommendation of the BOM or upon a motion passed by a simple majority of Affiliate Clubs being so able to vote, in a General Meeting may at any time and from time to time by instrument in writing, delegate to one or more sub-committees to be made up from amongst the Members of the BOM or the Members (consisting of such Member or Members of WGSDCA as the BOM or Members think fit). The exercise of such of the functions of the committee as is specified in the instrument, other than:
  - 39.2. This power of delegation, and
  - 39.3. A function which is a duty imposed on the BOM by the *Act* or by other law.
  - 39.4. A function the exercise of which has been delegated to a sub-committee under this rule may, while the delegation remains unrevoked, be exercised from time to time by the sub-committee in accordance with the terms of the delegation.
  - 39.5. A delegation under this section may be subject to such conditions or limitations as to the exercise of any function, or as to time or circumstances, as may be specified in the instrument of delegation.
  - 39.6. Despite any delegation under this rule, the BOM may continue to exercise any function delegated.
  - 39.7. Any act or thing done or suffered by a sub-committee acting in the exercise of delegation under this Rule has the same force and effect as it would have been done or suffered by the BOM.
  - 39.8. The BOM may, by instrument in writing, revoke wholly or in part any delegation under this rule.
  - 39.9. Any sub-committee may meet and adjourn, as it thinks proper.
  - 39.10. The President and Secretary shall be deemed to be Members of all sub committees.

### **40. VOTING AND DECISIONS**

- 40.1. Questions arising at a meeting of the BOM or of any sub-committee appointed by the BOM are to be determined by a majority of the votes of members of the BOM or sub-committee present at the meeting.
- 40.2. Each member present at the meeting of the BOM or of any sub-committee (including the person presiding at the meeting) is entitled to one vote but, in the event of an equality of votes on any question, the person presiding may exercise a second or casting vote, which shall be to maintain the status quo.

- 40.3. Subject to Rule 38.5 the BOM may act despite any vacancy of the BOM.
- 40.4. Any act or thing done or suffered, or purporting to have been done or suffered, by the BOM or by a sub-committee appointed by the BOM, is valid and effectual despite any defect that may afterwards be discovered in the appointment or qualification of any member of the BOM or sub-committee.

#### **41. APPOINTED POSITIONS**

Appointed positions are for a period of two (2) years. The BOM shall have the right to appoint positions to members of the Association who the BOM think fit positions such as but not limited to:

- 41.1 Assistant Secretary – reviewed on even years
- 41.2 Administrator of Records – reviewed on odd years
- 41.3 Administrator of Legal & Compliance – who shall monitor for changes to legislation related to the conduct of IGP Dogsport in all states and who will be the point person in legal and compliance matters. Reviewed on even years
- 41.4 Director of Helpers – Refer to Appendices A & C
- 41.5 Educational Liaison Officer – who shall assist WGSDCA Affiliate Clubs to gain further education. This position is a liaison role only, e.g. to facilitate a connection between new Member Clubs and members of WGSDCA who has the sought expertise. The Liaison officer will manage the Education IGP/breed survey seminars within or outside of the WGSDCA membership. Reviewed on even years
- 41.6 Public Officer – who shall reside in New South Wales as WGSDCA is registered at the NSW Department of Fair trading. Reviewed on odd years
- 41.7 Editor – who shall publish, at regular intervals, a publication which carries information about, as well as the official views of WGSDCA. The BOM shall direct its editorial policy so as to promote the programs and policies of WGSDCA. Reviewed on odd years
- 41.8 Breed Warden – who shall assist with management and records pertaining to ZAP-W, Breed Surveys, HD-ED Scheme and other breeding matters. Reviewed on odd years.
- 41.9 Despite any appointments under this clause, the BOM may continue to exercise any function appointed.
- 41.10 The BOM may at any time, by instrument in writing, revoke wholly or in part any such appointments

# RULES AND REGULATIONS

## Working German Shepherd & Dogsport Clubs of Australasia Incorporated

### **PART 4 - GENERAL MEETINGS**

#### **42. ANNUAL GENERAL MEETINGS – HOLDING OF**

- 42.1. With the exception of the first Annual General Meeting of WGSDCA, WGSDCA shall in each calendar year and within six (6) months after the expiration of each financial year of WGSDCA, convene an Annual General Meeting of its Members.
- 42.2. WGSDCA shall hold its first Annual General Meeting:
- 42.3. Within the period of eighteen (18) months after its incorporation under the *Act*;
- 42.4. Within the period of six (6) months after the expiration of the first financial year of WGSDCA;
- 42.5. Sub-paragraphs 42.1 and 42.2 of this Rule 42 have effect subject to any extension or permission granted by the Department of Fair Trading under Section 26(3) of the *Act*.

#### **43. ANNUAL GENERAL MEETINGS - CALLING OF AND BUSINESS AT**

- 43.1. The Annual General Meeting of WGSDCA is, subject to the *Act* and to Rule 42, to be held on such day and at such time and place as the BOM determines.
- 43.2. In addition to any other business which may be transacted at an Annual General Meeting, the business of an Annual General Meeting is to include the following:
- 43.3. To confirm the minutes of the last preceding Annual General Meeting and any Special General meeting held since that meeting;
- 43.4. To receive from the BOM reports upon the transactions of WGSDCA during the last preceding financial year;
- 43.5. To elect Officers of WGSDCA and the Members of the BOM;
- 43.6. To receive and consider the Statement submitted by WGSDCA in accordance with Section 26(6) of the *Act*.
- 43.7. To appoint an Auditor, who shall not be a Member of WGSDCA, who shall audit the financial records of WGSDCA and certify an Annual Statement of Finances of WGSDCA.
- 43.8. The Annual General Meeting shall be specified as such in the notice convening it.
- 43.9. The Annual General Meeting may also transact any special business on which written notice has been given to the Members at least twenty eight (28) days prior to the date of the meeting.

#### **44. SPECIAL GENERAL MEETINGS CALLING OF**

- 44.1. The BOM may whenever it thinks fit, convene a Special General Meeting of WGSDCA.
- 44.2. The BOM shall, on the requisition in writing of not less than three (3) affiliate clubs, convene a Special General Meeting of WGSDCA.

- 44.3. A requisition of members for a Special General meeting:
- 44.4. Must state the purpose or purposes of the meeting, and
- 44.5. Must be signed by each of the Secretaries of the Affiliate Clubs making the requisition, and
- 44.6. Must be lodged with the Secretary, and
- 44.7. May consist of several documents in a similar form, each signed by the Secretary of the Affiliate Clubs making the requisition.
- 44.8. If the BOM does not cause a Special General Meeting to be held within one (1) month after the date on which the requisition is sent to the address of the Secretary, then the Affiliate Clubs making the requisition may convene a Special General Meeting to be held not later than three (3) months after that date.
- 44.9. A Special General Meeting convened by the Affiliate Clubs in pursuance of these Rules shall be convened in the same manner as nearly as possible as that in which those meetings are convened by the BOM. All reasonable expenses incurred in convening the meeting shall be refunded by WGSDCA to the persons incurring the expense.

#### **45. NOTICE**

- 45.1 Except if the nature of the business proposed to be dealt with at a General Meeting requires a Special Resolution of WGSDCA, the Secretary shall cause to be sent to each Affiliate Club of WGSDCA by sending a facsimile transmission or some other form of electronic transmission to the address specified by the person for giving or serving the notice to the address shown in the Register of Affiliate Clubs, at least twenty-eight (28) days before the date fixed for holding a General Meeting including where the nature of the business proposed to be dealt with requires a Special Resolution a notice specifying the date, time, place and business to be conducted at any General Meeting.
- 45.2 If the nature of the business proposed to be dealt at a General Meeting requires a Special Resolution of WGSDCA, the Secretary must, at least twenty-one (21) before the date fixed for the holding of the General Meeting, cause notice to be given to each Affiliate Club specifying, in addition to the matter required under Clause (42.1), the intention to propose the Resolution of a Special Resolution.
- 45.3 The accidental omission to give notice to an Affiliate Club or if an Affiliate Club shall fail to receive a notice sent as aforesaid, shall not invalidate a General Meeting.
- 45.4 No business other than that set out in the notice convening the meeting shall be transacted at the meeting.
- 45.5 An Affiliate Club desiring to bring any business before a meeting may give notice of that business to the Secretary, who shall include that business in the notice calling the next General Meeting after the receipt of the notice.

#### **46 PROCEDURE**

- 46.1 No items of business shall be transacted at a General Meeting unless a quorum of Affiliate Club Representatives entitled under these Rules to vote is present during the time when the meeting is considering that item.
- 46.2 Three (3) Affiliate Club Representatives personally present constitute a quorum for the transaction of the business of a General Meeting.
- 46.3 If within a half-hour of the appointed time for the commencement of a General Meeting a quorum is not present, the meeting if convened upon the requisition of Members shall be dissolved, and
- 46.4 In any case shall stand adjourned to the same day in the next week at the same time and (unless another place is specified by the Chairperson at the time of the adjournment) at the same place.

- 46.5 If at the adjourned meeting the quorum is not present within half an hour after the time appointed for the commencement of the meeting, the Members present (being not less than two (2) Affiliate Club Representatives) shall be a quorum.

#### **47 PRESIDING MEMBER**

- 47.1 The President or in the President's absence the Vice-President, shall preside as Chairperson at each General Meeting of WGSDCA. If the President and Vice-President are absent from a General Meeting, or are unwilling to act, the Members present shall elect one of their number to preside as Chairperson at the Meeting.

#### **48 ADJOURNMENT**

- 48.1 The Chairperson of a General Meeting at which a quorum is present may, with the consent of the meeting, adjourn the meeting from time to time and place to place. No business shall be transacted at an adjourned meeting other than the business left unfinished at the meeting at which the adjournment took place.
- 48.2 Where a meeting is adjourned fourteen (14) days or more, a like notice of the adjourned meeting shall be given as in the case of the General Meeting.
- 48.3 Except as provided in Clauses 45.1 and 45.2 above, it is not necessary to give notice of an adjournment or of the business to be transacted at an adjourned meeting.

#### **49 MAKING OF DECISIONS**

- 49.1 A question arising at a General Meeting of WGSDCA shall be determined on a show of hands and unless before or on the declaration of the show of hands a poll is demanded, a declaration by the Chairperson that a Resolution has, on the show of hands, been carried or carried unanimously or carried by a particular majority or lost and an entry to that effect in the Minute Book of WGSDCA is evidence of the fact, without proof of the number of or proportion of the votes recorded in favour of, or against, that Resolution.
- 49.2 At a General Meeting of WGSDCA, a poll may be demanded by the Chairperson or by at least three (3) Affiliate Club representatives, present in person.
- 49.3 If a poll is demanded at a General meeting, the poll must be taken:
- 49.4 Immediately in the case of a poll which relates to the election of the Chairperson of the meeting or to the question of an adjournment, or
- 49.5 In any other case, in such manner and at such time before the close of the meeting as the Chairperson directs, and a Resolution of the poll on the matter is taken to be the Resolution of the meeting on that matter.

#### **50 SPECIAL RESOLUTION**

- 50.1 A Resolution of WGSDCA is a Special Resolution if:
- 50.1.1 It is passed by a majority which comprises at least three-quarters (3/4) of such members of WGSDCA as are entitled under these Rules so to do, and voting personally at a General Meeting of which at least six (6) weeks' written notice specifying the intention to propose the Resolution as a Special Resolution in accordance with these rules, or
- 50.1.2 Where it is made to appear to the Commissioner that it is not practicable for the Resolution to be passed in the manner specified in paragraph 49.1.1 if the Resolution is passed in a manner specified by the Commissioner.

#### **51 VOTING**

- 51.1 Subject to the restrictions and limitations prescribed in respect to Probationary and Inactive Affiliate Clubs, upon any question arising at a General Meeting of WGSDCA, each Affiliate Club has one (1) vote only.
- 51.2 Each Constituent Body shall be represented at meetings of WGSDCA by one (1) Representative in addition to any Members of that body who may be BOM Members.
- 51.3 Each Constituent Body shall supply the name of their Representative to the Secretary in writing at least fourteen (14) days prior to General Meetings of WGSDCA.
- 51.4 No Member shall represent a Constituent Body unless they are a member of that Constituent Body and an Individual member of WGSDCA.
- 51.5 All votes shall be given personally. Proxy voting is not permitted.
- 51.6 When a vote is required by mail ballot or otherwise, the Secretary shall cause to be sent a mail ballot on such form as the BOM from time to time prescribes containing the motion to be resolved by a facsimile transmission or some other form of electronic transmission to the address specified by the person for giving or serving the notice to the address shown in the Register of Affiliate Clubs. The closure date for the valid return of a postal vote shall be four (4) weeks from the date it is sent to the Affiliate Clubs as indicated on the ballot form as prescribed by the BOM from time to time. If no valid mail ballot is returned to the Secretary prior to or upon the due date it will be counted as a "yes" vote.
- 51.7 In the case of equality of voting on a question, the Chairperson of the meeting is entitled to exercise a second or casting vote, that vote shall be to maintain the status quo.
- 51.8 An Affiliate Club is not entitled to vote at any General Meeting unless all monies due and payable by them to WGSDCA have been paid, other than the amount of the annual subscription payable in respect of the then current year.

# **RULES AND REGULATIONS**

## **Working German Shepherd & Dogsport Clubs of Australasia**

### **Incorporated**

#### **PART 5 - MISCELLANEOUS**

##### **52 INSURANCE**

52.1 WGSDCA may effect and maintain insurance.

##### **53 FUNDS-SOURCE**

53.1 The funds of WGSDCA shall be derived from entrance fees, annual subscriptions, donations, and such other sources as the BOM determines from time to time.

53.2 All money received by WGSDCA shall be deposited within fourteen (14) days and without deduction to the credit of WGSDCA bank account.

53.3 WGSDCA shall, as soon as practicable after receiving any money, issue an appropriate receipt.

##### **54 FUNDS - MANAGEMENT**

54.1 Subject to any resolution passed by WGSDCA, the funds of WGSDCA shall be used in pursuance of the Objects of WGSDCA in such manner as the BOM may determine from time to time.

54.2 All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments shall be signed by any two (2) nominated Office Bearers of WGSDCA, being Members authorised to do so by the BOM.

##### **55 ALTERATION OF OBJECTS AND RULES**

55.1 These Rules and the Statement of Objects of WGSDCA may be altered, rescinded, or added to only by a Special Resolution of WGSDCA.

##### **56 COMMON SEAL**

56.1 The common seal of WGSDCA shall be kept in the custody of the Public Officer.

56.2 The common seal shall not be affixed to any instrument except by the authority of the BOM and the affixing of the common seal shall be attested by the signatures either of two (2) Members of the BOM or of one (1) Member of the BOM and the Public Officer.

##### **57 FINANCIAL YEAR**

57.1 The Financial Year of WGSDCA shall commence on the 1st day of July in each year, and terminate on the 30th day of June in the following year.

##### **58 PUBLICATIONS**

58.1 The BOM may by a resolution authorise the publication of a Magazine under such name, subject to such terms and conditions, and containing such subject matter as the BOM may determine as aforesaid from time to time.

##### **59 CUSTODY OF RECORDS**

- 59.1 The BOM shall keep or cause to be kept true accounts of all monies received, of all payments made by or on behalf of WGSDCA and of all assets and liabilities. The manner in which income and expenditure of WGSDCA has been dealt with, at all times shall show the true financial position of WGSDCA.
- 59.2 Except as otherwise provided in these Rules, the Secretary shall keep in their custody or under their control all books, documents and securities of WGSDCA.

## **60 INSPECTION OF BOOKS**

- 60.1 The records, books, and other documents of WGSDCA shall be kept at the office of WGSDCA and shall be made available by the Secretary for inspection by a Member, free of charge, upon fourteen (14) days notice being given by that Member at any reasonable hour.

## **61 SERVICE OF NOTICES**

- 61.1 A notice may be served by or on behalf of WGSDCA upon any Member to their address shown in the Register of Members:
- 61.2 by delivering it personally
- 61.3 by sending it by pre-paid post
- 61.4 by sending it by facsimile transmission or some other form of electronic transmission to an address specified by the person for giving or serving of the notice
- 61.5 A notice is taken, unless the contrary is proved to have been served:
- 61.6 In the case of a notice given personally, on the date on which it was received by the addressee and
- 61.7 In the case of a notice sent by per-paid post, on the date when it would have been delivered in the ordinary course of post and
- 61.8 In the case of a notice sent by facsimile transmission or some other form of electronic transmission, on the date it was sent, or if the machine from which the transmission was sent produces a report indicating that the notice was sent on a later date, on that date.

## **62 PROCEDURAL APPENDICES**

- 62.1 Subject to the Objects and Rules, the BOM may by resolution from time to time amend, rescind or add to the Procedural Appendices of WGSDCA as they think fit in respect of all matters relating to but not limited to:
- 62.3 Judges Program
- 62.4 Helper Program
- 62.5 Trials

## **63 SURPLUS PROPERTY**

- 63.3 At the first General Meeting of WGSDCA, it may pass a Special Resolution nominating an Association (whether or not incorporated under the Act) as the Association in which it is to vest its surplus property. This will be pursuant to Section 53(2) of the Act, in the event of the winding up or the cancellation of Incorporation of WGSDCA.
- 63.4 The Association so nominated shall be one, which fulfils the requirements specified in Section 53(2) (a) to (c) of the Act.