



CONSTITUTION

of the

AUSTRALIAN/VICTORIAN

BIATHLON ASSOCIATION

INCORPORATED

The Australian/Victorian Biathlon Association Inc. is incorporated under the *Associations
Incorporation Act 1981 (Vic)*

Table of Amendments

Date	Location of General Meeting	Sections Amended	Explanation	Registrar Notified?	Minutes of General Meeting located at...
1/10/2005	Euroa	Change to rule 9.1	That fees be indexed according to the Consumer Price Index and increased once every two year beginning July 2007 with the increase to be rounded to the nearest dollar The AGM meeting will continue in the determination of Membership categories, subject to confirmation at the annual general meeting	Yes	Web site. my doc/biathlon/agm/2005
A/A	Euroa	Change to rule 9.2	The annual subscription is due on the first day of July in each year as of July 2006 <i>(Existing members of 2005 will have an extended membership period that continues until 30 June 2006)</i>	Yes	As above
A/A	Euroa	Change to rule 14.2	The annual general meeting shall be held between August and October inclusive each year on such a day as the Committee determines.	Yes	As above
A/A	Euroa	Change to rule 16.1	The Executive Officer shall, at least 14 days, before the date of a General Meeting, send each Member a notice by e-mail, pre paid post or Web Site posting stating the place, date and time of the meeting and the nature of business to be transacted at the meeting.	Yes	As above

**Constitution of the
Australian/Victorian Biathlon Association Incorporated**

INDEX

<u>RULE</u>	<u>SUBJECT</u>	<u>PAGE</u>
1	Name.....	1
2	Definitions.....	1
3	Objects.....	1
4	Membership.....	2
5	Application for Membership.....	2
5	Refusal of Membership Application.....	3
5	Acceptance of Membership Application.....	3
6	Entrance Fee and Annual Subscription.....	3
7	Register of Members.....	4
8	Resignation of a Members.....	4
9	Discipline Rules.....	4
10	Annual General Meeting.....	6
11	Special General Meeting.....	6
13	Notice of Meeting.....	7
14	Proceedings at Meetings.....	7
24	Committee of Management.....	10
27	Election of Officers and Vacancy.....	11
30	Proceedings of Committee.....	12
33	Executive Officer Shall Be Public Officer.....	15
34	Treasurer.....	15
35	Removal of Member of Committee.....	15
36	Notice of Meetings.....	15
37	Freedom of Information.....	16
38	Cheques.....	16
39	Seal.....	17
40	Alteration of Rules and Statement of Purposes.....	17
41	Notices.....	17
42	Winding Up and Cancellation.....	17
43	Custody of Records.....	17
44	Funds.....	18
45	Copies of the Constitution.....	18
	Appendix 1.....	19
	Appendix 2.....	19

Constitution of the Australian/Victorian Biathlon Association Incorporated

NAME

1. The name of the incorporated association is Australian/Victorian Biathlon Association Incorporated (in these rules called “the Association”).

INTERPRETATION

2.
 - 2.1 In these rules, unless the contrary intention appears:
 - “Affiliate Member” means an affiliate Member of the Association;
 - “Committee” means the Committee of management of the Association;
 - “Financial year” means the year ending 30th June;
 - “General Meeting” means a general meeting of Members convened in accordance with Rules 14 or 15;
 - “Member” means a Member of the Association other than an affiliate Member;
 - “Ordinary member of the Committee” means a member of the Committee who is not an Officer of the Association under rule;
 - “The Act” means the *Associations Incorporation Act 1981* (Vic);
 - “The Regulations” means regulations under the Act; and
 - “The Objectives” means the objectives of the Association as provided in Rule 3.
 - 2.2 In these rules, a reference to the Executive Officer is a reference:
 - 2.2.1 where a person holds office under these rules as Executive Officer – to that person; and
 - 2.2.2 in any other case, to the Public Officer of the Association.
 - 2.3 In these rules the headings and marginal notes are descriptive only and do not form part of this constitution.
 - 2.4 Words or expressions contained in these rules shall be interpreted in accordance with the *Interpretation of Legislation Act 1984* (Vic).

- 2.5 Any doubt as to the application or meaning of any clause shall be decided by a vote of a General Meeting, whose decision shall be final and conclusive.

OBJECTS

3. 3.1 The objectives of the Association are generally to foster the multi-discipline sport of biathlon within the wider community for the enjoyment, challenge and achievement of participants.
- 3.2 The Association shall be a non-profit association.

MEMBERSHIP

Members

4. 4.1 The Members of the Association are those people who are admitted in accordance with this constitution.
- 4.2 Each Member shall be listed in the Register of Members as a single Member, irrespective of whether they join as part of a family or as single Member.
- 4.3 Unless otherwise provided in these rules, each individual Member will enjoy the same rights and privileges of an individual Member irrespective of whether they join as part of a family or as a single Member.

Life Membership

5. The annual general meeting may appoint an individual who has rendered distinguished services to the Association a Life Member provided:
- 5.1 at least fourteen days notice of the motion that he or she be-appointed as a Life Member has been given; and
- 5.2 the motion is passed by two-thirds of those who are entitled to vote under these rules, whether by proxy or in person.

Affiliate Members

6. 6.1 A club or organisation may apply to be admitted to the Association in which case the club or organisation shall be deemed to be an Affiliate Member of the Association whose rights and privileges shall be determined by the Committee from time to time.

Equal Opportunity

7. The Association is an equal opportunity association and membership shall be open to all persons prescribing to the objects of the Association. No restrictions shall be imposed on any person by virtue of religious or political beliefs or activities, gender, sexual orientation, nationality, race, age or disability.

APPLICATION FOR MEMBERSHIP

8. 8.2 A natural person who applies and is approved for Membership as provided in these rules is eligible to be a Member of the Association on the payment of the entrance fee and annual subscription payable under these rules.
- 8.1 An application for membership of the Association:
- 8.1.1 shall be made in writing in the form set out in Appendix 1;
and
- 8.1.2 shall be lodged with the Executive Officer.
- 8.2 As soon as possible after the receipt of an application, the Executive Officer shall refer the application to the Committee.
- 8.3 Upon an application being referred to the Committee, the Committee shall determine whether to approve or reject the application. Where an application for a family membership is made the Committee shall consider the application of each individual family Member separately.

Refusal of Membership Application

- 8.4 Subject to rule 7 the Committee:
- 8.4.1 may refuse membership to any person if, on reasonable grounds, they believe that admitting that person to membership would be contrary to the objectives of the Association; and
- 8.4.2 on refusal of membership shall, with as little delay as possible:
- (a) notify the applicant in writing and clearly state the grounds for refusal of membership; and

Acceptance of Membership Application

- 8.5 Upon the application being approved by the Committee the Executive Officer shall, with as little delay as possible, notify the applicant in writing that he or she is approved for Membership of the association and request:

- 8.5.1 payment within the period of 28 days after receipt of the notification of the sum payable under these rules as the entrance fee and the first year's annual subscription; and
- 8.5.2 such details about the applicant as determined by the Committee from time to time.
- 8.6 The Executive Officer shall, upon receipt of payment and Member details as referred to in sub-clause (7), within the period referred to in that sub-clause, enter the nominee's name in the register of Members kept by him or her and, upon the name being so entered, the applicant becomes a Member of the Association.
- 8.7 A right, privilege or obligation of a person by reason of his or her membership of the Association:
 - 8.7.1 is not capable of being transferred or transmitted to another person; and
 - 8.7.2 terminates upon cessation of his or her membership whether by death or resignation or otherwise.

ENTRANCE FEE AND ANNUAL SUBSCRIPTION

- 9. 9.1 That fees be indexed according to the Consumer Price Index and increased once every two year beginning July 2007 with the increase to be rounded to the nearest dollar The AGM meeting will continue in the determination of Membership categories, subject to confirmation at the annual general meeting
- 9.2 The annual subscription is due on the first day of July in each year as of July 2006 (*Existing members of 2005 will have an extended membership period that continues until 30 June 2006*).
- 9.3 Life Members are not subject to payment of the annual subscription.
- 9.4 Membership may be terminated by the Committee at its discretion when the annual subscription is more than three months in arrears.

REGISTER OF MEMBERS

- 10. 10.1 The Executive Officer shall keep and maintain a register in which shall be entered the full name, address and date of entry of the name of each Member and any other information as the Committee may determine from time to time.
- 10.2 The register will be available for inspection by Members at the address of the Executive Officer.

RESIGNATION OF A MEMBER

11. 11.1 A Member who has paid all moneys due and payable by him or her to the Association may resign from the Association by first giving one month's notice in writing to the Executive Officer of his or her intention to resign. and upon the expiration of that period of notice the Member shall cease to be a Member.
- 11.2 Upon expiration of a notice given under sub-clause (1), the Executive Officer shall make in the register of Members an entry recording the date on which the Member by whom the notice was given, ceased to be a Member.

DISCIPLINE, SUSPENSION AND EXPULSION OF A MEMBER

12. 12.1 Subject to these rules, the Committee may by resolution:-
- 12.1.1 expel a Member from the Association;
 - 12.1.2 suspend a Member from membership of the Association for a specified period; or
 - 12.1.3 fine a Member in accordance with the Regulations,
if the Committee is of the opinion that a Member-
 - 12.1.4 has refused or neglected to comply with these rules; or
 - 12.1.5 has been guilty of conduct unbecoming a Member or prejudicial to the interests of the Association.
- 12.2 A resolution of the Committee under sub-rule 12.1:
- 12.2.1 does not take effect unless the Committee, at a meeting held no earlier than 14 and no later than 28 days after the service on the Member of a notice under sub-rule 12.3, confirms the resolution in accordance with this rule; and
 - 12.2.2 where the Member exercises a right of appeal to the Association under this rule, does not take effect unless the Association confirms the resolution in accordance with this rule.
- 12.3 Where the Committee passes a resolution under sub-rule 12.1, the Executive Officer shall, as soon as practicable, cause to be served on the Member a notice in writing:

- 12.3.1 setting out the resolution of the Committee and the grounds on which it is based;
- 12.3.2 stating that the Member may address the Committee at a meeting to be held no earlier than 14 days and no later than 28 days after the service of the notice;
- 12.3.3 stating the date, place and time of that meeting;
- 12.3.4 informing the Member that he or she may do one or more of the following:
 - (a) attend that meeting;
 - (b) give to the Committee before the date of that meeting a written statement seeking the revocation of the resolution;
 - (c) Not later than 24 hours before the date of the meeting, lodge with the Executive Officer a notice to the effect that he or she wishes to appeal to the Association in general meeting against the resolution.
- 12.4 At a meeting of the Committee held in accordance with sub-rule 12.2.1 the Committee:
 - 12.4.1 must give the Member an opportunity to be heard;
 - 12.4.2 must give due consideration to any written statement submitted by any Member; and
 - 12.4.3 must by resolution determine whether to confirm or revoke the resolution.
- 12.5 If the Executive Officer receives a notice under sub-rule 12.5, he or she must notify the Committee and the Committee must convene a general meeting of the Association to be held within 28 days of the date on which the Executive Officer received the notice.
- 12.8 At a general meeting of the Association convened under the sub-rule 12.6:
 - 12.8.1 no business other than the question of appeal shall be transacted;
 - 12.8.2 the Committee must place before the meeting details of the grounds for the resolution and the reasons for passing the resolution;
 - 12.8.3 the Member must be given an opportunity to be heard; and

12.8.4 the Members present shall vote by secret ballot on the question of whether the resolution should be confirmed or revoked.

12.9 If at the general meeting:

12.9.1 two thirds of the Members who vote in person or by proxy are in favour of confirming the resolution, the resolution is confirmed; and

12.9.2 in any other case, the resolution is revoked.

12.11 A Member who is expelled may only rejoin the Association with the express permission of the Committee.

ANNUAL GENERAL MEETING

14. 14.1 the Association shall in each calendar year convene an annual general meeting of its Members.

14.2 the annual general meeting shall be held Change to rule 16.1 determines.

14.3 The notice convening the annual general meeting must specify that the meeting is an annual general meeting.

14.4 The ordinary business of the annual general meeting shall be:

14.4.1 to confirm the minutes of the previous annual general meeting and of any general meeting held since that meeting;

14.4.2 to receive from the Committee reports upon the transactions of the Association during the previous financial year;

14.4.3 to elect Officers of the Association and the ordinary members of the Committee;

14.4.4 to receive and consider the statement submitted by the Association in accordance with section 30(3) of the Act;

14.4.4 to confirm the annual subscription and entrance fee as determined by the Committee.

14.5 The annual general meeting may transact any special business of which notice is given in accordance with these rules.

- 14.6 The annual general meeting shall be held in addition to any other General Meetings that may be held in the same year.

SPECIAL GENERAL MEETING

15. 15.1 All General Meetings other than the annual general meeting shall be called special general meetings.
- 15.2 The Committee may convene a special general meeting whenever it thinks fit.

Member Initiated Special General Meeting

- 15.3 The Committee must, on the request in writing of Members representing not less than 25% of the total Members eligible to vote at a general meeting, convene a special general meeting of the Association.
- 15.4 The requisition for a special general meeting shall state the objects of the meeting and shall be signed by the Members making the requisition and be sent to the address of the Executive Officer and may consist of several documents in like form, each signed by one or more of the Members making the requisition.
- 15.5 If the Committee does not hold a special general meeting within one month of the date on which the request is sent to the address of the Executive Officer, the Members making the request, or any of them, may convene a special general meeting to be held no later than 3 months after that date.
- 15.6 A special general meeting convened by Members under sub-rule 15.5 must be convened as near as possible in the same manner as General Meetings are convened by the Committee. All reasonable expenses incurred in convening the meeting must be refunded by the Association to those who incur the expenses.

NOTICE OF MEETING

16. 16.1 The Executive Officer shall, at least 14 days, before the date of a General Meeting, send each Member a notice by e-mail, pre paid post or Web Site posting stating the place, date and time of the meeting and the nature of business to be transacted at the meeting.
- 16.2 No business other than that set out in the notice convening the meeting shall be transacted at that meeting.

- 16.3 A Member desiring to bring any business before a General Meeting may give notice of that business in writing to the Executive Officer, who shall include that business in the notice calling the next General Meeting.

PROCEEDINGS AT MEETINGS

Special Business

17. All business that is transacted at the annual general meeting or a special general meeting except that referred to in these rules as being the ordinary business of the annual general meeting is deemed to be special business.

Quorum

18. 18.1 No item of business shall be transacted at a General Meeting unless a quorum of Members entitled under these rules to vote is present during the time when the meeting is considering that item.
- 18.2 15% of Members personally present who are eligible to vote at a General Meeting shall constitute a quorum for the transaction of the business of a General Meeting.
- 18.3 If within half an hour after the appointed time for commencement of a general meeting, a quorum is not present, the meeting if convened under the requisition of Members shall be dissolved and any other 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 or by written notice to Members given before the day to which the meeting is adjourned) at the same place and 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 12% of Members being entitled to vote at a general meeting) shall be quorum.

Chairperson

19. 19.1 The President, or in his or her absence, the Vice-President, shall preside as Chairperson at each General Meeting.
- 19.2 If the President and the Vice-President are absent from a General Meeting, the Members present shall elect one of their number to preside as Chairperson at the meeting.

Adjournments

20. 20.1 The Chairperson of a General Meeting at which a quorum is present may, with the consent of the meeting, adjourn the meeting to a new time and new place.
- 20.2 No business shall be transacted at an adjourned meeting other than the business left unfinished at the meeting at which the adjournment took place.
- 20.3 Subject to sub-rule 20.4, it is not necessary to give notice of an adjournment or of the business to be transacted at an adjourned meeting.
- 20.4 Where a meeting is adjourned for 21 days or more, notice of the meeting must be given in accordance with sub-rule 16.1.

Questions Arising

21. 21.1 Unless otherwise provided by these rules, questions arising at a General Meeting shall be determined by simple majority.
- 21.2 A question arising at a general meeting of the Association 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 unanimously or carried by a particular majority or lost, and an entry to that effect in the Minute Book of the Association is evidence of that fact, without proof of the number or proportion of the votes recorded in favour of, or against the that resolution.
- 21.4 If at a meeting a poll on any question is demanded by not less than three Members, a poll shall be taken in such a manner as the Chairperson directs and the resolution of the poll shall be deemed to be a resolution of the meeting on that question.
- 21.5 A poll that is demanded on the election of a Chairperson or on the question of an adjournment shall be taken immediately and a poll that is demanded on any other question shall be taken at a time before the close of the meeting that the Chairperson directs.

Special Resolution

22. 22.1 A General Meeting may propose a special resolution.
- 22.2 A resolution is a special resolution if it is passed by a majority of not less than three-fourths of Members who are eligible to vote under these rules, whether by proxy or in person at a General Meeting.

- 22.3 If a special resolution is proposed the Executive Officer must give at least 21 days notice specifying the intention to propose the resolution as a special resolution in accordance with sub-rule 16.1.

Eligibility to vote

23. 23.1 Subject to sub-rule 23.2, all Members who have attained the age of sixteen are eligible to vote at a General Meeting.
- 23.2 A Member is not entitled to vote at a General Meeting unless all moneys payable by him or her to the Association have been paid, other than the amount of the annual subscription payable in respect of the current financial year.
- 23.3 Each Member is eligible to vote in his or her own right, irrespective of whether they joined as part of a family or not.

Voting

24. 24.1 A Member has one vote only upon any question arising at a General Meeting.
- 24.2 All votes shall be given personally or by proxy.
- 24.3 In case of an equality of voting on a question, the Chairperson is entitled to exercise a second or casting vote.

Voting By Proxy

25. 25.1 Each Member may appoint another Member (being a Member who is eligible to vote at a General Meeting) as his or her proxy by notice given to the Executive Officer no later than 24 hours before the time of the meeting in respect of which the proxy is appointed.
- 25.2 The notice appointing the proxy shall be in writing in the form set out appendix 2.

COMMITTEE OF MANAGEMENT

26. 26.1 The affairs of the Association shall be managed by the Committee.
- 26.2 The Committee shall act in accordance with the objectives of the Association as provided by these rules.
- 26.3 Subject to these rules, the Regulations and the Act, the Committee:

26.3.1 shall control and manage the business and affairs of the Association;

26.3.2 may exercise all powers and functions of the Association other than those that are required by these rules to be exercised by a general meeting;

26.3.3 has the power to perform all acts necessary for the proper management and good guidance of the Association;

26.3.4 may make by-laws governing the running of the Association and may interpret such by-laws.

26.4 The Committee shall not act contrary to the resolution of a general meeting.

26.5 The Committee may employ people as it thinks fit and may determine any remuneration and titles.

Composition of the Committee

27. 27.1 The Committee shall consist of:

27.1.1 the Officers of the Association; and

27.1.2 two ordinary members.

Officers Of The Association

27.2 The Officers of the Association shall be:

27.2.1 a President;

27.2.2 a Vice-President;

27.2.3 a Treasurer, and

27.2.4 an Executive Officer,

each of whom shall be elected at the annual general meeting each year.

27.4 No Member may hold more than one office of the Association.

27.5 Only those Members who have reached the age of eighteen shall be eligible to hold an office of the Association.

- 27.6 The provisions of Rule 23 so far as they are applicable and with the necessary modifications, apply to and in relation to the election of persons to any of the officers mentioned in sub-clause (1).
- 27.6 Each Officer of the Association shall commence office from the moment the annual general meeting is declared closed and shall hold office until the end of the next annual general meeting, but is eligible for re-election.
- 27.7 In the event of a casual vacancy in any office of the Association, the Committee may appoint an ordinary member of the Committee or a Member of the Association to the vacant office and that person shall hold office until the end of the next annual general meeting.

Ordinary Members of the Committee

- 27.8 An ordinary member of the Committee shall not hold an office of the Association.
- 27.10 Each ordinary member of the Committee shall commence office from the moment the annual general meeting is declared closed and shall hold office until the end of the next annual general meeting, but is eligible for re-election.
- 27.11 In the event of a casual vacancy occurring in the office of an ordinary member of the Committee, the Committee may appoint an Officer of the Association or a Member of the Association to fill the Vacancy and that person shall hold office until the end of the next annual general meeting.

Vacancy

28. 28.1 For the purposes of these rules, the office of an Officer of the Association or of an ordinary member of the Committee becomes vacant if the officer or Member:
- 28.1.1 ceases to be a Member of the Association;
- 28.1.1 becomes an insolvent under administration within the meaning of the *Companies (Victoria) Code*; or
- 28.1.2 resigns his or her office by notice in writing to the Executive Officer.

ELECTION OF THE COMMITTEE

29. 29.1 Nominations of candidates for election as Officers of the Association or as ordinary members of the Committee:
- 29.1.1 shall be made in writing, signed by two Members and be accompanied by the written consent of the candidate; and
- 29.1.1 shall be delivered to the Executive Officer no less than 7 days before the date of the annual general meeting .
- 29.2 If insufficient nominations are received to fill all vacancies on the Committee, the candidates nominated shall be deemed to be elected and further nominations shall be received at the annual general meeting.
- 29.3 If the number of nominations received is equal to the number of vacancies to be filled, the persons nominated shall be deemed to be elected.
- 29.4 If the number of nominations exceeds the number of vacancies to be filled, a ballot shall be held.
- 29.5 The ballot for election of Officers and ordinary members of the Committee shall be conducted at the annual general meeting in such a manner as the Committee directs.
- 29.6 Subject to sub-rule 28.7, a nomination of a candidate for election under this rule is not valid if that candidate has been nominated for another vacancy at the same election.
- 29.7 Should a candidate fail to be elected for the position in which he or she is nominated, that candidate may be nominated to fill another vacancy should no other nominations be received under either sub-rule 28.1 or 28.2.

Validation

- 29.8 All acts done in good faith by the Committee shall, upon the subsequent discovery of some defect in the election of any member of the Committee, be valid as if that person had been duly elected.

PROCEEDINGS OF THE COMMITTEE

30. 30.1 The Committee shall meet at least 3 times in each year at places and at times determined by the Committee.

Special Meetings

- 30.2 Special meetings of the Committee may be convened by the President or by any 4 3 of the members of the Committee.

- 30.3 Notice shall be given to the members of the Committee of any special meeting at a reasonable time before the meeting specifying the general nature of the business to be transacted and no other business shall be transacted at such a meeting.

Quorum

- 30.4 Any 4 3 members of the Committee constitute a quorum for the transaction of the business of a meeting of the Committee.
- 30.5 No business shall be transacted unless a quorum is present. If within half an hour of the time appointed for the meeting a quorum is not present the meeting shall stand adjourned to a time and place determined by the President.

Chairperson

- 30.6 At the meetings of the Committee:
- 30.6.1 the President or in his or her absence the Vice-President shall preside; or
- 30.6.2 if the President and the Vice-President are absent, one of the remaining members of the Committee may be elected by those present to preside.

Standing Orders

- 30.7 Subject to these rules, meetings of the Committee shall be conducted in accordance with standing orders as prescribed by the Committee.

Questions Arising and Voting

- 30.8 Questions arising at a meeting of the Committee or any sub-committee shall be determined on a show of hands or, if demanded by a member, by a poll taken in such a manner as the person presiding at the meeting determines.
- 30.9 Each member present at a meeting of the Committee or of any sub-committee (including the person presiding at the meeting) is entitled to one vote and, in the event of an equality of votes on any question, the person presiding may exercise a second or casting vote.
- 30.10 Only those members present at a meeting of the Committee shall be entitled to vote on any questions arising.

Notice of Meeting

- 30.11 Notice of each meeting shall be served on each member of the Committee or by sending it by post to that member at his or her usual or last known address at least two business days before the date of the meeting.

Effect of Vacancies

- 30.12 Subject to sub-rule 30.5, the Committee may act notwithstanding any vacancy on the Committee.

Electronic Meetings

- 30.13 Members of the Committee may participate in a Committee meeting by means of a conference telephone or other communications equipment that allows all participants to hear each other at the same time. Participation by such means shall constitute presence at such a meeting.
- 30.14 Committee meetings of the kind set out in sub-rule 30.13 shall be valid only if all Committee members who wish to participate are able to do so and have equal ability to participate in all matters.
- 30.15 If, during a Committee meeting of the kind set out in sub-rule 30.13, a Committee member who is present at that meeting unintentionally becomes unable to participate according to sub-rule 30.14:
- 30.15.1 the meeting shall immediately stand adjourned; and
- 30.15.2 the Chairperson shall reconvene the meeting at a time not later than 28 days after the adjourned meeting having given reasonable notice to all Committee members.

Meetings To Be Open to Members

- 30.16 Subject to sub-rule 30.17, all meetings of the Committee shall be open to observation by Members.
- 30.17 The Committee may, by resolution, close part of the meeting to observers if:
- 30.17.1 the matter in question is personal and confidential to a Member or Members; or
- 30.17.2 it is in the general interest of the Association to have the matter kept confidential to the members of the Committee.

- 30.18 If a meeting is closed to observers under sub-rule 30.17 the minutes of that part of the meeting shall become confidential to the members of the Committee.

Resolutions Made Outside of Committee Meetings

- 30.19 A resolution in writing, signed by all the members of the Committee, shall be as valid as if it were passed at a Committee meeting. Such a resolution may consist of several documents in like form.

- 30.21 The signed document shall be filed in the minute book.

SUB-COMMITTEES

31. 31.1 Subject to these rules the Committee may appoint sub-Committees.
- 31.2 The terms of reference and make-up of each sub-Committee shall be detailed in the resolution appointing them and may be varied by the Committee at any time.
- 31.3 Each sub-Committee shall be subordinate to the Committee and shall be bound by resolutions of the Committee and by its terms of reference.
- 31.4 A Member of a sub-Committee does not have to be a member of the Association
- 31.5 The Committee may provide an expiration date for a sub-Committee in the resolution appointing them and it may terminate the existence of a sub-Committee at any time.

Executive Officer Shall be Public Officer

- 32.7 The Executive Officer shall be the Public Officer and shall carry out all duties required of the Public Officer by these rules and the Act.

TREASURER

33. The Treasurer:
- 33.1 shall collect and receive all moneys due to the Association and make all payments authorised by the Association; and
- 33.2 shall keep correct accounts and books showing the financial affairs of the Association with full details of all receipts and expenditure connected with the activities of the Association.

REMOVAL OF COMMITTEE MEMBER

34. 34.1 The Association in General Meeting may by resolution passed by a two-thirds majority remove any member of the Committee before the expiration of his or her term and appoint another member in his or her place. The replacement member shall hold office until the expiration of the term of the removed member.
- 34.2 Where the Member whom a proposed resolution referred to the sub-clause (1) makes representations in writing to the Executive Officer or President of the Association (not exceeding a reasonable length) and requests that they be notified to the Members of the Association, the Executive Officer or the President may send a copy of the representations to each Member of the Association or, if they are not so sent, the Member may require that they be read out at the next meeting.

MINUTES OF MEETINGS

35. 35.1 At its first meeting the Committee shall elect one of its members to the position of Minutes Secretary.
- 35.2 The Minutes Secretary shall keep the minutes of all resolutions and proceedings at General Meetings and Committee meetings.
- 35.3 Minutes of the proceedings of an annual general meeting or a special general meeting shall be submitted for confirmation at the next annual general meeting.
- 35.4 Minutes of the proceedings of a Committee meeting shall be submitted for confirmation at the next Committee meeting.
- 35.5 Confirmed minutes shall be signed as a correct record by the chair of the meeting at which they are confirmed.
- 35.6 Any Members voting against or abstaining from voting for a resolution carried at a General Meeting or Committee meeting are entitled to have their dissent or abstention recorded in the minutes of that meeting.
- 35.7 Subject to sub-rule 30.18, the minutes of a General Meeting or Committee meeting shall be made available free of charge to any Member upon request.
- 35.8 The Executive Officer shall keep minutes of all General Meetings and Committee meetings together with records of those present at meetings in minute books provided especially for that purpose.

FREEDOM OF INFORMATION

39. 39.1 Subject to sub-rule 39.2, a Member may view any document of the Association at any reasonable time.
- 39.2 The Committee may by resolution deem any of the following documents or parts of a document confidential to members of the Committee:
- 39.2.1 those documents or parts of a document that contain material which is personal and confidential, except to the extent that the material is personal to the Member requesting the document;
- 39.2.2 those documents or parts of a document for which the Committee reasonably believes it is in the interests of the Association to keep confidential to members of the Committee;
- 39.2.3 documents which are given to the Association in confidence; and
- 39.2.4 ballot papers.

CHEQUES

40. All cheques, drafts, or bills of exchange, promissory notes and other negotiable instruments shall be signed by two Officers of the Association.

SEAL

41. 41.1 The Common Seal of the Association shall be kept in the custody of the Executive Officer.
- 41.2 The Common Seal shall not be affixed to any instrument except with the authority of the Committee and the affixing of the Common Seal shall be attested to by two Officers of the Association.
- 41.3 The Executive Officer shall maintain a register showing brief details of every document sealed, the date of the sealing and the initials of the signing members.

ALTERATION OF RULES AND STATEMENT OF PURPOSES

42. These rules and statement of purposes shall only be altered by special resolution.

NOTICES

43. 43.1 A notice may be served by or on behalf of the Association upon any member either personally or by sending it by post to the member at his or her address shown on the Register of Members.

- 43.2 Where a notice is properly addressed and sent by post, 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 post.

WINDING UP AND CANCELLATION

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

CUSTODY OF RECORDS

45. 45.1 Except as otherwise provided in these rules, the Executive Officer shall keep in his or her custody and under his or her control all books, documents and securities of the Association.
- 45.2 All books, documents and securities of the Association kept in the custody of the Executive Officer shall remain the property of the Association.

FUNDS

46. The funds of the Association shall be derived from the entrance fees, annual subscriptions, donations and such other sources as the Committee determines.

COPIES OF THE CONSTITUTION

47. The Executive Officer shall make a copy of this constitution as last amended available free of charge to any Member on request.

APPENDIX 1

APPLICATION FOR MEMBERSHIP OF THE ASSOCIATION OF THE AUSTRALIAN/VICTORIAN-BIATHLON ASSOCIATION

I,

of

wish to become a Member of the Australian/Victorian Biathlon Association Incorporated.

In the event of my admission as a Member, I agree to be bound to the Rules of the Association for the time being in force.

Signed

Date

(name)

APPENDIX 2

FORM OF APPOINTMENT OF PROXY

I,

of

being a Member of the Australian/Victorian Biathlon Association Incorporated appoint

of

being a Member of the Australian/Victorian Biathlon Association Incorporated who is eligible to vote at a general meeting, as my proxy to vote for me on my behalf at the general meeting of the Association (annual general meeting of special general meeting, as the case may be) to be held on / / and at any adjournment of that meeting.

My proxy is authorised to vote in favour of / against the resolution

Signed

Date

Name