

NEWTEC PISTOL CLUB INCORPORATED
Affiliated with the
NSW Amateur Pistol Association Incorporated.

NAME OF THE CLUB
The name of this Incorporated Club shall be

NEWTEC PISTOL CLUB INCORPORATED

Hereinafter called "The Club"

OBJECTS

1. Promote amongst its members, target pistol shooting in accordance with the rules of The Club, NSWAPA Inc., the UIT and PISTOL AUSTRALIA Inc.
2. Instruct members in the art of safe and proficient target pistol shooting.
3. Provide training facilities for members who wish to compete in State, National and International competitions.
4. Offer sporting and social facilities as deemed desirable.

Rule 1.

INTERPRETATION

In these rules (referred to hereafter as the constitution), unless there be something in the subject text inconsistent herewith:-

"Act" means the Association Incorporation Act 1984, and Regulation (as amended).

"Approved Club" means a pistol club approved by the Commissioner of Police for NSW.

"Approved Pistol Range" means a shooting range approved as a pistol range by the Commissioner of Police.

Now Called "Pistol Australia Inc."

"Association" means the New South Wales Amateur Pistol Association Incorporated (the State Controlling Authority).

"Commission" means the Corporate Affairs Commission constituted by the Corporate Affairs Commission Act, 1981.

"Committee" means the Committee of Management of The Club.

"Firearms Act" means the Firearms Act 1996, (as amended)

"Firearms Regulation" means the Regulation under the Firearms Act.

"General Meeting" means a meeting which is open to the attendance of every member of The Club.

"Secretary" means any Person appointed to perform the duties of Secretary of The Club, and includes an Acting Secretary.

"UIT" refers to the International Shooting Union (Union International de Tir).

Words importing the singular shall include the plural.

Words importing the masculine gender shall include the feminine gender.

Any heading attached to any of these Rules shall not affect the Constitution or these Rules.

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.'

Rule 2.

MEMBERSHIP QUALIFICATIONS

[FAR/Assn]

A person is qualified to be a member of The Club if:-

- 1) The person is a natural person who must:
 - (a) be of good character and repute
 - (b) not have been convicted in New South Wales or elsewhere (whether before or after the commencement of the Firearms Act) of a prescribed narcotics offence, or a prescribed offence involving violence, being an offence committed less than ten (10) years before the date of the application for membership; and
 - (c) not be subject to recognizance granted in New South Wales or elsewhere to keep the peace; and
 - (d) not be subject to a Firearms Prohibition Order; and
 - (e) have applied for membership of The Club as provided by Rule 4; and
 - (f) have been approved for membership of The Club by the Committee at a meeting of the Committee; and
 - (g) pay the requisite dues or fees; and
 - (h) fulfill the obligations of a probationary period as per Rule 3 clause (5), and the Association; and
 - (I) fulfill and abide by the Eligibility Rules of the UIT and / or the requirements of the Association; and
 - (j) posses a copy of the constitution and range rules, be familiar with and agree to comply with their contents;

Rule 3.

CLASSES OF MEMBERSHIP

The Club shall consist of Ordinary Members, Associate Members, Honorary Members, Life Members, Probationary Members, Junior Members and Social Members.

1) ORDINARY MEMBERS

Shall be members who are entitled to the full privileges of membership and are liable for payment of all fees and levies.

2) ASSOCIATE MEMBERS

Associate members shall be a person who is a capitated member of another Affiliated Club. Such member shall submit proof of membership of such affiliated Club and of their capitation with the Association with the application for Associate Membership. Associate Members shall be entitled to all the privileges, of membership, except that they may not hold office nor vote on any matter at any meeting of the Club. The Club shall not issue an Associate member with a PAB 26.

3) HONORARY MEMBERS

There shall be no Honorary Members.

4) LIFE MEMBERS

On the recommendation of the committee, a member may be elected a Life Member at any general meeting of The Club, and shall be elected by a simple majority of members present, and thereafter be entitled to all the privileges of membership without paying the annual subscription, levies or other dues with the exception of capitation. They shall have been a continuously capitated member for a minimum of (10) ten years to qualify.

5) PROBATIONARY MEMBERS

Probationary Members shall be persons who are serving a probationary period before qualifying for membership in any other category. Such Probationary Members shall use pistols, only as allowed under the Firearms Act, unless they already hold a pistol licence. Probationary Members shall be admitted to The Club under the conditions laid down by The Association and shall be for a period of not LESS than one (1) month and not MORE than three (3) months.

6) JUNIOR MEMBERS

Junior Members may be admitted to The Club under conditions laid down for such members by The Association, the committee and these rules.

7) SOCIAL MEMBERS

There shall be no Social Members.

8) DEPENDANT MEMBERS

Dependant Members shall be persons who are a dependant of a member and fulfill all requirements of Rule 2 (1). They shall be entitled to all privileges of membership. Annual Fee shall be capitation plus 65 of The Club fee.

Rule 4

APPLICATION FOR MEMBERSHIP

- 1) The application for membership of The Club shall be made in writing, on the form prescribed by The Club, and shall be lodged with the secretary of The Club, accompanied by the prescribed Joining Fee.
- 2) As soon as practicable after receiving the application for membership, the Secretary shall refer the application to the committee, which shall determine whether to approve or reject the application. On acceptance of application for membership the applicant becomes a Probationary Member as per Rule 3 Clause (5). The applicant shall be in attendance at such meeting for application to be accepted.
- 3) Where the committee determines to approve an application for membership, the Secretary shall, as soon as practicable after the determination, notify the nominee of that approval and collect annual fee,
- 4) The Committee may at its discretion, refuse an application for membership, without an explanation for such refusal.
- 5) Any member or applicant who is under the age of eighteen (18) years, shall have a declaration signed by their parent or guardian giving consent to such membership.

Rule 5

OBLIGATION OF MEMBERS

[FAR]

- 1) A member shall within seven (7) days notify the secretary and the Police of:-
 - a) Change of name and / or residential address;
 - b) Purchase, acquisition, sale or disposal of any pistol held under the provisions of the relevant Sections of the Firearms Act or Regulation for Pistol Club members.
- 2) A member shall take all reasonable precautions to ensure the safekeeping of any pistol held by him at the place at which they ordinarily reside. They shall be kept locked in a safe or security cabinet of a type, approved by the Commissioner of Police.

- 3) Pistols licensed under the provisions of the Firearms Act shall only be carried upon or to or from the range of an Approved club or the premises of a licensed pistol dealer or a Police Station. Such pistol shall only carried or used on the range of an Approved club, either by the member or by some other member of an Approved club.
- 4) Each member of the club shall make themselves familiar with the applicable provisions of the Firearms Act. Failure on the part of the members to observe the particular requirements of the Firearms Act shall render the Club liable to have its approval revoked by the Commissioner of Police.
- 5) Each member of the Club shall comply with the provisions of The Club Constitution and By-law, and with any resolutions on policy and conduct set by the Committee in accordance with the provisions of the Constitution. Any member who fails to comply with the provisions of the above shall be liable to punishment as provided for in that Constitution.

Rule 6

REGISTER OF MEMBERS

[FAR]

The Secretary shall:-

- 1) establish and maintain a Register of members of the Club. Such Register to be bound by sewing or other manner as to prevent any page being removed or withdrawn. Each single page of the Register shall be numbered consecutively, with all entries therein to be printed or written in ink, and any alteration to be made in ink by interlineation or deletion and not by erasure;
- 2) record in such Register the full name, residential address, date of birth, date of joining and occupation of each member, together with a full attendance record;
- 3) record in such Register, alongside the name of each member, the description, calibre, maker's name and number of each pistol owned by the member, for which such member shall hold a licence, together with the number of the pistol licence issued.
- 4) in the case of a member who is the sole custodian of Club pistols, record the particulars enumerated in the preceding Clause in respect of those pistols held and licensed by virtue of the provisions of the relevant Sections of the Firearms Act or Regulation, for Pistol Club members.
- 5) produce such Register of Members for inspection at any reasonable time, on demand by any authorised member of the Police Force, or by any person authorised by the Association.

Rule 7

RECORD OF ATTENDANCE

[FAR]

- 1) The Scorer or Captain shall keep record of the attendance of members at Club fixtures.
- 2) Such record shall be kept in a book of durable design and construction, and shall include the date, the member's name in block letters and the member's signature.
- 3) The Committee may rule that any attendance by a member is not a bona-fide attendance.

Rule 8

FEES, SUBSCRIPTIONS, ETC.

[Act]

- 1) A person shall, upon application for membership, pay The Club a Joining Fee as determined by the Committee.
- 2) In addition to any amount payable by the member under Clause (1), a member of The Club shall pay to The Club an Annual Membership Fee as determined by the Committee.
- 3) The Annual Membership Fee as decided by the Committee (including Annual Association Capitation Fees) is due and payable no later than 30th September each year.
- 4) Any member whose Annual Membership Fee or levies are unpaid on the due date, shall cease to be a member and their name shall be deleted from the Register of members of The Club, but may be replaced by the Committee upon available vacancy and a payment of all arrears, including a further Joining Fee if so deemed.
- 5) The Committee shall determine the Annual Membership Fee and joining Fee for the various classes of membership.

Rule 9

LEVIES

- 1) The Committee may impose levies on all members not exceeding YEARLY SUBSCRIPTION per member per annum in anyone year. Notwithstanding, The Club in general meeting may authorise the imposition of levies in excess of this amount.

- 2) When imposing a levy, the Committee shall state the purpose of the levy and the due date for payment.
- 3) If a levy is unpaid after the due date, the Committee may declare all defaulting members unfinancial and action shall be taken in accordance with Rule 8, Clause (4).

Rule 10

CESSATION OR RESIGNATION OF MEMBERSHIP.

[Act/Assn]

- 1) A person ceases to be a member of The Club if the person dies, resigns that membership, or is expelled from The Club.
- 2) A member may at any time, by giving notice in writing to the Secretary, resign his membership of The Club, but shall continue to be liable for any annual subscription or other monies due and unpaid at the date of his resignation.
- 3) The Committee may refuse to renew the membership of a member if, in its opinion, such member is not an active member. "Active Member" means a member who has participated regularly in official Club shoots, working bees or other official Club activities. Without prejudice to the discretion of the Committee in relation to a member who participates less than once a month in official Club shoots, any member who so participates at least once a month during the period of which such person had been a member of the Club, shall be deemed to be an active member for the purpose of this Clause.
- 4) Where a member of The Club ceases to be a member, the Secretary shall make an appropriate entry in the Register of members to record the date on which the member ceases to be a member.

Rule 11

MEMBERSHIP NOT TRANSFERABLE

[Act]

A right, privilege or obligation, which a person has by reason of being a member of The Club, is not capable of being transferred or transmitted to another person, and terminates on cessation of the person's membership.

Rule 12

INFRINGEMENT OF RULES, DISCIPLINING OF MEMBERS AND RIGHT OF APPEAL

[FAR/Act/Assn]

- 1) The Committee shall have the power to penalise any member who is guilty of the infringement of any rule(s).
- 2) The Range Official shall have the authority to warn or report to the committee, any infringement of safety rules or misconduct on the range, and shall have the power, on having warned the competitor, member or visitor, twice for the same infringement, to suspend the competitor, member or visitor, from participating in any further competition until such times as their case may be brought before and decided upon by the Committee.
- 3) Any member who may be considered to have infringed any rule(s) may be called upon to appear before the Committee to answer such charges as may be laid against him.
- 4) Any member who, in the opinion of the Committee, may be considered to be guilty of unfair practice or misbehaviour connected with pistol shooting, or any action detrimental to the interests of The Club, may be called upon to appear before the Committee to answer such charges as may be laid against him. If found guilty, such member may be penalised by fine, suspension, expulsion or otherwise as the Committee may consider appropriate.
- 5) Any member so fined, charged or suspended shall be notified in writing by the Club Secretary as to the appropriate action being taken within seven days of such penalty being imposed.
- 6) Any member who may be disqualified, fined charged or suspended shall have the right to appeal against such penalty, but such appeal must be lodged with the Secretary within twenty one (21) days of notice being given. If any such notice of appeal should be lodged a general meeting shall be held within twenty one (21) days of receipt of such appeal at which meeting the penalised member may explain the action leading to notice being given, or speak in support of such appeal.
- 7) Should the meeting not be unanimous in its decision on such appeal, a vote shall be taken and unless a two-thirds (2/3) majority of those present vote against the appeal, such appeal shall be upheld and the member reinstated.

Rule 13

EXPULSION AND RIGHT OF APPEAL

[FAR/Act/Assn]

- 1) To expel a member from The Club, notice shall be sent to the Secretary, signed by any financial member, acquainting him with the circumstances that give rise to such notice.
- 2) The Secretary shall then communicate with such member (so that he may have the opportunity of explaining or withdrawing from The Club) and shall call a meeting of the Committee who are empowered to decide the question. If a two-thirds (2/3) majority of the Committee vote for his expulsion, the member shall be expelled.
- 3) Any member so expelled shall have the right to appeal within twenty one (21) days of such notice, to a general meeting, to be summoned within twenty one (21) days of lodgement of the appeal, at which meeting the penalised member may explain the action leading to notice being given, or speak in support of such appeal.
- 4) Should the meeting not be unanimous in its decision on such appeal, a vote shall be taken and unless a two-thirds (2/3) majority of members present shall be required to confirm the expulsion. If the expulsion be not confirmed the member will be reinstated.

Rule 14

THE COMMITTEE

[Act/Assn]

- 1) The Committee shall be called the Committee of Management of The Club and subject to the Acts, these rules, and to any resolution passed by The Club in general meeting:
 - a) shall control and manage the affairs of The Club; and
 - b) may exercise all such functions as may be exercised by The Club, other than those functions that are required by these rules to be exercised by a general meeting of members of The Club; and
 - c) has power to perform all such acts, and do all such things, as appear to the Committee to be necessary or desirable for the proper management of the affairs of The Club.

2) The Officers of The Club shall be:

- a) the President;
- b) the Vice-president;
- c) the Secretary;
- d) the Treasurer;
- e) the Captain;
- f) the Vice-Captain;
- g) the Scorer;

and not more than four (4) Committee persons, one of whom shall be assistant Secretary.

- 3) Each member of the Committee shall, subject to these rules, hold office until the conclusion of the Annual General Meeting following the date of the members' election, and shall be eligible for re-election.
- 4) In the event of a casual vacancy occurring in the membership of the Committee, the Committee may appoint a member of the Club to fill the vacancy, and the member so appointed shall hold office, subject to these rules, until the conclusion of the Annual General Meeting next following the date of the appointment.

Rule 15

OFFICE BEARERS OF THE CLUB

1) Patron and Vice-Patron:

- a) There may be one or more Patron and one or more Vice-Patrons.
- b) These are positions of honour, which may be offered by the members at Annual General Meetings.

[2-8 Assn]

2) President

- a) There shall be one President,
- b) The President is the senior executive officer of The Club.
- c) He shall be a member, ex-officio, of all regular and special committees.

3) Vice-president

- a) There shall be one Vice-president
- b) He shall accept the full responsibilities of the President, in the absence or at the request of the president.
- c) He shall carry out other duties given him by the President

[FAR]

4) Secretary

- a) There shall be one Secretary
- b) He shall within fourteen (14) days, lodge with the Association any change of name and/or address of the President, Secretary or Captain.
- c) He shall keep minutes of all proceedings at Committee Meetings and general meetings of The Club.
- d) He shall keep a record of all correspondence on behalf of The Club.
- e) He shall have all outgoing correspondence approved by the Committee.
- f) He shall be a member, ex-officio of all regular and special Committees.
- g) He shall, within fourteen (14) days, notify the Commissioner of Police and the Association of:-
 - (i) the change of name and/or residential address of a member; and
 - (ii) the acceptance of a person as a member of the club; and
 - (iii) any punitive action taken against a member of the Club for offences involving pistols and/or safety.
- h) He shall, within seven (7) days, notify the Commissioner of Police and the Association of the resignation, expulsion, transfer or death of a member of The Club.
- i) He shall, by the month of December each year, lodge with the Association, particulars of all members of The Club as at 30th September.
- j) He shall fulfill all duties and obligations imposed on the Secretary by virtue of the Firearms Act, and such other duties as laid down in these rules.

5) Treasurer

- a) There shall be one Treasurer.
- b) The Treasurer shall be responsible for all financial matters of The Club, and custody of books of account.

- c) He shall ensure that all money due to The Club is collected, and banked to The Clubs account within fourteen (14), and as soon as practicable after receiving moneys an appropriate receipt is issued.
- d) He shall ensure that all payments authorised by The Club are made.
- e) He shall ensure that correct books of account are kept, showing the financial affairs of The Club, including full details of all receipts and expenditure connected with the activities of The Club.
- f) He shall produce each year to the Auditors of The Club, the books of account.
- g) He shall, at the Annual General Meeting, deliver to the Chairperson a duly audited Balance Sheet covering the financial year immediately preceding that Annual General Meeting.

6) Captain

- a) There shall be one Captain.
- b) He shall have charge of all the ranges of The Club.
- c) He shall be responsible for the conduct of all competitions in accordance with the rules of The Club, The Association ,UIT and Pistol Australia Inc.
- d) He shall be responsible for the observance of all safety precautions on the ranges of The Club.
- e) He shall be responsible for the instruction of all members in the art of target pistol shooting.
- f) He shall appoint such Range Officials as deemed necessary for safe conduct on all ranges of The Club. Such Range Officials shall perform any other duties as directed.

7) Vice-Captain

- a) There shall be one Vice-Captain.
- b) He shall accept the responsibilities of the Captain, in the absence or, at the request of the Captain.

8) Scorer

- a) There shall be one Scorer
- b) The Scorer shall record the scores of all Club and inter-club competitions in which Club members participate.

- c) The Scorer shall maintain a grading record in accordance with the Association requirements.

Rule 16

ELECTION OF OFFICERS

- 1) All elections shall be by an absolute majority and secret ballot, only the name of the elected officer shall be revealed and not the number of votes cast for each.
- 2) The ballot for the election of office-bearers and ordinary members of the Committee shall be conducted at the Annual General Meeting in such usual and proper manner as the Committee may direct.
- 3) All nominations of candidates for election to the Committee shall be received prior to or verbally at the Annual General Meeting. Such nominations must be accepted by the nominee.
- 4) 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.
- 5) If the number of nominations received exceeds the number of vacancies to be filled, a secret ballot shall be held.
- 6) If insufficient further nominations are received, any vacant position remaining on the Committee shall be deemed to be casual vacancies, to be filled in accordance with Rule 14(4).
- 7) Persons holding the positions of President, Secretary or Treasurer may not stand for any of these positions after having held any or either for a period of two consecutive years unless by two thirds vote. They shall be eligible for election to any other Committee position and may renominate for any of the three at the following annual election.

Rule 17

CASUAL VACANCIES

[Act]

For the purpose of these rules a casual vacancy in the office of a member of the Committee occurs if the member, ceases to be a member of the Club; dies; becomes an insolvent member under administration within the meaning of the Companies (New South Wales) Code; resigns office by notice in writing given to the Secretary; becomes of unsound mind or a person whose person or estate is liable to be dealt with in any way under the law relating to mental health; is absent without the consent of the Committee from all meetings of the Committee held during the period of six (6) months; is removed from office as per Rule 18, or is a vacancy created by insufficient nominations at the Annual General Meeting.

Rule 18

REMOVAL OF A COMMITTEE MEMBER

[Act]

- 1) The Club in general meeting may by resolution remove any member of the Committee from the office of member before the expiration of the member's term of office and may by resolution appoint another person to hold office until the expiration of the term of office of the member so removed.
- 2) Where a member of the Committee to whom a proposed resolution referred to in Clause (1) relates makes representation in writing to the Secretary or president (not exceeding a reasonable length) and requests that the representations be notified to the members of The Club, the Secretary or the President may send a copy of the representation to each member of The Club or, if they are not sent, the member is entitled to require that the representation be read out at the meeting at which the resolution is considered.

Rule 19

COMMITTEE MEETINGS AND QUORUM

[Act]

- 1) The Committee shall meet Eleven times in each period of twelve (12) months, at such place and time as the Committee may determine. All members are eligible to attend and have right to participate but have no vote on matters for decision. Additional meetings of the Committee may be convened by the President or by any three (3) members of the Committee.
- 2) Oral or written notice of such meeting of the Committee shall be given by the Secretary to each member of the Committee at least 48 hours (or such other period as may be unanimously agreed upon by the members of the Committee) before the time appointed for the holding of the meeting.
- 3) Notice of the meeting given under Clause (3) shall specify the general nature of the business to be transacted at the meeting and no business other than that business shall be transacted at the meeting, except business which the Committee members present at the meeting unanimously agree to treat as urgent business.
- 4) Six (6) members of the Committee constitutes a quorum for the transaction of the business of a meeting of the Committee.
- 5) No business shall be transacted by the Committee unless a quorum is present and if within half an hour of the time appointed for the commencement of the meeting a quorum is not present, the meeting stands adjourned to the same place and at the same hour of the day in the following week.
- 6) If at the adjourned meeting a quorum is not present within half an hour of the time appointed for the meeting, the meeting shall be dissolved.

Rule 20

DELEGATION BY COMMITTEE TO SUB-COMMITTEE

[ACT]

- 1) The Committee may, by instrument in writing, delegate to one or more sub-committees (consisting of such members of The Club as the Committee thinks fit) the exercise of such functions of the Committee as are specified in the instrument, other than:
 - a) the power of delegation; and
 - b) a function which is a duty imposed on the Committee by the Act or by any other law.
- 2) 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.
- 3) All sub-committees shall conduct their business at the direction of the Committee and shall report their proceedings in writing.
- 4) Notwithstanding any delegation under this rule, the Committee may continue to exercise any function delegated.
- 5) Any act or thing done or suffered by a sub-committee acting in exercise of a delegation under this rule has the same force and effect as it would have if it had been done or suffered by the Committee.
- 6) The Committee may, by instrument in writing, revoke wholly or in part any delegation under this rule.
- 7) A sub-committee may meet and adjourn as it thinks proper.
- 8) All sub-committees shall retire at the Annual General Meeting.

Rule 21

VOTING AND DECISIONS OF THE COMMITTEE AND SUB-COMMITTEES

[Act]

- 1) Questions arising at a meeting of the Committee or sub-committee appointed by the Committee shall be determined by a majority of the votes of members of the Committee or sub-committee present at the meeting.
- 2) Each member present at a meeting of the Committee or of any sub-committee appointed by the 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.

- 3) Subject to Rule 19 Clause (4) the Committee may act notwithstanding any vacancy on the Committee.
- 4) Any act or thing done or suffered, or purporting to have been done or suffered, by the Committee or by a sub-committee appointed by the Committee, is valid and effectual notwithstanding any defect that may afterwards be discovered in the appointment or qualification of any member of the Committee or sub-committee.

Rule 22

INDEMNITY

The officers of the Club, and members of appointed sub-committees, shall be indemnified by the Club against all actions, suits, claims, demands, costs, damages and expenses which such person may incur, suffer or be liable to for any reason, or as a result of any contract entered into, or by any act or deed done by him in the proper discharge of his duties, or in any way relating thereto, except as may happen through his negligence or default.

Rule 23

GENERAL

- 1) The Secretary or Captain shall within fourteen (14) days of changing place of residence notify the Commissioner of Police and the Association in writing of such change of residence. However, should the Secretary or the Captain be the holder of a pistol licence, either in his own capacity or on behalf of The Club, the period of notification shall be seven (7) days.

Rule 24

BY-LAWS

- 1) Subject to these by-laws, the committee is empowered to make, repeal and amend resolutions on matters of policy and conduct, as they may from time to time consider necessary for the well being of The Club, such resolutions, repeals and amendments shall have effect until otherwise determined by the Committee or general meeting.
- 2) Any by-law, or resolution on matters of policy and conduct, made under these Rules shall come into force and be duly operative upon the posting of an appropriate notice containing such by-laws and resolutions on the Notice Board of The Club.

Rule 25

NOTICE

- 1) The secretary shall, at least twenty one (21) days before the date fixed for the holding of the general meeting, cause to be sent by pre-paid post to each member at the member's address appearing in the Register of Members, a notice specifying the place, date and time of the meeting and the nature of the business proposed to be transacted at the meeting.

- 2) Where the nature of the business proposed to be dealt with at a general meeting requires a special resolution of The Club, the Secretary shall, at least twenty one (21) days before the date fixed for the holding of the general meeting, cause notice to be sent to each member in the manner provided in Clause (1) specifying, in addition to the matter required under Clause (1), the intention to propose the resolution as a special resolution.
- 3) No business other than that specified in the notice convening a general meeting shall be transacted at the meeting except, in the case of an Annual General Meeting, business may be transacted pursuant to Rule 26.
- 4) A Member desiring to bring any business before a general meeting, may give notice in writing of that business to the secretary who shall include that business in the notice calling the next general meeting.

Rule 26

ANNUAL GENERAL MEETINGS

[Act/Assn]

- 1) The Club shall, at least once in each calendar year within the period of six (6) months after the expiration of each financial year of The Club, convene an Annual General Meeting of its members.
- 2) The Club shall hold its first Annual General Meeting:-
 - a) within the period of eighteen (18) months after its Incorporation under the Act; and
 - b) within the period of two (2) months after the expiration of the first financial year of The Club.
- 3) Clauses (1) and (2) have effect subject to any extension or permission granted by the Commission under section 26 (3) of the Act.
- 4) The Annual General meeting of The Club shall, subject to the Act and this Rule, be convened in the month of November of each year.
- 5) The Annual General Meeting shall be specified as such in the notice convening it.
- 6) Twenty one (21) days clear notice in writing of the Annual General Meeting shall be given to all members, to be delivered by hand or sent by pre-paid post to each member at the member's address appearing in the Register of Members, such notice to specify the place, date and time of the meeting and Agenda.
- 7) In addition to any other business which may be transacted at an Annual General Meeting, the business of an Annual General Meeting shall be :-

- (a) to confirm the minutes of the last preceding Annual General Meeting and of any Extraordinary General Meeting held since that meeting.
 - (b) to receive from the Committee reports on the activities of The Club during the last preceding financial year.
 - (c) to elect office bearers of The Club and ordinary members of the Committee; and
 - (d) to receive and consider the statement which gives a true and fair view of the income and expenditure, the assets and liabilities, the mortgages, charges and other securities affecting The Club, as of the last financial year.
 - (e) in respect of each trust, of which The Club was a trustee during a period, being the whole or any part of the last financial year of The Club, to receive the statement which gives a true and fair view of the income and expenditure, the assets and liabilities, the mortgages, charges and other securities of any description affecting any of the property of the trust during that period.
- 8) If the Annual General Meeting has not been called by the end of November of any year, twenty five (25) members may convene and conduct an Annual General Meeting.
- 9) Annual General Meeting convened by members as referred to in Clause (8) of this Rule, shall be convened as nearly as is practicable in the same manner as Annual General Meetings are convened by the Committee and any member who thereby incurs expenses of convening, is entitled to be reimbursed by The Club.

Rule 27

EXTRAORDINARY GENERAL MEETINGS

- 1) The Committee may, whenever it thinks fit, convene an Extraordinary General meeting of The Club.
- 2) The Committee shall, on the requisition in writing of not less than twenty five (25) members, convene an Extraordinary General Meeting of The Club.
- 3) A requisition of members for an Extraordinary General Meeting
 - a) shall state the purpose or purposes of the meeting; and
 - b) shall be signed by the members making the requisition; and
 - c) shall be lodged with the Secretary; and

- d) may consist of several documents in a similar form, each signed by one or more of the members making the requisition.
- 4) If the Committee fails to convene an Extraordinary General Meeting to be held within one (1) month after that date on which a requisition of members for a meeting is lodged with the Secretary, anyone or more of the members who made the requisition may convene the meeting, to be held not later than three (3) months after that date.
- 5) An Extraordinary General Meeting convened by a member or members as referred to in Clause (5) shall be convened as nearly as practicable in the same manner as General Meetings are convened by the Committee. Any member who thereby incurs expenses of convening, is entitled to be reimbursed by The Club.

Rule 28

PRESIDING MEMBER

[Act]

- 1) The President, or in the President's absence the Vice-president, shall preside as Chairperson at each general meeting, or committee Meeting of The Club.
- 2) If the President and the Vice-president are absent from a Meeting, or unwilling to act, the members shall elect one of their number to preside as Chairperson at the meeting.

Rule 29

PROCEDURE

[Act]

- 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 the meeting is considering that item.
- 2) Twenty five (25) members or twenty five percent (25) of all members, whichever is the smaller number (being members entitled to vote at general meetings), shall constitute a quorum for the transaction of the business of a general meeting.
- 3) If within half an 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 any other case shall stand adjourned to the same day in the following week at the same time and (unless another place is specified at the time of the adjournment by the person presiding at the meeting or communicated by written notice to the members given before the day to which the meeting is adjourned) at the same place.
- 4) If at the adjourned meeting a quorum is not present within half an hour after the time appointed for the commencement of the meeting, the meeting shall lapse.

Rule 30.

MAKING OF DECISIONS

[Act]

- 1) A question arising at a general meeting of The Club shall be determined on a show of hands, and unless before or on declaration of the show of hands a poll is demanded, a declaration by the Chairperson that a resolution has, on a show of hands, been carried or carried unanimously or carried by a particular majority or lost, an entry to that effect in the Minute Book of The Club, is evidence of the fact without proof of the number or proportion of the votes recorded in favour of or against that resolution.
- 2) At a general meeting of The Club a poll may be demanded by the Chairperson or by not less than five (5) members present at the meeting.
- 3) Where a poll is demanded at a general meeting, the poll shall be taken immediately and the resolution of the poll on the matter shall be deemed to be a resolution of the meeting on that matter.
- 4) Subject to these rules, all matters at a general meeting shall be decided by a simple majority vote of members.

Rule 31.

VOTING

[Act]

- 1) Upon any question arising at a general meeting of The Club, a member has one vote only.
- 2) All votes shall be given personally or by proxy.
- 3) In the case of an equality of votes on a question at a general meeting, the Chairperson of the meeting is entitled to exercise a second or casting vote.
- 4) A member or proxy is not entitled to vote at any general meeting of The Club unless all money due and payable by the member or proxy to The Club has been paid.

Rule 32.

APPOINTMENT OF PROXIES

[Act]

- 1) Where a member is unable to be present at any general meeting, that member may appoint another member or The Club Secretary to exercise proxy votes on his behalf

- 2) No person may cast more than two (2) proxy votes on behalf of other members, with the exception of The Club Secretary who may cast as many proxy votes for which he holds valid proxy forms.
- 3) The notice appointing the proxy shall be in the form as set out in Appendix 1.
- 4) The notice appointing the proxy shall be served on The Club Secretary not less than one (1) hour before the time of holding the meeting at which the person named in the instrument proposes voting. In default the instrument shall not be valid.
- 5) The content of proxy votes served on The Secretary shall be confidential. At the beginning of the meeting the Secretary will announce that proxy votes are held on the matters specified therein.
- 6) Minor variations in the form shall not invalidate a proxy provided the intention is clear.
- 7) Where votes are cast by proxy the members present shall decide by simple majority, on the validity of any vote that is called into question.

Rule 33

SPECIAL RESOLUTION

[Act]

A resolution of The Club is a Special Resolution if:-

- a) It is passed by a majority which comprises not less than three quarters (3/4) of such members of The Club as, being entitled under these rules so to do, vote in person or by proxy at a general meeting of which not less than twenty one (21) days written notice specifying the intention to propose the resolution as a Special Resolution was given in accordance with these rules; or
- b) Where it is made to appear to the Commission that it is not possible or practicable for the resolution to be passed in the manner specified in paragraph (a), the resolution is passed in a manner specified by the Commission.

Rule 34.

ADJOURNMENT

[Act]

- 1) The Chairperson or members of The Club at a General Meeting at which a quorum is present may, with the consent of the majority of members present at the meeting, adjourn the meeting from the time to time and place to place, but no business shall be transacted at an adjourned meeting other than the business left unfinished at the meeting at which the adjournment took place.

- 2) Where a general meeting is adjourned for fourteen (14) days or more, the Secretary shall give written notice of the adjourned meeting to each member of The Club stating the place, date and time of the meeting and the nature of business to be transacted at the meeting.
- 3) Except as provided in Clause (1) and (2), notice of an adjournment of a general meeting or of the business to be transacted at an adjourned meeting is not required to be given.

Rule 35.

AUDITORS

- 1) There shall be one or more Auditors.
- 2) The auditors shall satisfy themselves that the Balance Sheet and Books of Account, as presented annually by The Treasurer, provides a true and fair representation of The Club's financial position and records the financial transactions of The Club during the period.
- 3) The Auditors shall conduct financial investigations as required by the Committee.
- 4) The Auditors shall, whenever possible, be appointed at the Annual General Meeting.

Rule 36.

PUBLIC OFFICER

- 1) There shall be one Public Officer.
- 2) He shall be responsible for the safekeeping of the Common Seal.
- 3) He shall certify all documents as required under The Act.
- 4) He shall fulfill all duties and obligations imposed on the Public Officer by virtue of The Act.
- 5) He shall be a member of The Club, but not necessarily a member of The Committee, nor shall he be required to be appointed annually.
- 6) He may simultaneously hold another position in The Club.

Rule 37.

VISITORS

[Assn]

- 1) Any person not being a member of The Club, shall enter onto The Club premises only upon the invitation of a member of The Club. Such members shall be responsible for the behaviour and conduct of such visitor on The Club premises. It shall be the obligation of The Club member to acquaint the visitor of range rules and procedure.

- 2) A visitor shall record and sign his name in the Visitors' Book. The member responsible for the behaviour and conduct of such visitor shall also sign the Visitors' Book.
- 3) Visitors may be invited to shoot on The Club ranges provided they are capitated members of an Approved club. Visitors from another approved club must produce evidence of their membership to a member of The Club Committee or range official on request.
- 4) Visitors using their own target pistol must hold a current licence. The licence must be produced to a member of The Committee or range official on request.
- 5) A competitor visiting from an Approved club shall report to a member of The Committee, or in their absence, the Range Officer who shall ensure that the competitor records their name, signature and Club in the Visitors' Book, and produce evidence of his membership on request.

Rule 38.

CLUB PISTOLS

- 1) The Committee may purchase or acquire such pistols for the use of The Club as it considers necessary.
- 2) The Secretary or Club Captain shall, on behalf of The Club, hold the pistol licence issued in respect of each pistol owned by The Club. They shall take all reasonable precautions to ensure the safe keeping of such pistols when they are not being used, or carried by some other person at an Approved range. Such pistols may only be used in club target shooting at an Approved Range by any member of The Club or by a visiting member of any other Approved club, but in both cases the use must be under the supervision of a Range Officer and in compliance with any conditions endorsed on the pistol licence.
- 3) The Secretary or Captain or in their absence, the Acting Secretary, shall keep a record of the use of each Club pistol by any member of The Club or by any visiting member of an Approved club. Such record shall be in a book and will be to the effect of Form 12 under the Firearms Regulation; the headings of each page to be machine printed; the pages bound by sewing or such other manner as to prevent any page being readily removed; and each page to be machine numbered consecutively.
- 4) The Secretary or Captain or in their absence, the Acting Secretary, shall at the time of transfer from, and return to, them of a club pistol enter or cause to be entered in ink in the book such of the particulars specified in Form 12 as are at the time appropriate.
- 5) All entries in such register shall be printed in ink and any alteration shall be made in ink by interlineation or deletion and not by erasure.

- 6) The Secretary or Captain shall cause such register to be retained until the expiration period of three (3) years after the completion of the last entry therein, and not extract or cause or permit to be extracted any page from such register.
- 7) The register shall upon demand, made by an authorised member of the Police Force, be produced to permit them to make copies of any entry therein.
- 8) Members shall make themselves conversant with the requirements of the Firearms Act and Firearms Regulation thereunder, in respect of pistols owned by The Club.

Rule 39

INTOXICATING LIQUOR

[FAR/Assn]

- 1) No person shall consume intoxicating liquor on a range of The Club until all shooting has been completed for the day.
- 2) No person shall be admitted to or be on a range of The Club whilst apparently under the influence of intoxicating liquor.
- 3) Any person found under the influence of intoxicating liquor on a range of The Club shall be ordered to leave forthwith and if such person is a member of The Club, they shall be liable to expulsion. If such person is a visitor from another Club, they shall be reported in writing to their own club. If a competition is in progress, the offender will be disqualified from the competition.
- 4) Persons may consume liquor in The Club rooms ONLY AFTER THEY HAVE FINISHED SHOOTING FOR THE DAY.
- 5) No person, having consumed liquor, will return to the firing line.

Rule 40.

RANGE FEES.

Range Fees and Competition Fees shall be fixed by The Committee.

Rule 41.

PISTOLS AND SHOOTING RULES.

[FAR/Assn]

All pistols used and matches held on the ranges of The Club shall conform to UIT, the Association rules, and for which the range is licensed. Pistol Australia Inc.

Rule 42.

INSPECTION OF RANGES.

Any range or ranges of The Club may be inspected at any time by an authorised member of the Police Force, a member of the Executive of the Association or a person authorised in writing by the Association.

Rule 43.

NOTICE REGARDING RULES FOR SAFETY AND CONDUCT.

[FAR]

At least two (2) copies of the current Association Standard Rules for Safety and Conduct on the Pistol Range shall be displayed at separate locations on all ranges of The Club.

Rule 44.

INSURANCE.

[Act- Compulsory]

- 1) The Club shall effect and maintain with an approved insurer public liability insurance cover of any such amount as may be required by the law.
- 2) In addition to the insurance required under Clause (1), the Club may effect and maintain such other insurance as The Club may from time to time, deem necessary.
- 3) Any person or group wishing to sell, demonstrate, any goods whatsoever, or any person(s) or business wishing to hire the range or ranges, shall have adequate insurance cover.

Rule 45.

FINANCIAL YEAR.

The financial year of The Club shall end on the 30th September of each year, to which day the accounts of The Club shall be balanced.

Rule 46.

FUNDS-SOURCE

The funds of The Club shall be derived from Joining Fee's and Annual Membership Fee's, donations and subject to any resolution passed by The Club in general meeting, such other sources as the Committee determines.

Rule 47.

FUNDS-MANAGEMENT.

[Act]

- 1) Subject to any resolution passed by The Club in General Meeting, the funds of The Club shall be used in pursuance of the objects of The Club in such manner as the Committee determines.
- 2) All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments shall be signed by any two (2) of The President, Treasurer or Secretary of The Club.

Rule 48.

MEMBERS LIABILITIES.

[Act]

The liability of a member of The Club to contribute towards the payment of the debts and liabilities of The Club or the costs, charges and expenses of the winding up of The Club is limited to the amount, if any, unpaid by the member in respect of membership of The Club as required by Rule 8.

Rule 49.

COMMON SEAL.

[Act]

- 1) The Common Seal of The Club shall be kept in the custody of the Public Officer.
- 2) The Common Seal shall not be affixed to any instrument except by the authority of the Committee and the affixing of the Common Seal shall be attested by the signature either by two (2) members of the Committee or one (1) member of the Committee and the Public Officer.

Rule 50.

CUSTODY OF BOOKS ETC.

[Act]

Except as otherwise provided by these rules The Club Secretary shall keep in their custody or under their control all current records, books and other documents relating to The Club.

Rule 51.

INSPECTION OF BOOKS AND RECORDS.

[FAR - 1]

- 1) The records, books and other documents of The Club shall be open for the inspection, at any reasonable time, free of charge, by an authorised member of the Police Force, a member of the Executive of the Association or a person authorised in writing by the Association.

- 2) The records, books and other documents of The Club, shall be open for inspection, free of charge, at any reasonable time by a member of The Club.

Rule 52

SERVICE OF NOTICE

[Act]

- 1) For the purpose of these Rules, a notice may be served by or on behalf of The Club upon any member either personally or by sending it by prepaid post to the member at the address shown in the Register of Members.
- 2) Where a document is sent to a person by properly addressing, prepaying and posting a letter containing the document, unless the contrary is proved, shall be deemed for the purpose of these Rules to have been served on the person three (3) days following the date of posting.

Rule 53.

FIREARMS ACT 1996 (AS AMENDED)

Notwithstanding any clause in this Constitution, The Club and all members of The Club shall be bound by the provisions of the Firearms Act, 1996 (as amended) and Regulation thereunder

Rule 54.

ALTERATION OF OBJECTS AND RULES.

[Act/FAR/Assn]

- 1) The objects and rules of The Club may be altered, rescinded or added to by resolution, provided that such resolution is passed by a majority which comprises not less than three quarters (3/4) of such members of The Club as, being entitled under these Rules so to do, vote in person or, where proxies are allowed, by proxy at a general meeting of which not less than twenty one (21) days' written notice specifying the intention to propose the resolution as a special resolution was given in accordance with these Rules.
- 2) Where these Rules are amended, four (4) copies of the amendments, certified as correct under the hand of the Secretary, shall be forwarded to the Association and the Commissioner of Police within fourteen (14) days after the amendment has been made.
- 3) Where the Objects or Rules are altered, rescinded or added to, the Corporate Affairs Commission shall be notified within one (1) month, in forms 6 of the Act, certified by the Public Officer.

Rule 55.

WINDING UP OF THE CLUB.

[Act]

- 1) The Club may be wound up voluntarily if so resolved by Special Resolution of members at a general meeting.
- 2) The surplus property of The Club shall, subject to any trust affecting that property or any part of it, be vested in a body which has similar objects, and is nominated for the purpose by a Special Resolution at the time of winding up.
- 3) The incorporated association or club so nominated shall be one which fulfils the requirements specified in section 53 (2) (a) - (c) of The Act.

Rule 56.

MATTERS NOT COVERED BY THESE RULES

Where any subject, matter or dispute not specifically covered by these Rules is brought before the Committee, the Committee shall have the power to discuss investigate and decide upon such subject, matter or dispute provided that such subject, matter or dispute is not covered by the Act, Firearms Act, or other Law. Such decisions shall be binding on all members of The Club.

This Constitution was adopted by the Newtec Pistol Club at an Extraordinary General meeting held at on theday of 1998.

Any appointment made or motion passed under the Constitution hereby repealed, if in force at the commencement of this Constitution, shall continue in force as far as practicable as if made or passed under this Constitution.

FORM OF APPOINTMENT OF PROXY

I,
(Full Name)

of
(Address)

being a member of Newtec Pistol Club Incorporated hereby

appoint
(Full name of Proxy)

of
(Address of Proxy)

being a member of the Incorporated Club, as my proxy to vote for me on my behalf at the general Meeting of The Club to be held on the day of 20 and at any adjournment of that meeting.

* My proxy is authorised to vote in favour of / against the Resolution.

.....
Signature of member appointing proxy.

Date

Note: A proxy may not be given to a person who is not a member of The Club.