

RULES OF THE NORTHERN TASMANIA AMATEUR RADIO CLUB Inc.

## 1. Commencement

These rules commence operation on the 12<sup>th</sup> day of August 2009, having been adopted by a Special General Meeting of members on that date.

## 2. Name of association

2.1 The name of the association is as follows:

“Northern Tasmania Amateur Radio Club (NTARC) Inc.”, in these rules referred to as the “Club”.

2.2 The association succeeds and subsumes the operation of the unincorporated association known as the Northern Tasmania Amateur Radio Club; of which;

(a) the membership and assets transfer to the association; and

(b) the office bearers and committee member assume the equivalent position in the association for the balance of the financial year; and

(c) the rules of which cease to operate on and from the 12<sup>th</sup> day of August 2009.

## 3. Interpretation

In these rules, unless the context otherwise requires –

**"accounting records"** has the same meaning as in the Act;

**"Act"** means the Associations Incorporation Act 1964;

**"annual general meeting"** means an annual general meeting of the Association held under rule 14;

**"association"** has the same meaning as in the Act;

**"auditor"** means a person appointed as an auditor of the Association under rule 12;

**"authorised deposit-taking institution"** means a body corporate that is an authorised deposit-taking institution for the purposes of the Banking Act 1959 of the Commonwealth;

**"basic objects of the Club"** means the objects and purposes of the Association set out in rule 5 (1) and as stated in an application under section 7 of the Act for the incorporation of the Club;

**"Club"** means the association described by rule 2;

**"committee"** means committee of management referred to in rule 27;

**"financial year"** means the period of 12 contiguous months commencing on 1 January and concluding on 31 December of any calendar year;

**"general meeting"** means a meeting of members convened under rule 16;

**"officer of the Club"** means a person elected as an officer of the Association at an annual general meeting or appointed as an officer of the Association under rule 26;

**"ordinary business of an annual general meeting"** means the business specified in rule 14 (5);

**"ordinary committee member"** means a member of the committee other than an officer of the Club;

**"public officer"** has the same meaning as in the Act;

**"special business"** means business other than the ordinary business of an annual general meeting;

**"special general meeting"** means a meeting of the Association, other than an annual general meeting, convened under rule 15 or under rule 15 as modified by the operation of either rule 36 or rule 40.

#### **4. Club's office**

(1) The office of the Club is to be at a place the committee determines from time to time.

(2) The committee is to publish the address of the office of the Club to members and include it on all Club publications, both written and electronic.

#### **5. Objects and purposes of Association**

(1) The objects and purposes of the Club are following basic objects

(a) to facilitate the association of persons interested in and to encourage and promote development of radio communication in all its modes.

(b) to encourage, assist and educate persons interested in amateur radio and allied techniques with special reference to licensed amateur radio operation and to promote the extension of interest and participation in such pursuits.

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(c) to participate in activities using radio communication equipment techniques, within the terms of amateur radio operator licensing conditions prescribed by the Australian Communications and Media Authority, or its successors, from time to time.

(d) to foster a community appreciation of the historical contribution made by radio communication to the development of society and to commemorate the anniversary of significant events in that history.

(e) to establish and maintain radio beacons, repeaters and other facilities that support the Club's objects and purposes.

(2) The objects and purposes of the Club, in addition to the basic objects set out in subrule (1), include the following objects and purposes;

(a) to enter into arrangements with any authority, person or organisation which are conducive to the pursuit of these objects and purposes and to obtain from such authority, person or organisation rights, privileges or concessions pursuant thereto and to exercise the same and make or demand payment in respect thereof.

(b) without in any way limiting the generality of rule 5 (1) (a), to affiliate with the national organisation known as the Wireless Institute of Australia and to strive to maintain, within Club members, a level of individual membership of the Wireless Institute of Australia greater than 25 per cent.

(c) the taking of any step the committee or members of the Club at a general meeting determine expedient for the purpose of procuring contributions to the funds of the Club.

(d) the borrowing or raising of money in any manner and on terms-

(i) the committee thinks fit and so recommends and is subsequently approved by resolution passed at a general meeting; or

(ii) is directed by resolution of a general meeting.

(e) the purchase, taking on lease or in exchange, hire or other acquisition of any real or personal property necessary or convenient for any of the objects or purposes of the Club.

(f) the purchase, sale or supply of, or other dealing in, goods or services reasonably associated with the pursuit of these objects and purposes.

(g) the construction, maintenance or alteration of any building or works necessary or convenient for any of the objects or purposes of the Club.

(h) the acceptance of a gift for any of the objects or purposes of the Club.

(i) the making of a gift, subscription or donation to any of the funds, authorities or institutions to which section 78A of the *Income Tax Assessment Act 1936* of the Commonwealth of Australia relates.

(j) the printing or publication, including publication by electronic means, of any newspaper, periodical, book or other document the committee or members of the Club at a general meeting determine desirable for the promotion of any of the objects or purposes of the Club.

(k) the establishment and support, or aiding in the establishment or support, of any other association formed for any of the basic objects of the Club.

(l) the doing of any lawful thing incidental or conducive to the attainment of the objects or purposes of the Club.

## **6. Membership of the club**

(1) A person who is not a member of the Club at the time of incorporation but who makes application for membership of the Club in accordance with this rule is eligible to be a member of the Club on payment of the annual subscription specified in rule 34.

(2) The committee may prescribe an application form for the purposes of subrule (1) and for the purposes of rule 8 subrule (1) and (2), and

(a) where so prescribed, the form is to clearly set out the requirements of those subrules and the annual subscription amount required under rule 34, and

(b) where so prescribed, the committee is to publish the prescribed form and make it available to persons seeking to make application for membership.

(3) As soon as practicable after receipt of the application, the officer appointed by the committee to perform the role of membership officer is to inform the applicant of his or her acceptance into the club, and

(a) on receipt of the amount payable for the first year's subscription, enter the applicant's name on the register of members.

(4) A member of the Club may resign membership by serving on the membership officer a written notice of resignation.

(5) On receipt of a notice of resignation under subrule (4) the membership officer is to remove the name of that member from the register of members.

(6) A person –

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(a) becomes a member of the Club when his or her name is entered in the register of members; and

(b) ceases to be a member when his or her name is removed from the register of members.

(7) Any right, privilege or obligation of a person as a member of the Club –

(a) is not capable of being transferred to another person; and

(b) terminates on the cessation of the membership.

(8) If the Club is wound up, each member of the Club, and each person who was a member of the Club within the period of 12 months immediately preceding the commencement of the winding-up, is liable to contribute –

(a) to the assets of the Club for payment of the liabilities of the Club; and

(b) for the costs, charges and expenses of the winding-up; and

(c) for the adjustment of the rights of the contributors among themselves.

(9) A member's individual liability under subrule (8) is not to exceed the amount required by way of annual subscription by rule 34.

(10) Despite subrule (8), a former member of the Club is not liable to contribute under that subrule in respect of any liability of the Club incurred after he or she ceased to be a member.

### **7. Privileges of Members**

(1) Subject to the operation of subrule (2), once approved as a member and his or her name entered in the register of members, a member enjoys all rights and privileges of membership and may contest election to any office or the committee and may seek to serve in any group of members formed for any purpose from time to time.

(2) A member is not to vote on any question or in any election, nor to accept nomination for election to any office or the committee, if the member has not paid the subscription required by rule 34 for the financial year then current.

(3) Except for the operation of subrule (2) and rule 8 (4) no obstacle is to be raised to full participation in the privileges of membership unless such participation might breach the conditions of the member's licence as an amateur radio operator.

### **8. Other classes of membership**

(1) Upon recommendation of the committee, a general meeting of members may

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bestow on a member honorary life membership. An honorary life member –

- (a) remains a member of the Club for the remainder of his or her life;
- (b) is exempt from the payment of the annual subscription; and
- (c) retains full privileges of membership set out in rule 7.

(2) Where other persons in a member's family or household seek membership of the Club they may do so as a family member. The amount payable by way of subscription for such family members is additional to the annual subscription payable by the member and is to be determined under rule 34.

(3) A general meeting of members may activate additional classes of membership, including concessional membership for pensioners and students. Where such concession classes are activated, the annual subscription amount applicable to that class of membership is to be determined under rule 34.

(4) Persons admitted to membership under subrule (3);

- (a) as a pensioner enjoy all privileges of membership under rule 7.
- (b) as a family member under subrule (2) are not eligible to participate in any vote or ballot conducted by the Club or be nominated for any office or for the position of member of the committee.
- (c) as a student member are not eligible to participate in any vote or ballot conducted by the Club or be nominated for any office or for the position of member of the committee.

(5) Applications for any classes of membership under subrules (2) and (3) are to be handled using the processes set down in rule 6 and memberships recorded in appropriate sections of the register of members.

(6) Nothing in subrules (2), (3) and (4) is to be read such as to preclude any person who is a student member, pensioner member, or a member of family or of the household of a member of the Club from making application for membership under rule 6, or seeking to upgrade his or her existing class of membership to membership under rule 6 by payment of the differential amount required in annual subscription by rule 34.

### **9. Income and property of the Club**

(1) The income and property of the Club are to be applied solely towards the promotion of the objects and purposes of the Club.

(2) No portion of the income or property of the Club is to be paid or transferred to any member of the Club unless the payment or transfer is made in accordance with this rule.

(3) The Club may –

(a) pay a member of the Club –

(i) remuneration in return for services rendered to the Club, or for goods supplied to the Club, in the ordinary course of business of the member; or

(ii) remuneration that constitutes a reimbursement for out-of-pocket expenses incurred by the member for any objects or purpose of the Club.

(iii) a reasonable amount by way of rent for premises, or a part of premises, let to the Club by a member.

(iv) interest at a rate not exceeding the official cash interest rate set by the Reserve Bank of Australia, from time to time, on money lent to the Club by the member.

(4) For the purposes of this rule, the term member includes any member admitted under rule 6 or rule 8.

(5) Despite subrule (3), the Club is not to pay a member any amount under that subrule unless a general meeting of members or the committee has first approved that payment.

## **10. Accounts of receipts and expenditure**

(1) True accounts are to be kept of the following:

(a) each receipt or payment of money by the Club and the matter in respect of which the money was received or paid;

(b) each asset or liability of the Club.

(2) The accounts are to be open to inspection by the members of the Club at any reasonable time, and in any reasonable manner, determined by the committee unless directed otherwise by members at a special general meeting.

(3) The treasurer of the Club is to keep all accounting books, and general records and records of receipts and payments connected with the business of the Club, in the form, manner and at the place the committee determines.

## **11. Banking and finance**

(1) On behalf of the Club the treasurer of the Club is to –

(a) receive any money paid to the Club; and

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(b) immediately after receiving the money, issue an official receipt in respect of the money; and

(c) cause the money to be paid into the account opened under subrule (2) as soon as practicable after it is received.

(2) The committee is to open with an authorised deposit-taking institution an account in the name of the Club.

(3) The committee may –

(a) receive from an authorised deposit-taking institution a cheque drawn by the Club on any of the Club's accounts with the authorised deposit-taking institution; and

(b) release or indemnify the authorised deposit-taking institution from or against any claim, or action or other proceeding, arising directly or indirectly out of the drawing of that cheque.

(4) Except with the authority of the committee, a payment of an amount exceeding \$20 is not to be made from the funds of the Club otherwise than by cheque drawn on the Club's account.

(5) The committee may provide the treasurer with an amount of money to meet urgent expenditure, subject to any conditions the committee may impose in relation to the expenditure.

(6) A cheque is not to be drawn on the Club's account except for the purpose of making a payment that has been authorised by the committee or by members at a general meeting.

(7) A cheque, draft, bill of exchange, promissory note or other negotiable instrument is to be –

(a) signed by the treasurer or, in the treasurer's absence, by such other officeholder the committee nominates for that purpose; and

(b) countersigned by another officer or committee member, appointed by the committee for that purpose.

### **12. Auditor**

(1) At each annual general meeting, the members of the Club present at the meeting are to appoint a member as the auditor of the Club.

(2) If an auditor is not appointed at an annual general meeting under subrule (1), the committee is to appoint a person as the auditor of the Club as soon as practicable after that annual general meeting.

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(3) The auditor is to hold office until the next annual general meeting and is eligible for re-appointment.

(4) The first auditor –

(a) may be appointed by the committee before the first annual general meeting; and

(b) if so appointed, holds office until the first annual general meeting unless removed by a resolution of the members of the club at a general meeting.

(5) If the first auditor is appointed by the committee under subrule (4) (a) and subsequently removed at a general meeting under subrule (4) (b), the members of the Club, at that general meeting, may appoint an auditor to hold office until the first annual general meeting.

(6) Except as provided in subrule (4) (b), the auditor can only be removed from office by resolution of members of the Club at a special general meeting.

(7) If a casual vacancy occurs in the office of auditor, the committee is to appoint a person to fill the vacancy until the next annual general meeting.

(8) Notwithstanding the appointment of a member as auditor under subrules (1) or (2);

(a) the Committee may at any time appoint a person who holds appropriate professional qualification but who is not a member of the Club to conduct an audit of the financial affairs of the Club; or

(b) a special general meeting of members may appoint a person who holds appropriate professional qualification but who is not a member of the Club to conduct an audit of the financial affairs of the Club; and,

(c) where an external auditor is appointed under subrules (a) or (b), the auditor appointed under subrule (1) or (2) will suspend his or her audit function until such time as the audit performed by the external auditor appointed under subrule (8) (a) or (b) has been completed and reported as required by rule 13, and,

(d) subrules 13 (4) and (5) are to be read such as to apply to any auditor appointed under this rule.

### **13. Audit of accounts**

(1) An auditor, howsoever appointed under rule 12, is to audit the financial affairs of the Club at least once in each financial year of the Club.

(2) The auditor, after auditing the financial affairs of the Club for a particular financial year of the Association, is to –

- (a) certify as to the correctness of the accounts of the Club; and
  - (b) at the next annual general meeting, or, where the auditor has been appointed under rule 12 (8), at a special general meeting convened for the purpose, provide a written report to the members of the Club present at that meeting.
- (3) In the report and in certifying to the accounts, the auditor is to –
- (a) specify the information, if any, that he or she has required under subrule (5) (b) and obtained; and
  - (b) state whether, in his or her opinion, the accounts exhibit a true and correct view of the financial position of the Club according to the information at the auditor's disposal; and
  - (c) state whether the rules relating to the administration of the funds of the Club have been observed.
- (4) The treasurer is to deliver to the auditor a list of all the accounting records, books and accounts of the Club.
- (5) The auditor shall –
- (a) have access to the accounting records, books and accounts of the Club; and
  - (b) may require from any servant or member of the Club any information the auditor considers necessary for the performance of his or her duties; and
  - (c) may examine any member of the committee, or servant of the Club, in relation to the accounting records, books and accounts of the Club.

#### **14. Annual general meeting**

- (1) The Club is to hold an annual general meeting each year.
- (2) The annual general meeting is to be held not later than 2 months after the commencement of the financial year of the Club, on a day determined by the committee.
- (3) An annual general meeting is to be in addition to any general meeting that may be held in the same financial year.
- (4) The notice convening an annual general meeting is to specify the purpose of that meeting.
- (5) The ordinary business of an annual general meeting is to be as follows:

- (a) to confirm the minutes of the previous annual general meeting;
- (b) to receive from the committee, auditor and any servants of the Club reports on the transactions of the Club during the last preceding financial year of the Club;
- (c) to elect the officers of the Club and ordinary committee members;
- (d) to appoint the auditor; and
- (e) to appoint the public officer.

(6) An annual general meeting may transact special business of which notice is given in accordance with subrule (4).

(7) A quorum for the annual general meeting is 10 members entitled to vote.

### **15. Special general meetings**

(1) A special general meeting is to be convened whenever –

- (a) the committee determines to convene such a meeting; or
- (b) the members of the Club determine to convene such a meeting by resolution passed at a general meeting; or
- (c) 10 members, in writing to the secretary and with each member signing the document, request a special general meeting, with that request being served on the secretary in accordance with rule 35.

(2) The determination by the committee or of a general meeting, or a request by 10 members to convene a special general meeting, is to state the objects of the meeting.

(3) The committee is to convene the special general meeting within 30 days of the determination or request that it be convened.

(4) The secretary is to serve on each member of the Club at least 14 days before the date set for the special general meeting a notice specifying the date, time and place for the meeting and the nature of the business to be transacted at that meeting.

(5) Should the committee fail to convene any meeting determined under subrule (1) (b) or requested under subrule (1) (c), within 30 days, any member may convene the special general meeting for the sole purpose of determining the objects set out for that meeting in the original determination or request.

(6) Any special general meeting convened under subrule (5) is to be convened and conducted in the same manner, as nearly as practicable, as the manner in which a special general meeting would be convened and conducted by the committee.

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(7) A quorum for a special general meeting of the Club is 10 members entitled to vote.

(8) If a quorum is not present within 1 hour after the time appointed for the commencement of the meeting, the meeting –

(a) if convened on the request of 10 members under subrule (1) (c), is dissolved; or

(b) If convened by determination of the committee under subrule 1 (a) or members of the Club at a general meeting under subrule 1 (b), is to be adjourned to the same day in the next week and at the same time and

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(i) at the same place; or

(ii) at an another place specified by the chairperson at the time of the adjournment or by the chairperson by subsequent notice.

(c) If at an adjourned special general meeting a quorum is not present within one hour after the time appointed for the commencement of the meeting, the meeting is dissolved.

(9) All reasonable expenses incurred by the member convening a special general meeting under subrule 1 (c) are to be refunded by the Club.

(10) A resolution of a special general meeting, howsoever convened under this rule, is binding on the Club.

### **16. General meetings of the Club**

(1.) General meetings of the Club are to be held at such frequency as is necessary for the efficient working of the Club but not less frequently than each second month.

(2) The frequency of General meetings for the year and their venues are to be determined at the first General meeting following the Annual General Meeting each year but, subject to the operation of subrule (1), the resulting schedule of meetings may be varied by subsequent General meetings, as circumstances dictate.

### **17. Notices of general meetings**

(1.) At least 5 days before the day on which a general meeting of the Club is to be held, the secretary is to publish notice of that meeting by means which members can reasonably access, including email and by notices read on weekly news broadcasts. That notice is to include,

(a) the place, day and time at which the meeting is to be held; and

(b) the nature of the business that is to be transacted at the meeting.

### **18. Business and quorum at general meetings**

(1) Normal business at a general meeting is to confirm the minutes of the previous general meeting, consider progress reports from the committee and office-bearers and such general business as the committee or members may seek to be considered at that meeting but not matters which require consideration by a special general meeting under these rules.

(2) A general meeting may also receive demonstrations, presentations, lectures and addresses on subjects deemed of interest to the meeting from either members or guests.

(3) Business is not to be transacted at a general meeting unless a quorum of members of the Club entitled to vote is present at the time the meeting considers that business.

(4) A quorum for the transaction of business at a general meeting is 6 members of the Club entitled to vote.

(5) Should a quorum not be present, the chairperson will declare the meeting void or should the lack of quorum arise after a meeting has commenced, the chairperson will declare the meeting closed and any unfinished business become a business item for the next general meeting, to be considered ahead of any general business item arising at that meeting.

(6) Members of the Club at a general meeting may determine not to hold or to vary the format of a subsequent meeting. Such determination is to be publicised by way of the mechanisms required by rule 17.

### **19. Adjournment of general meetings**

(1) The chairperson of a general meeting at which a quorum is present may adjourn the meeting with the consent of the members of the Club who are present and entitled to vote at the meeting, but no business is to be transacted at an adjourned meeting other than the business left unfinished at the time at which the adjournment took place.

(2) If a meeting is adjourned for 14 days or more, notice of the adjourned meeting is to be given in the same manner as the notice of the original meeting.

(3) If a meeting is adjourned for less than 14 days, it is not necessary to give any notice of the adjournment or further notice of the business to be transacted at the adjourned meeting.

## **20. Chairperson at general meetings, special meetings and the annual general meeting**

(1) Except for special general meetings convened under subrule 15 (5), the chairperson at each meeting of the Club is to be –

(a) the president; or

(b) in the absence of the president, the vice-president; or

(c) in the absence of the president and the vice-president, a member of the Club elected to preside as chairperson by the members of the Club present and entitled to vote at the meeting.

## **21. Determination of questions arising at general meetings, special general meetings and the annual general meeting**

(1) A question arising at a general meeting, special general meeting or the annual general meeting is to be determined on a show of hands, except where otherwise required by these rules.

(2) A declaration by the chairperson that a resolution has, on a show of hands, been lost or carried, or carried unanimously or carried by a particular majority, together with an entry to that effect in the minute book of the Club, is evidence of that fact unless a poll is demanded by a member on or before that declaration.

(3) Subject to the operation of rule 40, the determination of a question arising under the operation of subrule (1) and (2) is by simple majority of votes cast on the question.

## **22. Votes**

(1) On any question arising at any general meeting, special general meeting or the annual general meeting of the Club, a member of the Club, including the chairperson, has one vote only.

(2) All votes are to be given personally.

(3) Despite subrule (1), in the case of an equality of votes, the chairperson has a second or casting vote.

## **23. Taking a poll**

(1) If at a general, special general or annual general meeting a poll on any question is demanded by a member –

(a) the poll is to be taken at that meeting in the manner the chairperson determines, subject to the requirement for any secret ballot required by these rules; and

(b) the result of the poll is taken to be the resolution of the meeting on that question.

#### **24. When poll is to be taken**

(1) A poll that is demanded on the election of a chairperson, or on a question of adjournment, is to be taken immediately.

(2) A poll that is demanded on any other question is to be taken at any time before the close of the meeting as the chairperson determines.

#### **25. Affairs of the Club to be managed by a committee**

(1) The affairs of the Club are to be managed by a committee of management constituted as in rule 27.

(2) Subject to the operation of subrule 15 (10), the committee –

(a) is to control and manage the business and affairs of the Club; and

(b) may exercise all the powers and perform all the functions of the Club, other than those powers and functions that are required by these rules to be exercised and performed by members of the Club at a special general meeting or general meeting; and

(c) has the power to do anything that appears to the committee to be essential for the proper management of the business and affairs of the Club.

#### **26. Officers of the Club**

(1) The officers of the Club are as follows:

(a) one president;

(b) one vice-president;

(c) one treasurer; and

(d) one secretary.

(2) Rule 28 (2), (3) and (4) apply, with all necessary modifications, to the election of persons to any of the offices referred to in subrule (1).

(3) Each officer of the Club will hold office until the next annual general meeting after that at which he or she is elected and is eligible for re-election.

(4) If a casual vacancy in an office referred to in subrule (1) occurs, the committee may appoint a member of the Club to fill the vacancy until the next annual general

meeting after the appointment.

## **27. Constitution of the committee**

(1) The committee consists of –

- (a) the officers of the Club; and
- (b) one other member elected at the annual general meeting.

## **28. Election of numbers of committee**

(1) A nomination of a candidate for election as an officer of the Club, or as an ordinary committee member, is to be –

(a) made in writing, signed by 2 members of the Club, and accompanied by the written consent of the candidate (which may be endorsed on the nomination); and

(b) delivered to the secretary of the Club at least 5 days before the day on which the annual general meeting is to be held.

(2) If insufficient nominations are received to fill all vacancies on the committee –

(a) the candidates nominated are taken to be elected; and

(b) further nominations are to be received at the annual general meeting.

(3) If the number of nominations received in accordance with subrule (1) is equal to the number of vacancies on the committee to be filled, the persons nominated are taken to be elected.

(4) If the number of nominations received in accordance with subrule (1) exceeds the number of vacancies on the committee to be filled, a ballot is to be held.

(5) If the number of further nominations received at the annual general meeting in accordance with subrule (2) (b) exceeds the number of remaining vacancies on the committee to be filled, a ballot is to be held in relation to those further nominations.

(6) The ballot for the election of officers and ordinary committee member is to be conducted at the annual general meeting by way of secret ballot, with the election determined by simple majority of votes cast, and

(a) the number of votes cast for each candidate is to be declared by the person conducting the ballot, and

(b) the number of votes cast for each candidate is to be entered into the minutes of that meeting.

## 29. Vacation of office

(1) For the purpose of these rules, the office of an officer of the Club, or of an ordinary committee member, becomes casually vacant if the officer or committee member –

(a) dies; or

(b) becomes bankrupt, applies to take the benefit of any law for the relief of bankrupt or insolvent debtors, compounds with his or her creditors or makes an assignment of his or her remuneration or estate for their benefit; or

(c) becomes a represented person within the meaning of the *Guardianship and Administration Act 1995*; or

(d) resigns office in writing addressed to the committee; or

(e) is removed from office or the committee on the grounds of consistent failure to perform the functions of that office or of committee membership, where,

(i) a majority of members at a special general meeting called for that purpose have voted by secret ballot to remove the officer or member of committee, and ,

(ii) prior to that ballot being taken, the officer or member of committee had full and fair opportunity to show cause why he or she should not be removed from office; in which case,

(iii) the result of the ballot by the special general meeting determines the issue, the office or committee position becomes immediately vacant and no right of appeal exists; and.

(iv) the vacancy arising through the operation of subrule (iii) is to be filled immediately by the special general meeting following the requirements of rules 28 (2) (b), 28 (5) and 28 (6), which for the purposes of this subrule, are to be read as applying to an election at the special general meeting; or,

(f) ceases to be ordinarily resident in Tasmania; or

(g) is absent from 3 consecutive meetings of the committee without the permission of the other members of the committee; or

(h) ceases to be a member of the Club; or

(i) fails to pay all arrears of subscription within 14 days after receiving a notice in writing from the treasurer stating that the officer or

committee member has ceased to be a financial member of the Club.

### **30. Meetings of the committee**

(1) The committee is to meet at least once in the month following its election to perform the specific actions required by these rules and to determine its mode of operation over the balance of the year.

(2) Thereafter, the committee is to meet as required to effectively manage the business and affairs of the club, at any place and time the committee determines, except that,

(a) an otherwise unscheduled meeting may be called by the president, vice-president or the secretary, who will give the notice required by subrule (7).

(3) Following its first meeting, the committee is to publish to members the names and positions held by each of member of the committee, including additional functional roles to which members of the committee may be appointed, together with their contact details, including their telephone numbers and e-mail addresses, where held; noting that,

(a) it is a requirement of these rules that officers and the member of committee make themselves available at any reasonable time for contact by Club members.

(4) A quorum for the transaction of business of the committee is 3 members of the committee.

(5) Business is not to be transacted at a meeting of the committee unless a quorum is present.

(6) If a quorum is not present within half an hour after the time appointed for the commencement of a meeting of the committee, the meeting is to be adjourned to the same day in the next week and at the same time and at the place.

(7) Members of the committee are to be given notice of a meeting of the committee in accordance with rule 35.

(8) The chairperson of meetings of the committee is to be the president, or in his absence, the vice-president. In the absence of both the president and the vice-president members of the committee are to appoint a chairperson for that meeting.

(9) Any question arising at a meeting of the committee is to be determined on a show of hands; or

(10) If demanded by a member of the committee, by a poll taken at the meeting in the manner the chairperson determines; and

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(11) The determination of any question under subrule (8) or subrule (9) is to be by simple majority of the votes cast at the meeting.

(12) On any question arising at a meeting of the committee, a member of the committee (including the chairperson) has one vote only.

(13) Despite subrule 11, in the case of an equality of votes the chairperson has a second or casting vote.

(14) The committee is to keep minutes of its discussions and determinations and those minutes form part of the records of the Club.

### **31. Disclosure of interests**

(1) If a member of the committee or a sub-committee has a direct or indirect pecuniary interest in a matter being considered, or about to be considered, by the committee or subcommittee at a meeting, the member is to disclose the nature of the interest to the committee or sub-committee as soon as practicable after the relevant facts come to the member's knowledge,.

(2) If at a meeting of the committee or subcommittee a member of the committee or sub-committee votes in respect of any matter in which the member has a direct or indirect pecuniary interest, that vote is not to be counted.

### **32. Sub-committees**

(1) The committee may –

- (a) appoint a sub-committee from the committee; or
- (b) appoint a sub-committee from the members of the Club; and
- (c) prescribe the powers and functions of that sub-committee; and
- (d) appoint a chairperson of that sub-committee.

(2) The committee may co-opt any person as a member of a sub-committee appointed under subrule (1), without voting rights, whether or not the person is a member of the Club.

(3) For the purposes of meetings of a sub-committee appointed under subrule (1), rule 30 is to be read as applying to meetings of the sub-committee, except that the sub-committee is at all times responsible to the committee and will report to the committee on its deliberations.

(4) Determinations by a sub-committee are to be endorsed by the committee or a special general meeting, as dictated by the subject matter and the operation of these rules, before they become binding on the Club.

### **33. Executive committee**

(1) The president, the vice-president and the treasurer and the secretary constitute the executive committee.

(2) During the period between meetings of the committee, the executive committee may issue instructions in matters of urgency connected with the management of the affairs of the Club.

(3) The executive committee is to report on any instructions issued under subrule (2) to the next meeting of the committee and the committee is to record that report in the minutes of the meeting of the committee.

### **34. Annual subscription**

(1) Subject to the operation of subrules (2) and (3), the annual subscription payable by members of the Club is the following amount:

(a) members \$20

(b) family members, \$5 per eligible person seeking membership, payable in addition to the annual subscription payable by the member under subrule (a).

(c) pensioner members, a rate to be determined by the general meeting activating this class of membership;

(d) student members, a rate to be determined by the general meeting that activates this class of membership.

(2) Where a member makes application to join the club between 1 January and 30 June, inclusive, the initial subscription payable is the full year's subscription applicable to the membership class. Where joining between 1 July and 31 December, inclusive, the subscription payable is 50% of the annual subscription applicable to the membership class.

(3) Members may alter the annual subscription for all or any class of membership by resolution at a general meeting, where notice of the question being included in the objects of that general meeting is contained in the notice of meeting served on members under rule 35; and

(a) such review will ordinarily be conducted by a general meeting during the final quarter of the Club's financial year, to enable timely issue to members of renewal notices for the following year, but

(b) may be conducted at any other general meeting, subject to the requirements of this subrule, where circumstances dictate.

### **35. Service of notices and requests**

(1) Except as otherwise provided by these rules, a document may be served under these rules on a person by –

(a) giving it to the person; or

(b) leaving it at, or sending it by post to, the person's postal or residential address or place or address of business or employment last known to the server of the document; or

(c) faxing it to the person's fax number; or

(d) emailing it to the person's email address.

### **36. Expulsion of members**

(1) A member may be expelled from the Club only by determination of a special general meeting of members of the Club, carried by three fourths of those attending and eligible to vote at that meeting, voting by secret ballot.

(2) If the committee determines that it is of the view that a member is guilty of conduct detrimental to the interests of the Club, it is to notify the member of that view.

(3) After serving the notice required by subrule (2), the committee is to convene a special general meeting under rule 15 for the purpose of determining the question that the member be expelled.

(4) No business other than the question of the recommended expulsion is to be transacted at the special general meeting.

(5) The member who is the subject of the committee's recommendation is to be given adequate opportunity to rebut the committees' recommendation before a determination is reached by members at the special general meeting.

(6) Notwithstanding subrule (5), should the member who is subject of the committee's recommendation fail to attend the special general meeting, members at the special general meeting may –

(a) where it forms the view that the member had reasonable cause to be absent, vote to adjourn the meeting until such time as the member can be present; or

(b) proceed to determine the matter.

(7) A determination of the question by members at a special general meeting is final and no right of appeal is to exist.

### **37. Disputes**

(1) A dispute between a member of the Club, in the capacity as a member, and the Club is to be determined by members at a special general meeting under rule 15 unless a mutually satisfactory resolution of the dispute is reached between the member in question and the committee.

(2) This rule does not affect the operation of rule 29 (e) or rule 36.

### **38. Seal of the Club**

(1) The seal of the Club is to be in the form of a rubber stamp inscribed with the name of the Club encircling the word "Seal".

(2) The seal is not to be affixed to any instrument except by the authority of the committee.

(3) The affixing of the seal is to be attested by the signatures of –

(a) two members of the committee; or

(b) one member of the committee and one member of the Club the committee may appoint for that purpose.

(4) If a sealed instrument has been attested under subrule (3), it is presumed, unless the contrary is shown, that the seal was affixed to that instrument by authority of the committee.

(5) The seal is to remain in the custody of the public officer of the Club.

### **39. Winding-up of the Club**

(1) The Club may be wound up or dissolved by a vote by ballot of three fourths of the members present and eligible to vote at a special general meeting called for that purpose under the provisions of rule 15.

(2) In the event the Club is wound up or is dissolved, the amount of any funds and any assets remaining, after the payment of all debts and liabilities, is to be transferred to an association or organisation with objects and purposes broadly similar to the objects and purposes of the Club, and which has rules prohibiting the distribution of its assets and income to, or for the personal benefit of, its members.

### **40. Amendment of these rules**

(1) These rules can be amended only where determined by three fourths of members present and voting at a special general meeting convened under rule 15 for the purpose of considering the question and where the notice of meeting has set out –

(a) the question to adopt the change; and

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(b) the rules to be changed; and

(c) the changed rule or rules proposed; and

(d) a brief description of the effects of that change, if adopted.