

**INCORPORATION RULES FOR GIPPSLAND GATE  
RADIO AND ELECTRONICS CLUB inc.**

20/04/07 onwards

**RULE 1:**

The name of the organisation shall be the Gippsland Gate Radio and Electronics Club here in after called the Club.

**RULE 2:**

Within these RULES, unless inconsistent with the context impugning the masculine gender only shall include the feminine gender.

**RULE 3:**

The objects of the Club shall be:

(A) To promote and develop the science of radio, electronics and its associated interests, in all its branches.

(B) To cooperate with similar clubs and organisations throughout the world.

(C) To provide social intercourse for all its members.

(D) To do all such things as are conducive or incidental to the attainment of the objects.

**RULE 4:**

Membership shall be open to all persons subscribing to the objects of the Club and paying the prescribed fees. No restrictions shall be imposed on any person by virtue of religious or political beliefs, sex, nationality or race, but the Committee shall have the right to refuse membership to any person without assigning any reason therefore.

**RULE 5:**

The following classes of membership shall apply:

(A) Life member. Any person rendering such meritorious service as to warrant such membership to be approved by a three fifths majority of members present and voting at any General Meeting of the Club.

(B) Full member. Any person over sixteen years of age.

(C) Junior member. Any person under sixteen years of age. Any person over sixteen years of age attending an educational institution full time.

(D) Pensioner member. Any person eligible for a State or Federal Government pension.

(E) Family member. Any person being the spouse of, or child of AND LIVING WITH, a Full member.

(F) Honorary member. Any person/s that the Club Committee may from time to time appoint.

**RULE 6:**

The Clubs fiscal year is from the first of April to the thirty first of March of the calendar year following. The subscription fees payable each fiscal year by each class of member shall be decided at the General Meeting immediately preceding the Annual General Meeting. Any member not paying the prescribed subscription by the thirty first of May shall be deemed to be unfinancial. The Treasurer shall collect PRO - RATA fees from NEW members joining mid term. Club funds shall be derived from membership fees and other money raising events such as raffles and white elephant sales.

**RULE 7:**

Any member may be expelled or suspended from membership for a period not exceeding twelve months, at the discretion of the Club Committee, provided that such member shall have the right to appeal at a General Meeting. Voting on this issue both in Committee and in General Meeting is to be by secret ballot.

**RULE 8:**

Any member may resign his membership by giving notice in writing to the Secretary, but shall continue to be responsible for any liability incurred during or as a result of his membership.

**RULE 9:**

(A) The Annual General Meeting shall be held in April each calendar year.

(B) At least six other General Meetings shall be held each fiscal year. Notification of these Meetings and notices of motion are to appear in the Club newsletter one month prior to the meeting.

(C) All General Meetings shall be conducted in accordance with standing orders.

**RULE 10:**

(A) All Club Committee members shall retire at the Annual General Meeting and shall be eligible for re-election providing they have not served three full consecutive terms in the same position; in which case they shall be ineligible. At a General Meeting prior to the AGM, a chairman conversant with meeting procedures shall be elected and a minutes recorder nominated for the duration of the Annual General Meeting. The Quorum at an AGM is to be 10 financial Members OR one sixth of the financial membership, which ever is the smaller.

(B) At the Annual General Meeting, a Club Committee comprising the following shall be elected from amongst the eligible financial members: President, Secretary, Treasurer and two additional members. The Committee shall have the power to appoint further Committee members for the purpose of sub committees. A majority of Committee members shall hold the Standard or Advanced Certificate of Proficiency. The new Committee members shall assume office at the conclusion of the Annual General Meeting.

(C) The Committee shall hold meetings as to discuss and decide upon matters within the Committees powers. These meetings may be attended by other Club members provided prior approval is obtained from the President. The position of any Committee member absent from two consecutive Committee Meetings without apology or three consecutive Committee Meetings with apology shall automatically become vacant. The decision on re- appointing of this position is to be made at the following General Meeting.

(D) The decision of the Club Committee shall in all non-monetary matters relating to the Club, be final. It shall have general control of officers, sub-committees and may for good causes declare any office vacant. It shall constitute a Board of Appeal from the rulings of officers and actions of all committees and may hear and determine any disputed matters or any complaints or grievances as to Club matters between members except as otherwise provided for in RULE seven.

(E) In the event of an office holder being deemed incompetent by a majority of Committee members in a "no confidence" vote, the office holder shall stand down until such time as the position is re-confirmed at a General Meeting as provided for in RULE seven.

(F) A retiring President or Secretary who is not a member of the new Club Committee shall automatically become an ex-officio member of the Club Committee for a period of eight weeks with power to vote.

(G) 1/ It shall be the duty of the President to preside at the General Meeting of the Club and the Club Committee, and to perform such other duties as ordinarily pertain to his office.

2/ It shall be the duty of the Secretary to record the attendance at the Club Committee Meetings, record and preserve the minutes of the Club Committee and Club General Meetings and to perform all other duties as ordinarily pertain to his office. All records are to kept in a manner allowing inspection by any member; provided a written request has been received at least 48 hours prior.

3/ It shall be the duty of the Treasurer to keep or cause to be kept, the records of membership and have custody of the Club funds except where otherwise provided for in RULE thirteen, accounting for the same to the Club at its Annual General Meeting and at any other time upon demand of the Club Committee. He shall perform all other duties as ordinarily pertain to his office. All financial records are to be kept in a manner allowing inspection by any member; provided a written request has been received at least 48 hours prior.

4/ It shall be the duty of the chairman at the Annual General Meeting to conduct the elections of office bearers in accordance with standing orders.

#### RULE 11:

(A) Elections of office bearers shall be by secret ballot. Any equality in voting shall be resolved in favor of the retiring candidate, if any, or otherwise by lot.

(B) Nominations shall require a proposer and seconder and shall be called for at least twenty eight days before an Annual General Meeting and shall close with the Secretary seven days before the Annual General Meeting.

(C) To be eligible for nomination in the elections for Club office bearers, the nominee shall have attained the minimum age of 16 , have been financial for the last 12 months and attended at least three General Meetings in the Current fiscal year, and not be deemed ineligible under any other RULE within these Rules. (Unless under exceptional circumstances, which shall be voted on in a General Meeting. See RULE 10a). Honorary Members are not eligible for nomination as Committee Members.

(D) To vote in the elections for Club office bearers, a person must have been a member for the last six months and be financial as at the Annual General Meeting. All votes shall be in person at the Annual General Meeting.

(E) The ballot paper shall list candidates names alphabetically and call signs, (if any), without any indication as to which are retiring office bearers.

**RULE 12:**

(A) The quorum at General Meetings shall be ten financial members or one sixth of the financial membership, which ever is the smaller. All votes shall be in person at the General Meeting with the exception of a Special Resolution where a signed, dated ballot paper with a single choice in response to the resolution question is written is acceptable if received at or before the General Meeting in question..

(B) The quorum at Club Committee Meetings shall be three Committee members. Meetings shall be conducted in accordance with standing orders. In the event of an equality in voting at a Committee Meeting, the presiding Chairman may exercise a second or casting vote.

**RULE 13:**

(A) The Club fiscal year shall commence on the first day of April of each year and all the Club books shall be brought up to date and finalised for the preceding day. Auditing of the Clubs financial books shall be completed by this same date. The Auditor shall be nominated at a General Meeting prior to this date and shall be deemed to be competent and qualified if the majority of members present at the meeting so agree.

(B) The funds of the Club are to be deposited in a bank selected by the Club Committee. Such moneys of the Club not immediately required may be invested upon such securities and in such a manner as from time to time determined by the Club Committee or by a majority of members present and voting at a General Meeting.

(C) The Club Committee shall have the power to sign and countersign cheques, and otherwise act as may be necessary to operate any Club account under the provisions in RULE 13d below.

(D) All disbursements other than petty cash shall be made by cheque which must be approved by any two Committee members. The decision to spend any amount more than 12 times the annual full membership fee must be ratified by a quorum vote at a General Meeting. This amount includes reimbursements to members for purchases made on behalf of the Club.

(E) The Club shall keep one general account and may at the discretion of the Committee generate other accounts if the need arises such as editorial or educational. In all cases the general Club account may call on the other accounts for moneys.

(F) Custody of the common seal of the Club shall be the responsibility of the Public Officer. Use of the common seal must be ratified by a quorum vote at a General Meeting with at least one month's notice of motion given in the Club newsletter.

**RULE 14:**

(A) The Club shall be dissolved if a Special Resolution to this effect is carried at a General Meeting, two months notice of motion of the proposed resolution having been given in the Club newsletter or other formal notice.

(B) In the event of dissolution, all assets shall be sold; the means determined by the Club Committee (that is, the Committee in office prior to dissolution) and any outstanding debts paid. The Club financial books shall be audited as per the Annual General Meeting and all records and balance of moneys remaining shall be transferred to the Wireless Institute of Australia to be used in furthering the original objects of the Club.

**RULE 15:**

Each member shall be entitled to one vote; with the exception of unlicensed family members under 16 years of age or honorary members who shall have no vote. In the event of an equality of voting on any question the chairman shall have the casting vote.

**RULE 16:**

These Rules or Statement of Purposes in Rule 3 may only be amended by a Special Resolution, provided two months notice of the proposed amendment has been given in the Club newsletter or other formal notice.

**RULE 17:**

Any doubt arising as to the application or meaning of any RULE of these Rules shall be resolved by a quorum vote at a General Meeting; the decision shall be final and conclusive. Such ruling must conform to the Incorporation Act.

**RULE 18:**

The Club Committee shall publish or cause to be published a newsletter. Issues are to be made at least quarterly and distributed to eligible members in a manner decided by the Club Committee. The purpose of this newsletter is to advise members of important notices and of impending meetings within the minimum notification period. An amount per member shall be charged to offset the printing costs of the newsletter and such amount is to be included in the annual subscription payable by each member.

**RULE 19:**

The Club Committee may promulgate bylaws governing all Club awards, contests or competitions and may vary and interpret such bylaws.

**RULE 20:**

Any member/s responsible for loss, damage or destruction to property, equipment or other material belonging to or in the Clubs charge, shall be liable to fully compensate the Club; the conditions to be determined by the Club Committee.

**RULE 21:**

No Club member can pass ownership of any item(s) listed as Club assets. Club assets cannot be sold or otherwise disposed of unless a quorum vote at a General Meeting has decided the method of disposal and an agreed sale price if applicable. Items for disposal shall be advertised in the Club magazine for one month to allow equal opportunity for acquisition by all members. The treasurer will provide a suggested value for each item.

**RULE 22:**

All items offered to the Club as donations become Club property and must be dealt with as per RULE 21.

**SPECIAL NOTE**

Consumer Affairs Victoria have advised the Club that Model Rule No. 8 has not been adequately covered by our own Rules of Association. Therefore in accordance with Section 21 (3) of the Incorporation Act, Model Rule No. 8 is now deemed to apply. This Rule deals with grievances between Members and between Members and the Club.

Model Rule 8 has been included as an Appendix at the end of this documentation and is to be read in conjunction with the Club Rules.

**DEFINITIONS**

**Club Assets:** All items belonging to the Club which are not for the express purpose of resale by the Club or deemed to be consumables. These items should be listed in the Club Assets Database with a dollar value included for auditing and depreciation puposes but can also include items not listed.

**A Special Resolution:** Where an important decision is to be voted on that affects the Club as a whole, the motion must be advertised in the Club magazine or other formal notice for at least two months prior to the General Meeting at which the motion will be put. Voting on a Special Resolution may be done in person at the meeting or by signed, dated, proxy vote on an official ballot paper. Proxy votes must be received by the Committee at or prior to the said meeting.

## **APPENDIX (Model Rule No. 8 – Grievances)**

### **8. Disputes and mediation**

- (1) The grievance procedure set out in this rule applies to disputes under these Rules between-
  - (a) a member and another member; or
  - (b) a member and the Association.
- (2) The parties to the dispute must meet and discuss the matter in dispute, and, if possible, resolve the dispute within 14 days after the dispute comes to the attention of all of the parties.
- (3) If the parties are unable to resolve the dispute at the meeting, or if a party fails to attend that meeting, then the parties must, within 10 days, hold a meeting in the presence of a mediator.
- (4) The mediator must be-
  - (a) a person chosen by agreement between the parties; or
  - (b) in the absence of agreement-
    - (i) in the case of a dispute between a member and another member, a person appointed by the Committee of the Association; or
    - (ii) in the case of a dispute between a member and the Association, a person who is a mediator appointed or employed by the Dispute Settlement Centre of Victoria (Department of Justice).
- (5) A member of the Association can be a mediator.
- (6) The mediator cannot be a member who is a party to the dispute.
- (7) The parties to the dispute must, in good faith, attempt to settle the dispute by mediation.
- (8) The mediator, in conducting the mediation, must--
  - (a) give the parties to the mediation process every opportunity to be heard; and
  - (b) allow due consideration by all parties of any written statement submitted by any party; and
  - (c) ensure that natural justice is accorded to the parties to the dispute throughout the mediation process.
- (9) The mediator must not determine the dispute.
- (10) If the mediation process does not result in the dispute being resolved, the parties may seek to resolve the dispute in accordance with the Act or otherwise at law.