
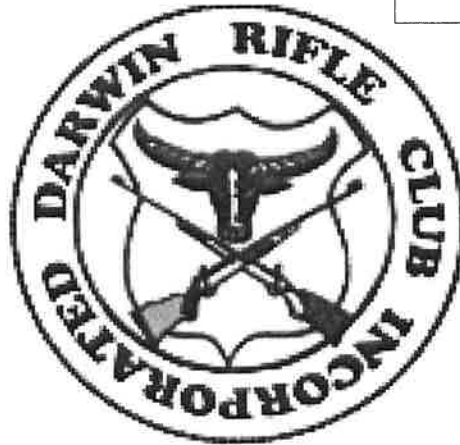


This is the annexure marked "A" referred to in the statutory declaration of:	
Name of public officer	Robert David McCann
Made on (date)	27 March 2026
Before me	
	(signature of witness on statutory declaration)



Darwin Rifle Club Incorporated

CONSTITUTION

Adopted by AGM 14 March 2026

PART 1 – PRELIMINARY

1. Formation of the Constitution

- (a) The Club is formed and constituted under the provisions of the National Rifle Association of Australia Limited Standard Shooting Rules, and the Associations Act (NT) and regulations made under that Act.
- (b) The Club shall affiliate with the Northern Territory Rifle Association.
- (c) The Club shall consist of such members as may be authorised from time to time under this constitution.

2. Name

The name of the Incorporated Club is Darwin Rifle Club Incorporated.

3. Objects and purposes

The objects and purposes of the Club are:

- a) To give instruction in the safe and efficient handling of firearms.
- b) To promote competitions aimed at proficiency in target rifle shooting.
- c) To cultivate good citizenship.
- d) To promote, encourage and assist range shooting among the citizens of the Northern Territory.
- e) To promote, encourage and assist the social, and sporting and other lawful activities of members.

4. Minimum number of members

The Club must have at least five (5) financial members in any one year.

5. Definitions

In this Constitution, unless the contrary intention appears –

"Act" means the *Associations Act* of the Northern Territory and regulations made under that Act;

"Club Captain" means the holder of the position otherwise known as Chairperson;

"Club Vice-Captain" means the holder of the position otherwise known as Vice-Chairperson;

"Committee" means the Management Committee of the Club;

"financial institution" means an authorised deposit-taking institution within the meaning of section 5 of the *Banking Act 1959* of the Commonwealth;

"general meeting" means a general meeting of members convened in accordance with clause 51;

"member" means a member of the Club;

"register of members" means the register of the Club's members established and maintained under section 34 of the Act;

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"special resolution" means a resolution notice of which is given under clause 54 and passed in accordance with section 37 of the Act;

"Association" means the Northern Territory Rifle Association Incorporated;

"Club" means Darwin Rifle Club Incorporated;

"Regulations" means the provisions of the National Rifle Association of Australia Limited, Standard Shooting Rules;

"By-Laws" means procedures developed by the Committee to implement the regulations and this constitution.

PART 2 – CONSTITUTION AND POWERS OF ASSOCIATION

6. Powers of Association

- (1) For achieving its objects and purposes, the Club has the powers conferred by sections 11 and 13 of the Act.
- (2) Subject to the Act, the Club may do all things necessary or convenient for carrying out its objects or purposes and in particular, may –
 - (a) acquire, hold and dispose of real or personal property;
 - (b) open and operate accounts with financial institutions;
 - (c) invest its money in any security in which trust monies may lawfully be invested;
 - (d) raise and borrow money on the terms and in the manner it considers appropriate;
 - (e) secure the repayment of money raised or borrowed, or the payment of a debt or liability;
 - (f) appoint agents to transact business on its behalf; and
 - (g) enter into any other contract it considers necessary or desirable.

7. Effect of Constitution

This Constitution binds every member and the Club to the same extent as if every member and the Club had signed and sealed this Constitution and agreed to be bound by it.

8. Inconsistency between Constitution and Act

If there is any inconsistency between this Constitution and the Act, the Act prevails.

9. Altering the Constitution

- (1) The Club may alter this Constitution by special resolution but not otherwise.
- (2) If the Constitution is altered, the public officer must ensure compliance with section 23 of the Act.

PART 3 – MEMBERS

Division 1 – Membership

10. Membership

- (1) All persons enrolled with the Association as members of the Club at the time this constitution comes into force shall be subject to compliance with the rules of membership and continue to be members.
- (2) Members shall be classified as Financial Members, Junior Members and Honorary Life members.

11. Financial Members

Any person classified as a Financial Member shall:

- (1) be at least eighteen (18) years of age
- (2) who uses or possesses firearms or ammunition shall at all times hold a valid Australian State or Territory Class AB Firearms license consistent with Northern Territory law.
- (3) be a financial member of the Club
- (4) be registered by the Club with the NTRA.

12. Junior Financial Members

Any person classified as a Junior Financial Member shall:

- (1) be at least ten (10) years of age and not eighteen (18) years or older
- (2) be able to control the firearm in use in a safe manner without assistance
- (3) have written approval of his/her parent or guardian to discharge a firearm
- (4) who uses or possesses firearms or ammunition shall at all times hold a valid Australian State or Territory Class AB Firearms license consistent with Northern Territory law.
- (5) be a Junior Financial Member of the Club
- (6) be registered by the Club with the NTRA
- (7) have no vote at an Annual General Meeting or a Special General Meeting

- (8) not be elected or appointed to the management committee
- (9) not handle a firearm or ammunition except under the supervision of a suitably licensed person and/or a Club member that has been authorised by the parent or guardian to supervise the junior member

13. Supporter Financial Members

Any person classified as a Supporter Financial Member shall:

- (1) be at least eighteen (18) years of age
- (2) not be required to possess a valid Australian State or Territory Class AB Firearms license
- (3) be a Supporter Financial Member of the Club
- (4) be registered by the Club with the NTRA as a Supporter Member.
- (5) have no vote at an Annual General Meeting or a Special General Meeting
- (6) be eligible for election to the Committee and have full voting rights on Committee business.
- (7) Supporter Members may not comprise more than $\frac{1}{4}$ of the Committee Members.

14. Honorary Life Members

Any person rendering exceptional service to the Club may be elected an Honorary Life Member at the Annual General Meeting on the recommendation of the Committee and thereafter shall be entitled to all the privileges of the Club other than taking part in rifle practice and voting at General Meetings unless they are a Financial member of the Club.

Honorary Life Members may attend General Meetings of the Club but will be allowed no say or vote in the matters of the Club nor any vote in the election of the committee of the Club unless they are Financial Members.

No more than two (2) Honorary Life Members shall be endorsed in any one year.

15. Application for membership

To apply to become a Financial Member or Junior Financial Member of the Club a person must –

- (a) submit a written application for membership to the Committee –
 - (i) in a form approved by the Committee; and
 - (ii) signed by the person and both of the members referred to in paragraph (b); and
- (b) be proposed by one member and seconded by another member.

16. Approval of Committee

- (1) The Committee must consider any application made under clause 13 at the next available committee meeting and must accept or reject the application at that meeting or the next.
- (2) If an application is rejected, the applicant may appeal against the decision by giving notice to the Secretary within 14 days after being advised of the rejection.
- (3) If an applicant gives notice of an appeal against the rejection of his or her application, the Committee must reconsider the application at the next committee meeting after receipt of the notice of appeal.
- (4) If after reconsidering an application the Committee reaffirms its decision to reject the application, the decision is final.

17. Membership fee

- (1) If an application for membership is approved by the Committee, the applicant becomes a member on payment of the membership fee.
- (2) The membership fee at joining is either –
 - (a) a pro rata annual fee based on the remaining part of the financial year; or
 - (b) the amount determined from time to time by resolution at a general meeting.

18. Annual membership fees

- (1) The annual membership fee is the amount determined from time to time by resolution at a general meeting.

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- (2) Each member must pay the annual membership fee to the Treasurer by the first day of each financial year or another date determined by the Committee from time to time.
- (3) A member whose subscription is not paid within 3 months after the due date ceases to be a member unless the Committee determines otherwise.

Division 2 – Rights of members

19. General

- (1) A member may exercise the rights of membership when his or her name is entered in the register of members.
- (2) A right of membership of the Club –
 - (a) is not capable of being transferred or transmitted to another person; and
 - (b) terminates on the cessation of membership whether by death, resignation or otherwise.

20. Privileges of Membership

- (1) Members who have paid the annual subscription and Honorary Life members, shall, subject to the provisions of subclause 2, be entitled to all the privileges of the Club.
- (2) Only those Financial Members who have an applicable Firearms license shall be permitted to take part in rifle practices and competitions on an authorised rifle range and be entitled to any of the privileges granted to members of rifle clubs under Northern Territory Firearm Laws.
- (3) Notwithstanding the provisions of subclause 2 the Captain may permit prospective members to take part in Club shoots for a period not exceeding three (3) months on such conditions as may be determined by the Committee and consistent with NT Firearms legislation.

21. Voting

- (1) Each Financial Member has one vote at general meetings of the Club, except as per 13 (5).

22. Notice of meetings and special resolutions

The Secretary must give all members notice of general meetings and special resolutions in the manner and time prescribed by this Constitution.

23. Access to information on Club

The following must be available for inspection by members:

- (a) a copy of this Constitution;
- (b) minutes of general meetings;

- (c) annual reports and annual financial reports.

24. Raising grievances and complaints

- (1) A member may raise a grievance or complaint about a committee member, the Committee or another member of the Club.
- (2) The grievance or complaint must be dealt with by the procedures set out in Part 8.

Division 3 – Termination, death, suspension and expulsion

25. Termination of membership

Membership of the Club may be terminated by –

- (a) a notice of resignation addressed and posted to the Club or given personally to the Secretary or another committee member;
- (b) non-payment of the annual membership fee within the time allowed under clause 17; or
- (c) expulsion in accordance with this Division.

If an Office-Bearer, for the purpose of legal proceedings his or her termination shall not take effect until he or she has surrendered all books, papers, keys, funds and records of the Club in his or her possession.

26. Death of member or whereabouts unknown

If a member dies or the whereabouts of a member are unknown, the Committee must cancel the member's membership.

27. Suspension or expulsion of members

- (1) If the Committee considers that a member should be suspended or expelled because his or her conduct is detrimental to the interests of the Club, the Committee must give notice of the proposed suspension or expulsion to the member.
- (2) The notice must –
 - (a) be in writing and include –
 - (i) the time, date and place of the committee meeting at which the question of that suspension or expulsion will be decided; and

- (ii) the particulars of the conduct; and
 - (b) be given to the member not less than 30 days before the date of the committee meeting referred to in paragraph (a)(i).
- (3) At the meeting, the Committee must afford the member a reasonable opportunity to be heard or to make representations in writing.
 - (4) The Committee may suspend or expel or decline to suspend or expel the member from the Club and must give written notice of the decision and the reason for it to the member.
 - (5) Subject to clause 27, the decision to suspend or expel a member takes effect 14 days after the day on which notice of the decision is given to the member.

28. Appeals against suspension or expulsion

- (1) A member who is suspended or expelled under clause 26 may appeal against that suspension or expulsion by giving notice to the Secretary within 14 days after receipt of the Committee's decision.
- (2) The appeal must be considered at a general meeting of the Club and the member must be afforded a reasonable opportunity to be heard at the meeting or to make representations in writing prior to the meeting for circulation at the meeting.
- (3) The members present at the general meeting must, by resolution, either confirm or set aside the decision of the Committee to suspend or expel the member.
- (4) The member is not suspended or does not cease to be a member until the decision of the Committee to suspend or expel him or her is confirmed by a resolution of the members.

PART 4 – MANAGEMENT COMMITTEE

Division 1 – General

29. Role and powers

- (1) The business of the Club must be managed by or under the direction of a Management Committee.
- (2) The Committee may exercise all the powers of the Club except those matters that the Act or this Constitution requires the Club to determine through a general meeting of members.
- (3) The Committee may appoint and remove staff.
- (4) The Committee may establish one or more subcommittees consisting of the members of the Club the Committee considers appropriate.
- (5) The Committee may:
 - (a) Control and manage the property and assets of the Club.
 - (b) With the consent of a Special General Meeting, borrow for the purposes of the Club, a sum or sums of money either upon mortgage or charge of any of the property of the Club, as it may think fit.

30. Composition of Committee

- (1) The Management Committee consists of –
 - (a) a Club Captain;
 - (b) a Club Vice Captain;
 - (c) a Secretary;
 - (d) a Treasurer; and
 - (e) and not less than four (4) and not more than six (6) Committee persons.
- (2) Unless elected directly as a separate office holder the Committee must appoint one committee member as the Club's public officer.
- (3) At the Annual General Meeting, the regular Office-Bearers, namely; a Club Captain; a Club Vice-Captain; Secretary; Treasurer; and not less than four (4) nor more than six (6) Committee persons and an Auditor shall be

elected all of whom shall retire annually but shall be eligible for re-election.

31. Delegation

- (1) The Committee may delegate to a subcommittee or staff any of its powers and functions other than –
 - (a) this power of delegation; or
 - (b) a duty imposed on the Committee by the Act or any other law.
- (2) The delegation must be in writing and may be subject to the conditions and limitations the Committee considers appropriate.
- (3) The Committee may, in writing, revoke wholly or in part the delegation.

Division 2 – Tenure of office

32. Eligibility of committee members

- (1) A committee member must be a member who is 18 years or over.
- (2) A committee member must also meet the criteria provided in the Schedule.
- (3) Committee members must be elected to the Committee at an annual general meeting or appointed under clause 37.

33. Nominations for election to committee

- (1) A member is not eligible for election to the Committee unless the Secretary receives a written nomination for that member by another member not less than 7 days before the date of the next annual general meeting.
- (2) The nomination must be signed by –
 - (a) the nominator and a seconder; and
 - (b) the nominee to signify his or her willingness to stand for election.
- (3) A person who is eligible for election or re-election under this clause may –
 - (a) propose or second himself or herself for election or re-election; and
 - (b) vote for himself or herself.

34. Retirement of committee members

- (1) A committee member holds office until the next annual general meeting unless the member vacates the office under clause 36 or is removed under clause 37.
- (2) Subject to subclause (3), at an annual general meeting the office of each committee member becomes vacant and elections for a new Committee must be held.
- (3) The Club Captain of the outgoing Committee must preside at the annual general meeting until a new member is elected as Club Captain .
- (4) Members may serve consecutive terms on the Committee unless otherwise provided in the Schedule.

35. Election by default

- (1) If the number of persons nominated for election to the Committee under clause 32 does not exceed the number of vacancies to be filled, the Club Captain must declare the persons to be duly elected as members of the Committee at the annual general meeting.
- (2) If vacancies remain on the Committee after the declaration under subclause (1), additional nominations of committee members may be accepted from the floor of the annual general meeting.
- (3) If the nominations from the floor do not exceed the number of remaining vacancies, the Club Captain must declare those persons to be duly elected as members of the Committee.
- (4) If the nominations from the floor are less than the number of remaining vacancies, the unfilled vacancies are taken to be casual vacancies and must be filled by the new Committee in accordance with clause 38.

36. Election by ballot

- (1) If the number of nominations exceeds the number of vacancies on the Committee, ballots for those positions must be conducted.
- (2) The ballot must be conducted in a manner determined by the By-laws of the Club.
- (3) The members chosen by ballot must be declared by the Club Captain to be duly elected as members of the Committee.

37. Vacating office

The office of a committee member becomes vacant if –

- (a) the member –
 - (i) is disqualified from being a committee member under section 30 or 40 of the Act;
 - (ii) resigns by giving written notice to the Committee;
 - (iii) dies or is rendered permanently incapable of performing the duties of office by mental or physical ill-health;
 - (iv) ceases to be a resident of the Territory; or
 - (v) ceases to be a member of the Club;
- (b) the member is absent from more than –
 - (i) 3 consecutive committee meetings; or
 - (ii) 3 committee meetings in the same financial year without tendering an apology to the Chairperson;

of which meetings the member received notice and the Committee has resolved to declare the office vacant; or
- (c) in any of the circumstances provided for by the Schedule.

38. Removal of committee member

- (1) The Club, through a special general meeting of members, may remove any committee member before the member's term of office ends.
- (2) If a vacancy arises through removal under subclause (1), an election must be held to fill the vacancy.

39. Filling casual vacancy on Committee

- (1) If a vacancy remains on the Committee after the application of clause 34 or if the office of a committee member becomes vacant under clause 36, the Committee may appoint any member of the Club to fill that vacancy.
- (2) However, if the office of public officer becomes vacant, a person must be appointed under section 27(6) of the Act to fill the vacancy.

Division 3 – Duties of committee members

40. Collective responsibility of Committee

- (1) As soon as practicable after being elected to the Committee, each committee member must become familiar with the Act and regulations made under the Act.
- (2) The Committee is collectively responsible for ensuring the Club complies with the Act and regulations made under the Act.

41. Club Captain

The Club Captain shall make him or herself familiar with his or her duties under the Regulations and Instructions governing the conduct of rifle clubs for the time being in force. He or she shall be responsible for the safe and proper conduct of all shooting competitions conducted on his or her Club range and the maintenance of discipline; and shall ensure that the other Office-Bearers and all financial members of the Club are acquainted with their obligations, liabilities and privileges there under.

The Club Captain shall preside at all general meetings and committee meetings, except as allowed below.

42. Club Vice-Captain

In the absence of the Club Captain at any meeting, or at any shoot the Club Vice-Captain shall have full powers of the Club Captain. The Club Vice-Captain shall carry out such other duties as the Club Captain directs.

- (1) Subject to subclauses (2) and (3), the Club Captain shall preside at all general meetings, special general meetings and committee meetings.
- (2) If the Club Captain is absent from a meeting, the Club Vice-Captain must preside at the meeting.
- (3) If the Club Captain and the Club Vice-Captain are both absent, the presiding member for that meeting must be –
 - (a) a member elected by the other members present if it is a general meeting, or special general meeting; or
 - (b) a committee member elected by the other committee members present if it is a committee meeting.

43. Secretary

- (1) The Secretary must –

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- (a) act as Public Officer, unless a Public Officer is elected directly as a separate office holder;
- (b) coordinate the correspondence of the Club;
- (c) ensure minutes of all proceedings of general meetings and of committee meetings are kept in accordance with section 38 of the Act;
- (d) maintain the register of members in accordance with section 34 of the Act;
- (e) unless the members resolve otherwise at a general meeting – have custody of all books, documents, records and registers of the Club, other than those required by clause 42 (5) to be in the custody of the Treasurer; and
- (f) perform any other duties imposed by this Constitution on the Secretary.

44. Treasurer

- (1) The Treasurer must –
 - (a) receive all moneys paid to or received by the Club and issue receipts for those moneys in the name of the Club;
 - (b) pay all moneys received into the account of the Club within 5 working days after receipt;
 - (c) make any payments authorised by the Committee or by a general meeting of the Club from the Club's funds; and
 - (d) ensure cheques are signed by him or her and at least one other committee member, or by any 2 other committee members authorised by the Committee.
- (2) The Treasurer must ensure the accounting records of the Club are kept in accordance with section 41 of the Act.
- (3) The Treasurer must coordinate the preparation of the Club's annual statement of accounts.
- (4) If directed to do so by the Club Captain, the Treasurer must submit to the Committee a report, balance sheet or financial statement in accordance with that direction.

- (5) The Treasurer has custody of all securities, books and documents of a financial nature and accounting records of the Club unless the members resolve otherwise at a general meeting.
- (6) The Treasurer must perform any other duties imposed by this Constitution on the Treasurer.

45. Public officer

- (1) The public officer must ensure that documents are filed with the Commissioner of Consumer Affairs in accordance with sections 23, 28 and 45 of the Act.
- (2) The public officer must keep a current copy of the Constitution of the Club.

46. Auditor

The Auditor shall carefully examine the books of account, bank pass books, and receipts and vouchers and certify that the Statement of Receipts and Expenditure is prepared in accordance with the same; and shall satisfy him or herself and so report as to the existence of the securities, property and fixed assets of the Club.

The Auditor shall not be a member of the Club.

PART 5 – MEETINGS OF MANAGEMENT COMMITTEE

47. Frequency and calling of meetings

- (1) The Committee must meet together for the conduct of business not less than 4 times in each financial year.
- (2) The Club Captain , or at least half the committee members, may at any time convene a special meeting of the Committee.

48. Voting and decision making

- (1) Each committee member present at the meeting has a deliberative vote.
- (2) A question arising at a committee meeting must be decided by a majority of votes.
- (3) If there is no majority, the person presiding at the meeting has a casting vote in addition to a deliberative vote.

49. Quorum

For a committee meeting, one-half of the committee members constitutes a quorum.

50. Procedure and order of business

- (1) The procedure to be followed at a committee meeting must be determined from time to time by the Committee.
- (2) The order of business may be determined by the members present at the meeting.
- (3) Only the business for which the meeting is convened may be considered at a special meeting.

51. Disclosure of interest

- (1) A committee member who has a direct or indirect pecuniary interest in a contract, or proposed contract, with the Club must disclose the nature and extent of the interest to the Committee in accordance with section 31 of the Act.
- (2) The Secretary must record the disclosure in the minutes of the meeting.
- (3) The Club Captain must ensure a committee member who has a direct or indirect pecuniary interest in a contract, or proposed contract, complies with section 32 of the Act.

PART 6 – GENERAL MEETINGS

52. Convening general meetings

- (1) The Club must hold its first annual general meeting within 18 months after its incorporation.
- (2) The Club must hold all subsequent annual general meetings within 5 months after the end of the Club's financial year.
- (3) The Committee –
 - (a) may at any time convene a special general meeting;
 - (b) must, within 30 days after the Secretary receives a notice under clause 26(1), convene a special general meeting to deal with the appeal to which the notice relates; and
 - (c) must, within 30 days after it receives a request under clause 51(1), convene a special general meeting for the purpose specified in that request.

53. Special general meetings

- (1) Half the number of members constituting a quorum for a general meeting may make a written request to the Committee for a special general meeting unless otherwise provided in the Schedule.
- (2) The request must –
 - (a) state the purpose of the special general meeting; and
 - (b) be signed by the members making the request.
- (3) If the Committee fails to convene a special general meeting within the time allowed –
 - (a) for clause 51(3)(b) – the appeal against the decision of the Committee is upheld; and
 - (b) for clause 51(3)(c) – the members who made the request may convene a special general meeting as if they were the Committee.
- (4) If a special general meeting is convened under subclause (3)(b), the Club must meet any reasonable expenses of convening and holding the special general meeting.
- (5) The Secretary must give to all members not less than 21 days notice of a special general meeting.

- (6) The notice must specify –
 - (a) when and where the meeting is to be held; and
 - (b) the particulars of and the order in which business is to be transacted.

54. Annual general meeting

- (1) The Secretary must give to all members not less than 21 days notice of an annual general meeting unless otherwise provided in the Schedule.
- (2) The notice must specify –
 - (a) when and where the meeting is to be held; and
 - (b) the particulars of and the order in which business is to be transacted.
- (3) The order of business for each annual general meeting is as follows:
 - (a) first – the consideration of the accounts and reports of the Committee;
 - (b) second – the election of new committee members;
 - (c) third – any other business requiring consideration by the Club at the meeting.

55. Special resolutions

- (1) A special resolution may be moved at any general meeting of the Club.
- (2) The Secretary must give all members not less than 21 days notice of the meeting at which a special resolution is to be proposed unless otherwise provided in the Schedule.
- (3) The notice must include the resolution to be proposed and the intention to propose the resolution as a special resolution.

56. Notice of meetings

- (1) The Secretary must give a notice under this Part by –
 - (a) serving it on a member personally; or
 - (b) sending it by post to a member at the address of the member appearing in the register of members; or

- (c) sending it by email to the address of the member appearing in the register of members.
- (2) If a notice is sent by post under subclause (1)(b) or (1)(c), sending of the notice is taken to have been properly effected if the notice is addressed and posted to the member by ordinary prepaid mail or is emailed to the members email address..

57. Quorum at general meetings

At a general meeting eight (8) financial members or twenty per cent (20%) of financial members, whichever is the greater, constitutes a quorum.

The quorum must consist of financial members personally present. Proxies do not constitute a quorum.

58. Lack of quorum

- (1) If within 30 minutes after the time specified in the notice for the holding of a general meeting a quorum is not present –
 - (a) for an annual general meeting or special general meeting convened under clause 51(3)(a) – the meeting stands adjourned to the same time on the same day in the following week and to the same place;
 - (b) for a meeting convened under clause 51(3)(b) – the members who are present in person or by proxy may proceed with hearing the appeal for which the meeting is convened; or
 - (c) for a meeting convened under clause 51(3)(c) – the meeting lapses.
- (2) If within 30 minutes after the time appointed by subclause (1)(a) for the resumption of an adjourned general meeting a quorum is not present, the members who are present in person or by proxy may proceed with the business of that general meeting as if a quorum were present.
- (3) The Club Captain may, with the consent of a general meeting at which a quorum is present, and must, if directed by the members at the meeting, adjourn that general meeting from time to time and from place to place.
- (4) There must not be transacted at an adjourned general meeting any business other than business left unfinished or on the agenda at the time when the general meeting was adjourned.
- (5) If a general meeting is adjourned for a period of 21 days or more, the Secretary must give notice of the adjourned general meeting as if that general meeting were a fresh general meeting.

59. Voting

- (1) Subject to clause 19(2) each member present in person or by proxy at a general meeting is entitled to a deliberative vote.
- (2) At a general meeting –
 - (a) an ordinary resolution put to the vote is decided by a majority of votes made in person or by proxy; and
 - (b) a special resolution put to the vote is passed if three-quarters of the members who are present in person or by proxy vote in favour of the resolution.
- (3) A poll may be demanded by the Club Captain or by 3 or more members present in person or by proxy.
- (4) If demanded, a poll must be taken immediately and in the manner the Club Captain directs.

60. Proxies

- (1) At meetings each member entitled to vote may vote in person or by proxy.
- (2) A member may appoint in writing another member to be the proxy of the appointing member to attend and vote on behalf of the appointing member at any general meeting or special general meeting.
 - (a) The instrument appointing a proxy shall be in writing addressed to the Secretary of the Club signed by the member appointing the proxy and by the member carrying the proxy.
 - (b) The instrument must advise the date of the meeting the proxy applies to and notifying whether the holder must vote in any particular way or at the discretion of the holder.
 - (c) The proxy holder must be a financial member of the Club.
 - (d) No member shall be entitled to appoint more than one proxy and the proxy shall be entitled to speak and or vote on matters itemised in the Agenda calling the meeting.
 - (e) The instrument appointing a proxy shall be delivered to the Secretary of the Club prior to the commencement of the meeting.
 - (f) No members can hold more than two (2) proxy votes at the meeting.

PART 7 – FINANCIAL MANAGEMENT

61. Financial year

The financial year shall commence on the 1st July and end on the 30st June, in any year.

62. Funds and accounts

- (1) The Club must open an account with a financial institution from which all expenditure of the Club is made and into which all of the Club's revenue is deposited.
- (2) Subject to any restrictions imposed by the Club at a general meeting, the Committee may approve expenditure on behalf of the Club within the limits of the budget.
- (3) All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments must be signed by 2 committee members.
- (4) All funds of the Club must be deposited into the financial account of the Club no later than 5 working days after receipt or as soon as practicable after that day.
- (5) With the approval of the Committee, the Treasurer may maintain a cash float provided that all money paid from or paid into the float is accurately recorded at the time of the transaction.

63. Accounts and audits

The responsibility of the Committee under clause 38(2) for ensuring compliance with the Act includes meeting the requirements of Part 5 of the Act and regulations made for that Part relating to –

- (a) the keeping of accounting records;
- (b) the preparation and presentation of the Club's annual statement of accounts; and
- (c) the auditing of the Club's accounts.

PART 8 – GRIEVANCE AND DISPUTES

64. Grievance and disputes procedures

- (1) This clause applies to disputes between –
 - (a) a member and another member; or
 - (b) a member and the Committee.
- (2) Within 14 days after the dispute comes to the attention of the parties to the dispute, they must meet and discuss the matter in dispute, and, if possible, resolve the dispute.
- (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 after the meeting, hold another 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) for a dispute between a member and another member – a person appointed by the Committee; or
 - (ii) for a dispute between a member and the Committee – a person who is a mediator appointed or employed by the department administering the Act.
- (5) A member of the Club can be a mediator.
- (6) The mediator cannot be 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;
 - (b) allow due consideration by all parties of any written statement submitted by any party; and
 - (c) ensure natural justice is accorded to the parties to the dispute throughout the mediation process.
- (9) The mediator must not determine the dispute.

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- (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.

PART 9 – MISCELLANEOUS

65. Common seal

- (1) The common seal of the Club must not be used without the express authority of the Committee and every use of that common seal must be recorded by the Secretary.
- (2) The affixing of the common seal of the Club must be witnessed by any 2 of the following:
 - (a) the Captain;
 - (b) the Secretary;
 - (c) the Treasurer.
- (3) The common seal of the Club must be kept in the custody of the Secretary or another person the Committee from time to time decides.

66. Distribution of surplus assets on winding up

- (1) If on the winding up or dissolution of the Club, and after satisfaction of all its debts and liabilities, there remains any assets, the assets must not be distributed to the members or former members.
- (2) The surplus assets must be given or transferred to another Club incorporated under the Act that –
 - (a) has similar objects or purposes;
 - (b) is not carried on for profit or gain to its individual members; and
 - (c) is determined by resolution of the members.

67. By-Laws

- (1) The Committee shall have power to make By-Laws to implement these procedures, and also other By-Laws relating to the social activities of the Club, not inconsistent with the regulations and rules of this constitution, which it may consider proper in connection with the management of the Club. No By-Law shall be altered, rescinded or added to unless each member of the Committee is given notice in writing of the proposed change at least fourteen (14) days prior to the date of the meetings at which it is to be considered.
- (2) All amendments, alterations, and additions to the By-Laws shall be notified to members by a written notice and a copy of such notice shall be displayed in a conspicuous place on the Club Notice Board.