

*THURINGOWA BIRD CLUB*  
*Incorporated*

By Laws



**INCORPORATION NUMBER - IA15380**

This Document adopted with Amendment of  
Rules for Constitution **20th February** 2022

**THURINGOWA BIRD CLUB INC.**  
**BY- LAWS**

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THURINGOWA BIRD CLUB INC.  
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MANAGEMENT COMMITTEE POSITIONS, CLASSIFICATIONS,  
ELECTIONS, etc. as per Constitution.

**I. MEETINGS** RE the Constitution

- (a) The Annual General Meeting of the Association shall be held each year on the first (1st) Sunday of August, unless prevented by circumstances beyond the control of the Association, where upon a new date shall be set by the Management Committee
- (b) Management Committee Meetings must meet and conduct its proceedings as it considers appropriate, and must meet at least every two (2) months and this can be done in conjunction with any General Meeting as decided by the Management Committee
- (c) General Meetings & Gatherings of the Association shall be held on the first (1st) Sunday of each month, (except January & September) to commence, as prescribed by the 'holder'
- (d) Meeting venues shall be on 'freelance' rotational basis, alternated between member's residences, or their suggested Venue, as a combined meeting and or aviary visit
- (e) Each ordinary member is entitled to forward nominate their residence to host a meeting as the venue for the month , to what is a suitable time for themselves, this is also SUBJECT to CHANGE.
- (f) Should a venue be appointed and that member cannot accommodate that allocation, than a replacement venue will be sort and this could be solved by members swapping dates.
- (g) Should a venue be appointed and that member cannot accommodate that allocation, due to unforeseeable weather circumstances that are beyond the control of the Association, the allocation may be Cancelled.

## **2. CODE OF CONDUCT**

This Code of Conduct describes the minimum standard of behaviour required by all members of the Thuringowa Bird Club Inc,(TBC). Those of the Committee are expected to lead by example at all times when representing the TBC. CoC maybe consistent with Rule 3. OBJECTIVES (page 3) of the Constitution. 2022

## **3. REQUIRED CONDUCT**

### (a) PERSONAL BEHAVIOR – I WILL:

- i. Act with integrity and in the way I expect others should act toward me;
- ii. Act within the relevant legislation, the TBC Constitution and its Code of Conduct;
- iii. Make decisions fairly, impartially, and promptly, considering all available information, Legislation, Rules, Policies, and procedures.
- iv. Treat other members of the TBC and members of the public with respect, and comply with TBC Social Media Policy and Guidelines.
- vi. Contribute to a harmonious, safe, and productive environment; and
- vii. Support the TBC values and objects.

### (b) COMMUNICATION AND OFFICIAL INFORMATION – I WILL:

Not disclose official information or documents acquired through TBC, other than as required by law or where proper authorization is given;

- i. Not misuse information or processes for personal or commercial gain for myself or another;
- ii. Adhere to legal constitutional requirements, Code of Conduct, policies, and procedures with respect to communication with the committee, members, lobbyists or such agencies, members of the media and members of the public generally;
- iii. Report incidents and safety problems in a timely way; and
- iv. Respect the confidentiality and privacy of information as it pertains to individuals:

(c) FRAUDULENT AND CORRUPT BEHAVIOUR – I WILL:

- i. Not engage in fraud or corrupt dealings;
- ii. Report any fraudulent or corrupt behaviour or breaches of this code of conduct; and
- iii. Comply with accountability requirements

(d) CONFLICTS OF INTEREST – I WILL:

- i. Ensure personal or financial interests do not conflict with TBC's Code of Conduct;
- ii. Declare any potential conflict between my personal and TBC duties;
- iii. Recognize that the perception of a conflict needs to be declared; and
- iv. Where conflicts of interest do arise, decisions should be arrived at without the person who is the subject of the conflict being involved in the decision-making process

(e) I COMMIT:

- i. To taking responsibility for reporting improper conduct or misconduct which has been, or may be occurring; and
- ii. To taking responsibility for contributing in a constructive way to enhance good governance and the reputation of the Thuringowa Bird Club.

**4. SELLING BIRDS AT CLUB ORGANISED PUBLIC FUNCTIONS (BIRD SALES)**

TBC operates our Bird Sale under strict Sale Conditions/Code of Practice:-

The objectives of our club have been developed to ensure the following principles are followed:

1. Primary Concern for the welfare of birds
2. Concern for the good standing of the hobby of aviculture
3. Compliance with legislative requirements

\* The welfare and conservation of birds kept in captivity is of the greatest importance to our association. Our Code of Practice sets out the minimum standards that are acceptable in ensuring that birds are properly presented, housed and cared for in the best possible manner during all bird sales, as well as whilst being transported to and from events. The intent is to protect all birds from actual and perceived harm or cruelty

\* The sale is covered by Public Liability Insurance Policy through Canary & Caged Bird Federation of Aust—All sellers and their assistants must be members of TBC or members with current membership of an Insured Club affiliated with CCBFA, confirmation of such is required

\* Completion of the Vendor/Seller Registration Form is an entry requirement and seller’s acceptance of Club’s Code and any additional rules/conditions specified by TBC

\* All sellers are ambassadors for the hobby of aviculture and, as such, should act in a professional manner at all times as is appropriate for a public event.

## **5. COMPLAINTS PROCEDURE**

- (a) To ensure an effective complaints resolution process, Thuringowa Bird Club (TBC) will not deal with:
- i. Anonymous complaints, whether by telephone, email or in writing;
  - ii. Complaints that do not substantially comply with paragraph 5 below; or
  - iii. Complaints that are frivolous or vexatious, manifestly ill-founded or which use deliberately false or misleading information, unnecessarily biased, lodged maliciously or contain abusive or inappropriate language.
- (b) TBC will not become involved in disputes between members in relation to personal matters, these are private matters and do not involve club; and also, in relation to the sale of birds, these are private to be determined by the contractual agreements between parties.

Disputes regarding any contractual agreements should be resolved in the courts and not by TBC.

- (c) Complaints must be submitted directly by the complainant to TBC Secretary (not via a third party)
- (d) The complainant must, in the first instance make all attempts to resolve the problem with the member who is the subject of their complaint, for example a breeder, i.e discuss options of refund, partial refund or replacement, DNA testing, etc.
- (e) If unable to come to an agreement, the complaint must:
  - i) be in writing and, and at a minimum contains:
    - (a) the complainant's name and contact details;
    - (b) the name of the other person (s) the complaint is being made about
    - (c) a factual description of the incident (s) / decision and / or alleged conduct in question also any available sworn witness statements,
    - (d) the time and date of the incident (s),
    - (e) a factual description of the complainant's attempt at resolving the matter; and
    - (f) the complainant's signature.
  - ii) be written in a manner that is simple, concise, and direct and describes the issues in the clearest possible terms,
  - iii) include reference to the specific Thuringowa Bird Club Policies or Constitution,
  - iv) be supported by directly relevant materials and documentary evidence including proof that the complainant has attempted to resolve the matter and, where the breeder / seller has refused, proof of the breeder's/ seller's refusal, receipt/ proof of purchase, veterinary report, photographic evidence, etc. The evidence should state relevant facts and support the complaint.
  - v) contain an acknowledgement that Thuringowa Bird Club has permission to forward a copy of the complaint to the member provided personal details are removed,
  - vi) be delivered in a calm and reasonable manner; and
  - vii) contain an actual copy of the post (i.e., screen shot) if it relates to the Social Media Policy.

Upon receipt of all the above requirements and confirmation that the respondent is a current financial member of TBC, the complaint will be forwarded to the respondent for their comments, also to be provided in the form of a Statutory Declaration (such Statutory Declaration to comply with paragraphs 5 (i) and 5 (ii) above). Once the respondent has provided their comments, which in turn will be provided to the complainant. The complainant is entitled to a single right of rebuttal (such rebuttal to also be provided in the form of a Declaration which complies with paragraphs 5 (i) and 5 (ii) above).

A response from a respondent or the complainant's rebuttal to any such response will not be considered by TBC to the extent that it contains material that is frivolous or vexatious, manifestly, ill-founded or which uses deliberately false or misleading information, unnecessarily biased, lodged maliciously or contains abusive or inappropriate language.

All correspondence will be forwarded to the TBC Committee, who in turn independently review and decide upon the outcome of the complaint in regard to membership.

## **6. SOCIAL MEDIA POLICY AND GUIDELINES**

### **(a) COMMENCE DATE:**

This Policy has a commencement date of 6/03/2022

### **(b) PURPOSE:**

This Policy is intended to provide members of TBC with clarity on the constructive and appropriate use of social media platforms to achieve TBC's objectives:

- To offer information and support on the keeping, breeding, and care of all birds in captivity.
- To encourage our Members and the General Public, to adopt the absolute "best practice" for all aspects of Aviculture.
- To promote the best in Avian nutrition, enriching environments, ethical breeding practices, and the utilisation of avian veterinarians



- To foster responsible companion bird ownership, and promoting improvements in this area with a range of educational opportunities
- To stimulate proactivity in parrot/ finch conservation, both in the wild and in captivity, as well as supporting Avian research and educational projects

### (c) WHAT IS SOCIAL MEDIA?

“Social Media” is online media that allows for interaction and/ or participation. It is any conversation or activity that occurs online where people can share information about, or that that might impact on, TBC, its members or members of any Affiliated bodies. It includes, but is not limited to:

- Social networking sites – for example Facebook, Twitter, Pinterest, LinkedIn.
- Video and photo sharing websites and applications – for example Flickr, Instagram, YouTube,
- Blogs, including corporate and personal blogs – for example SharePoint,
- Blogs hosted by media outlets – for example comments or “your say” feature.
- Micro-blogging – for example Twitter.
- Wiki’s and online collaborations – for example Wikipedia.
- Forums, discussion boards and Groups – for example Google Groups, Facebook Groups.
- VOD and podcasting – for example SoundCloud.

### (d) WHO DOES THIS POLICY APPLY TO?

This Social Media policy applies to all members of the Thuringowa Bird Club.

### (e) GUIDING PRINCIPLES

Whenever TBC members are interacting on Social Media, whether in an official or personal capacity, the following guiding principles must be followed at all times in any interaction concerning the aviculture community:

- i. They are required to abide by the Constitution and Policies of TBC.

- ii. They must act in a way which falls within the community expectations of good and appropriate manners.
- iii. They must be polite and respectful to TBC, its members, its committee, its affiliates of and other related parties.
- iv. They must not criticize, disparage, or make derogatory or negative comments about TBC, it's Committee members, members, or affiliates, either expressly or implicitly.
- v. They must respond to others' opinions respectfully and professionally.
- vi. They must not harass, bully, or intimidate, nor will they create a perception of harassment, bullying or intimidation towards any person or organization.
- vii. They must not make negative or adverse comments about any person on the basis of their race, religion, or sexual preference.
- viii. They must not make derogatory or negative comments pertaining to the birds of another member of TBC or any of its affiliates, or create such comment that would be perceived as being derogatory or negative against birds of another member of TBC or any of its affiliates,
- ix. They must not utilize abusive, profane, obscene, or sexually explicit language or material,
- x. They must obtain written permission from TBC before posting any content on any Social Media platform or using any I.T. service to make statements or comments on behalf of TBC or otherwise which may be construed to be attributed to TBC or using the TBC logo; and a Member/Members needs to have permission from another member before posting their photos (images) on any Social Media platform.
- xi. A member must not engage in any conduct that could be reasonably considered to be:
  - a) Dishonest, malicious, vexatious, or scandalous or contrary to law,
  - b) Discreditable to the member concerned or any other member,
  - c) Prejudicial or injurious or tending to prejudice or injure any person interested in aviculture affairs,
  - d) Prejudicial or injurious or tending to prejudice or injure the interest, image or standing of the TBC;
  - e) Contrary to the spirit and intent of the Constitution, Code of Conduct, or any other code, resolution policy or direction of the TBC.

The Code of Conduct also contains a prohibition on members conducting themselves in such a way as to bring TBC into discredit or to bring themselves as a breeder, owner, or members into discredit.

#### (f) POLICY NON-COMPLIANCE

Misuse of Social Media can have serious consequences for TBC, and it's members. All reports of any I.T. service or Social Media by TBC will be actioned in accordance with the Complaints Procedure.

If you as a member do not comply with the Policy, disciplinary action may be taken in accordance with the Complaints Procedure. Disciplinary action may include, but is not limited to, issuing a formal warning and suspension, and also may lead to termination of membership from TBC.

#### (g) REPORTING OF POLICY NON-COMPLIANCE

TBC has a formal Complaints Procedure which must be followed in relation to the reporting of any misuse of Social Media. Any queries regarding the Complaints Procedure can be directed to the Secretary of Thuringowa Bird Club.

### 7. SUBSIDIES to MEMBERS

Thuringowa Bird Club is a non-profit organization which raises monies through the use of Raffles & the sale of Raffle tickets at our Functions, Meetings & Gatherings. As these perceived monies can only be raised by the participation of attending Members, the TBC sees fit to show it's thanks by way of 'Subsidies to Members', to members who make the effort to attend our larger functions as they have done through out the year. Members attending some functions ie. The Northern Avian Society Conferences, Inter-club Trips, Christmas Celebrations, may occur some personal expenses, as in Fuel or Accommodation.

Subsidies may be allocated at the discretion of the Management Committee, prior to any eligible Event (as selected by the Management Committee). In fairness, Subsidies may be calculated with respect to the number of 'meetings/gatherings' the members have attended (as per

Attendance Book) in the Financial Year. With attendance records of 0% to 49% a member is not eligible for subsidy, member's attendance record of 50% to 74% may be eligible for 50% subsidy, and members with attendance over 75% may be eligible for full agreed Subsidy.

### **8. MISCELLANEOUS**

- a) Any contentious issue concerning 'the Association', brought up by members and or a member of the public, shall be discussed at a Management Committee before being presented to a General Meeting. A "Formal Complaints Procedure Letter " must be submitted directly to TBC Secretary— REFER TO 9. Complaints FOR FULL DETAILS OF PROCEDURE
- b) There shall be, published by the Club, a Bi-Monthly Newsletter to be known as 'The Thuringowa Club Inc' Newsletter 'Wings'. Members may add \$10 extra to their Membership and have the Newsletter posted, otherwise emailed as a PDF file.
- c) All Office Bearers, on relinquishing their positions, shall ensure the transfer of all Club related electronic/ hard copy files, correspondence, records, property, etc of the Association to the new incumbent within a period of two (2) weeks.
- d) These By-Laws shall only be added to, altered or rescinded by resolution of members passed at a Special or Annual General Meeting carried by two thirds majority of financial members exercising the right to vote. —A copy of all new by-laws added to, altered or rescinded shall be given to or emailed in PDF format to all financial members.
- e) Club has developed an On-Line Face Book site; Administrators of the site are appointed by the Management Committee at the AGM or soon after, but maybe changed from time to time; This site is to be a closed group.
- f) Club has in place an Assets Register, for the recording of all goods purchased; this register shows the date purchased, Copy of Invoice with Purchase Price, and also has a photo to support the item purchased; Also has a page to be completed when any items

are taken by members; (Date Taken/ Signature, Return Date/ Signature)

- g) Club may put in place a “Debit Card” to improve and simplify the purchase of goods and also for EFT payments; Card issued in accordance with current Banking Provider (Suncorp Bank Terms and Conditions). Club has a Template in order with all debits through Account, shall be signed off by President and Treasurer, this was a proposed plan set in place for consideration by club auditors during an audit.
- h) Public Liability—Club maintains a current and up to date policy each year through Canary and Caged Bird Federation of Australia;
  - a. Period of Insurance— From 31st December To 31st December (Year to Year)
- i) Club maintains records and has copies of the following—
  - a. Certificate of Incorporation
  - b. Tax File Number ( if applicable)
  - c. Australian Business Register (ABN) ( if applicable)
  - d. A current Guide to Operating an Incorporated Association in Queensland (as published by Queensland Government—Dept of Justice and Attorney General-Office of Fair Trading)
- j) Club has created for our Association:- VISION, OBJECTIVES AND VALUES STATEMENTS ( Section 10, page 15)
- k) Our Club has an official T-Shirt with Logo and Name:-  
Having our unique T-Shirt is a key part of marketing as it sets us apart and people instantly know we belong to a club, our members are all encouraged to wear this shirt when representing and attending club functions in order to spread the word, its makes the club identifiable, and creates awareness for potential new members.
- l) BLUE CARD—  
Are the Members of our Club required to hold a Blue Card? Currently No. Our Members do not work or volunteer with children; —Activities in our Club; make our members exempt from this. This maybe changed in the futue, with relative changes to the ByLaws.

## 9. NORTHERN AVIAN SOCIETY

The Northern Avian Society was commenced in 1990, as a gathering of the Avian Clubs of North Queenslandhas and continued to evolve having one of the most unique Conferences in Australia. Even today, with the number of clubs having reduced, members enjoy these Annual Gathering, hosted by different Associated clubs, on a rotational basis. The NASC has evolved into this fantastic event which attracts members from far & wide. Clubs pay the Registration Fee which allows any financial member of a Club to attend. All delegates are to have membership of one of the NAS Clubs. At this point in time, no other fees are applicable however a series of raffles are conducted over the duration of the conference which all members are encouraged to support.

This goes some way to cover the cost of hosting the conference. Each club is autonomous and has the right to run as they see fit, depending on their financial status some finance may have to be sourced from grants? Host club must take out additional Public Liability Insurance, with Canary & Caged Bird Federation: to cover the event and comply with any exclusion's that apply.

The club encourages our members to attend these Conferences and those who wish to attend, may be rewarded by being in the calculation as expressed under Section 7, Subsidies for Members, page 11 of these ByLaws.

**10. THURINGOWA BIRD CLUB**  
**VISION, OBJECTIVES AND VALUES STATEMENTS.**  
*As per CONSTITUTION RULE 35, page 20*

Thuringowa Bird Club is an incorporated not-for-profit organization established in 1995 for both experienced breeders and to someone with just one pet bird. We are based in the Townsville area in North Queensland. Our Mission is to offer information and support on the keeping, breeding and care of all BIRDS in captivity, increase the awareness to adopt and maintain a high level for all aspects of Aviculture with our members and the general public, to inspire the appreciation, enjoyment of birds and their habitats.

**VISION STATEMENT**

Our vision for Thuringowa Bird Club to be recognized as a leading non-profit organization, providing a high quality of knowledge to inspire future upcoming generations, the club will undertake activities that will increase membership and interest in birdkeeping, our team members to be motivated to contribute something greater to deliver outputs that will make positive difference in the lives of others, we will have access to necessary resources providing support to club, and will have affiliation with other clubs and organizations to continually improve these resources. We will continue to support Avian research and educational projects.

**OUR OBJECTIVES:**

- To offer information and support on the keeping, breeding, and care of all birds in captivity.
- To encourage our Members, and the General Public, to adopt the absolute “best practice” for all aspects of Aviculture.
- To promote the best in Avian nutrition, enriching environments, ethical breeding practices, and the utilization of avian veterinarians.
- To foster responsible companion ownership and promoting improvements in this area with a range of educational opportunities.
- To stimulate proactivity in all bird conservation, both in the wild and in captivity, as well as supporting Avian research and educational projects

**OUR VALUES** We are T.B.C.I.N.C.

**T**ransparency in the Actions of the Club & it's Members

**B**ird Keeping, Breeding & Care to the highest possible Standards

**C**onservation of Species in the Wild & Aviculture

**I**nterest in/for people who are concerned for Avian Welfare

**N**obody is above the Rules/Law

**C**are & Consideration for all Living Things

**11 COMMENCEMENT DATE:**

This Policy has a commencement date of 6/03/22.