

*THURINGOWA BIRD CLUB*  
*Incorporated*

CONSTITUTION  
&  
RULES.



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# CONSTITUTION.

As amended 6<sup>th</sup> of March 2022

## 1. INTERPRETATION

In these Rules

- (i) *Act means* the Associations Incorporation Act 1981
- (ii) *present means*

At a Management Committee Meeting, see rule (Check); or

At a General Meeting, see rule (check)

A word or expression that is not defined in these “The Association’s Own Rules” but is defined in the Act, has, if the context permits, the meaning given by the Act.

## 2. NAME

The name of the club shall be

- (i) THURINGOWA BIRD CLUB INCORPORATED.
- (ii) In these rules called “the Association” “the Club” “the TBC” “TBCInc”

## 3. OBJECTIVES

The objectives of the association are:

- (i) To encourage the captive breeding of all legal bird species,
- (ii) To provide support to and facilitate co-operation between aviculturists,
- (iii) To provide an avenue for the interchange of stock,
- (iv) To distribute information on the keeping and breeding of legal birds in captivity,
- (v) to promote the conservation of bird species, both in natural environments and in captivity,
- (vi) to provide an avenue for social interchange between members of the association and their families.
- (vii) All birds shall come within the scope of the ‘Association’s activities except poultry, domesticated and racing pigeons.
- (viii) The Society shall be of a non-competitive nature and shall not arrange or promote competitive bird shows.

## 4. POWERS

The powers of the association are:

- (i) to manage the funds and other assets and the liabilities of The Thuringowa Bird Club Incorporated.
- (ii) to subscribe to, become a member of and co-operate with any other association, club or organisation, whether incorporated or not, whose objectives are

altogether or in part similar to those of 'the association' provided that the association shall not subscribe to or support with the funds of any club, association or organisation which does not prohibit the distribution of its income and property among its members to an extent at least as great as that imposed on the association under or by virtue of rule 28 (x);

(iii) In furtherance of the objectives of 'the association' to buy, sell, deal in all kinds of articles, commodities and provisions, both liquid and solid, for the members of the association or persons frequenting the association premises,

(iv) To purchase, take on lease or in exchange, hire and otherwise acquire any lands, buildings, easements or property, real and personal, and any rights or privileges which, may be requisite for the purposes of, or capable of being conveniently used in connection with, any of the Association:

provided that in case 'the Association' shall take or hold any property which may be subject to any trusts, 'the Association' shall only deal with the same in such manner as is allowed by law having regard to such trusts,

(v) To enter any arrangements with any Government or Authority that are incidental or conducive to the attainment of the objects and the exercise of the powers of 'the Association'; to obtain from any such Government or Authority any rights, privileges and concessions which 'the Association' may think it desirable to obtain; and to carry out, exercise and comply with any such arrangements, rights, privileges and concessions,

(vi) To appoint, employ, remove or suspend such Managers, Clerks, Secretaries, Servants, Workmen and other persons as may be necessary or convenient for the purpose of 'the Association',

(vii) To remunerate any person or body corporate for services rendered, or to be rendered, and whether by way of brokerage or otherwise in placing or assisting to place or guaranteeing the placing of any unsecured notes, debentures or other securities of the incorporated association, or in or about the incorporated association or promotion of the incorporated association or in furtherance of its objects,

(viii) To construct, improve, maintain, develop, work, manage, carry out, alter or control any houses, buildings, grounds, works or conveniences which may seem calculated directly to advance 'the Association's' interests, and to contribute to, subsidise or otherwise assist and take part in the construction, improvement, maintenance, development, working, management, carrying out, alteration or control thereof,

(ix) To invest and deal with money of 'the Association' not immediately required in such manner from time to time be thought fit,

(x) To take or otherwise acquire, and hold shares, debentures or other securities of any company or body corporate,

(xi) In furtherance of the objects of 'the Association' to lend and advance money or give credit to any person or body corporate, to guarantee and give guarantees or indemnities for the payment of money or the performance of contracts or obligations by any person or body corporate, and otherwise assist any person or body corporate,

(xii) To borrow or raise money either or jointly with any other person or legal entity in such manner as may be thought proper and whether upon fluctuating advance account or overdraft or otherwise to represent or secure any moneys and further advances borrowed or to be borrowed alone or with others as aforesaid by notes secured or unsecured, debentures stock perpetual or otherwise, or by mortgage, charge, lien or other security upon the whole or any part of the incorporated association's property or assets present or future and to purchase redeem or pay off any such securities;

(xiii) To draw, make, accept, endorse, discount, execute and issue promissory notes, bills of exchange, bills of lading and other negotiable or transferable instruments;

(xiv) In furtherance of the objects of 'the Association' to sell, improve, manage, develop, exchange, lease, dispose of, turn to account or otherwise deal with all or any part of the property and rights of the Association

(xv) To take or hold mortgages, liens or charges, to secure payment of the purchase price, or any unpaid balance of the purchase price, of any part of 'the Association's' property of whatsoever kind sold by 'the Association', or any money due to 'the Association' from purchases and others,

(xvi) To take any gift of property whether subject to any special trust or not, for any one or more of the objects of 'the Associations' but subject always to the provision in sub-rule (vi):

(xvii) To take such steps by personal or written appeals, public meetings or otherwise, as may from time to time be deemed expedient for the purpose of procuring contributions to the funds of the Association, in the shape of donations, annual subscriptions or otherwise,

(xviii) To print and publish any newspapers, periodicals, books, magazines or leaflets that 'the Association' may think desirable for the promotion of its objects,

(xix) In furtherance of the objects of 'the Association' to amalgamate with any one or more incorporated Associations having objects altogether or in part similar to those of 'the Association' and which shall prohibit the distribution of its or their income and property among its or their members to an extent at least as great as that imposed upon 'the Association' under or by virtue of rule 28 (x):

(xx) In furtherance of the objects of 'the Association' to purchase or otherwise acquire and undertake all or part of the property, assets, liabilities and engagements of any one or more of the incorporated associations with which 'the Association' is authorized to amalgamate,

(xxi) In furtherance of the objects of 'the Association' to transfer all or any part of the property, assets, liabilities and engagements of 'the Association' to any one or more of the incorporated associations with which 'the Association' is authorized to amalgamate,

(xxii) To make donations for patriotic, charitable or community purposes,

(xxiii) To do all such other things as are incidental or conducive to the attainment of the objects and the exercise of the powers of 'the Association'.

(xxiv) The Committee shall determine members' subscription rates and subscribers' subscription rates from time to time and notify any change

in 'WINGS'. When a new member joins at either the May or June meeting that person shall be deemed to be financial for the year commencing the following 1st July.

## 5. MEMBERSHIP

Every applicant for any class of membership shall be proposed by one Member of the Association and seconded by another Member of the Association. The application for membership shall be made in writing, signed by the applicant and shall be in such form as the Management Committee from time to time prescribes.

## 6. CLASSES OF MEMBERSHIP

The membership of 'the Association' shall consist of ordinary members, and any of the following classes of members:

- (i). Ordinary Membership (membership of 'the Association' who is an individual above the age of 18 years)
- (ii). Student Membership (membership of 'the Association' who are full time students, who have not attained the age of 18 years)
- (iii). Pensioner Membership (members of 'the Association' who receive a pension as defined under the Social Security Act),
- (iv). Family Membership. Shall consist of two persons who co-habitat and are eligible to be Ordinary Members under Rule 4, plus any persons they have guardianship over who in the normal course of events, would be granted Student Membership under Rule 4(I). This membership allows two casting votes (when Present or by Proxy) on any issue within 'the Association' by two persons who in the normal course of events are eligible for Ordinary Membership under Rule 4.
- (v). Life Membership. 'The Association' may grant Life Membership to a Financial Member of 'the Association' who has been a financial member of 'the Association' for a continuous period of not less than seven (7) years, or, a Patron of 'the association', or, a person who has provided invaluable service to 'the Association'.

Application is to be in such a form as nominated by the Management Committee.

Life Members are to have all the rights of Ordinary Members, including Voting, but are to be exempted from paying yearly membership fees.

A person nominated for Life Membership is to have their nomination vetted and approved by a simple majority of the Management Committee, present at that Management Committee meeting. The approval or rejection is to be communicated in writing to the sponsor of the nominee.

On gaining Management Committee approval, the nomination is to be presented to the Ordinary Members at the next General Meeting. Acceptance or rejection of the nomination is to be by a simple majority of members present at that General Meeting. The Life Member is to be notified in writing and presentation of Life Membership is to

be at the next General Meeting of 'the Association'. A Life Member shall be subject to the clauses contained within Rule 8 of the Constitution of the Association.

Membership in each class of membership shall be unlimited in number.

## 7. MEMBERSHIP FEES

(i) At the next meeting of the Management Committee after the receipt of any application and the fee applicable for any class of membership, such application shall be considered by the Management Committee, who shall there upon determine upon the admission or rejection of the applicant.

(ii) Any applicant who receives a majority of votes of the members of the Management Committee present at the meeting at which such application is being considered shall be accepted as a member to the class of membership applied for

(iii) The membership fees for each class of membership shall be due on the 30<sup>th</sup> of June each year and shall be payable at the Annual General meeting or no later than the 31<sup>st</sup> of August, being two(2) calendar months after the End of Financial Year. New membership fees paid at any time after the commencement of a financial year shall be for the period of that financial year only. Also Ref , Rule 22, page 14.

(iv) Any Member, who does not renew their membership by payment of the appropriate fee for their class of membership, within the period as contained in Rule 7 (iii), and after having been contacted in writing by the Management Committee, shall be deemed to be non-financial, and no longer a member of 'the Association'. Should that person wish to rejoin 'the Association', they shall be required to apply for membership, and be subject to the actions as per Rule 8 of the Constitution of the Association.

## 8. ADMISSION AND REJECTION OF MEMBERS

(i) At the next meeting of the Management Committee after the receipt of any application and the fee applicable for any class of membership, such application shall be considered by the Management Committee, who shall thereupon determine upon the admission or rejection of the applicant.

(ii) Any applicant who receives a majority of the votes of the members of the Management Committee present at the meeting at which such application is being considered shall be accepted as a member to the class of membership applied for.

(iii) Upon the acceptance or rejection of an application for any class of membership, the Secretary shall forthwith give the applicant notice in writing of such acceptance or rejection.

## 9. TERMINATION OF MEMBERSHIP

(i) A member may resign from the Association any time by giving notice in writing to the Secretary. Such resignation shall take effect at the time such notice is received by the Secretary unless a later date is specified in the notice when it shall take effect on that later date.

(ii) If a member -

- (a) Is convicted of an indictable offence; or
- (b) Fails to comply with any of the provisions of these rules; or
- (c) Has membership fees in arrears of two calendar months from the date of the Annual General meeting, or
- (d) Conducts his or herself in a manner considered to be injurious or prejudicial to the character or interests of 'the Association'. The Management Committee shall consider whether his/her membership shall be terminated.
- (e) if found to have contravened 'the Club's' Rules, By Laws, Codes, Policies and Procedures.

(iii) The management committee must opt to take a 'notice of termination' for a Member's Membership to a General Meeting if the Member:

- (a) does not comply with any of the provisions of these rules; or
  - (b) conducts themselves in a way considered to be injurious or prejudicial to the character or interests of 'the association'; or
  - (c) engages in Social Media Defamation that directly or indirectly is detrimental to the Thuringowa Bird Club Inc., its members, and or Management Committee
- (iv) The member concerned shall be given a full and fair opportunity of presenting his/her case and if the Management Committee resolves to terminate his/her membership it shall instruct the Secretary to advise the member in writing accordingly.

(v) If, after considering all representations made by the member, the management committee decides to terminate the membership, the secretary of the Management Committee must give the member a written notice of the decision within fourteen (14) days

## 10. APPEAL AGAINST REJECTION OR

### TERMINATION OF MEMBERSHIP

(i) A person whose application for membership has been rejected or whose membership has been terminated may within one month of receiving written notification thereof, lodge with the Secretary, written notice of their intention to appeal against the decision of the Management Committee.

(ii) Upon receipt of a notification of intention to appeal against rejection or termination of membership, the Secretary shall convene, within three months of the date of receipt by the Secretary of such notice, a general meeting to determine the appeal. At any such meeting the applicant shall be given the opportunity to fully



present the applicants case and the Management Committee or those members thereof who rejected the application for membership or terminated the membership subsequently shall like wise have the opportunity of presenting its or their case. The appeal shall be determined by the vote of the members present at such meeting.

(iii) Only where a person's Membership Application (not Membership Termination) is rejected, does not appeal against the decision of the Management Committee within the time prescribed by these Rules or so appeals but the appeal is unsuccessful, the Secretary shall forthwith refund the amount of fee paid.

## 11. GENERAL MEETING TO DECIDE APPEAL

(i) The general meeting to decide an appeal must be held within one (1) month after the secretary receives the notice of intention to appeal

(ii) At the meeting, the applicant must be given a full and fair opportunity to show why the application should not be rejected or the membership should not be terminated

(iii) Also, the management committee and the members who rejected the application or terminated the membership must be given a full and fair opportunity to show why the application should be rejected or the membership should be terminated.

(iv) The appeal must be decided by a majority vote of the members present and who are eligible to vote at the meeting.

(v) If a person whose application for membership has been rejected (not Membership Termination), does not appeal against the decision within one (1) month after receiving written notice of the decision, or the person appeals but the appeal is unsuccessful, the Treasurer must, as soon as practicable, refund the membership fee paid by the person.

(vi) A member resigning from the Society or ceasing to be a member thereof from any cause whatsoever shall not be entitled to or have any claim upon the property of the Association' or any part thereof.

## 12. REGISTER OF MEMBERS

(i) The Management Committee shall cause a register to be kept in which shall be entered the names and residential addresses of all persons admitted to membership of 'the Association' and the date of their admission.

(ii) Particulars shall also be entered into the register of deaths, resignations, terminations and reinstatements of membership and any further particulars as the Management Committee or the members at any general meeting may require from time to time.

(iii) The Register shall be open for inspection at all times by any member who previously applies to the Secretary for such inspection.

13. PROHIBITION on the use of INFORMATION on the REGISTER of MEMBERS.

(i) A member of the association must not:

(a) use information obtained from the register of members of the association to contact, or send material to, another member of the association for the purpose of advertising for political, religious, charitable, or commercial purposes; or

(b) disclose information obtained from the register to someone else, knowing that the information is likely to be used to contact, or send material to, another member of another association for their purpose of advertising for political, religious, charitable, or commercial purposes

(ii) Sub-rule (1) does not apply if the use or disclosure of the information is approved by 'the association'

(iii) The Management Committee will not provide information of any member on the register where they have opted to not have their information shared with other Members.

14. MEMBERSHIP OF MANAGEMENT COMMITTEE

(i) The Management Committee of the Association shall consist of: President, Vice-President, Secretary (over the age of 18yrs.) Treasurer (these 4, know as the Executive) plus Sales Steward, Librarian, Editor and Fundraiser/Promoter (these 4, know as the General Management) All who shall be members of 'the Association', and such number of other members as the members of 'the Association' at any general meeting may from time to time elect or appoint.

(ii) At the Annual General Meeting (AGM) of 'the Association', all the members of the Management Committee for the time being shall retire from office, but shall be eligible upon nomination for re-election.

(iii) The election of officers and other members of the Management Committee shall take place in the following manner:

(a) Any two members of the Association shall be at liberty to nominate any other member to serve as an officer or other member of the Management Committee:

(b) The nomination, which shall be in writing and signed by the member and their proposer and their seconder, shall be lodged with the Secretary at least fourteen days before the Annual General Meeting at which the election is to take place,

(c) Each member present at the Annual General Meeting shall be entitled to vote for any number of such candidates not exceeding the number of vacancies,

(d) Should, at the commencement of such meeting, there be an insufficient number of candidates nominated, nominations may be taken from the 'floor' of the meeting.

## 15. MANAGEMENT COMMITTEE RESIGNATIONS

Any member of the Management Committee may resign from the Management Committee at any time by giving notice in writing to the Secretary but such resignation shall take effect at the time such notice is received by the Secretary unless a later date is specified in the notice when it shall take effect on that later date or such member may be removed from office at a general meeting of 'the Association', where that member shall be given the opportunity to fully present their case. The question of removal shall be determined by the vote of the members present at such a general meeting.

## 16. VACANCIES ON THE MANAGEMENT

### COMMITTEE

(i) The Management Committee shall have the power at any time to appoint any member of 'the association' to fill any casual vacancy on the Management Committee until the next Annual General Meeting.

(ii) The continuing members of the Management Committee may act notwithstanding any casual vacancy in the Management Committee but if and so long as their number is reduced below the number fixed by or pursuant to the rules as the necessary quorum of the Management Committee, the continuing member or members may act for the purpose of increasing the number of members of the Management Committee to that number or of summoning a general meeting of 'the Association' but for no other purpose.

## 17. FUNCTIONS OF THE MANAGEMENT COMMITTEE

(i) Except as otherwise provided by these rules and subject to resolutions of the members of 'the Association', carried at any general meeting, the general meeting of the Management Committee -

(a) Shall have the general control and Management of the administration of the affairs, property and funds of the Association, and

(b) Shall have the authority to interpret the meaning of these Rules and any matter relating to the Association on which these Rules are silent.

(ii) The Management Committee may exercise all powers of 'the Association':

(a) To borrow, raise or secure the payment of money in such manner as the members of the Association may think fit and secure the same or the payment or performance of any debt liability contract, guarantee or other engagement incurred or to be entered into by the Association in any way and in particular by the issue of debentures, perpetual or otherwise, charged upon all or any of the Association's property, both present and future, and the purchase, redeem or pay off any such securities;

(b) To borrow money from the members at a rate of interest not exceeding interest at the rate for the time being charged by bankers of the Institution that the

Association has its main Financial Account with, for overdrawn accounts of money lent, whether the term of the loan be short or long, and to mortgage or charge its property or any part thereof and to issue debentures and other securities, whether outright or as security for any debt, liability or obligation of the Association to provide and pay off any such securities and to invest in such manner as the members of the Association may from time to time determine.

(c) Matters requiring immediate attention may be dealt with by the President, Treasurer and Secretary in conjunction.

### 18. MEETINGS OF MANAGEMENT COMMITTEE

(i) The Management Committee shall meet at least once every **three(3)** calendar months to exercise its functions.

(ii) A special meeting of the Management Committee shall be convened by the Secretary on the requisition in writing signed by no less than one-third of the members of the Management Committee, which requisition shall clearly state the reasons why such special meeting is being convened and the nature of the business to be transacted thereat.

(iii) At every meeting of the Management Committee a simple majority (5) of a number equal to the number of members elected and/or appointed to the Management Committee as at the last general meeting of the members, shall constitute a quorum.

(iv) Subject as previously provided in this rule, the Management Committee may meet together and regulate its proceedings as it thinks fit, provided that questions arising at any meeting of the Management Committee shall be decided by a majority of votes and, in the case of equality of votes, the question shall be deemed to be decided in the negative.

(v) A member of the Management Committee shall not vote in respect of any contract with 'the Association' in which that member is interested, or any matter arising thereof, and if the member does so vote his/her vote shall not be counted.

(vi) Not less than fourteen days notice shall be given by the Secretary to members of the Management Committee of any special meeting of the Management Committee. Such notice shall clearly state the nature of the business to be discussed there at,

(vii) The President shall preside as Chairperson at every meeting of the Management Committee, or if there is no President, or if at any meeting the member is not present within ten minutes after the time appointed for the holding of the meeting, the Vice-President shall be Chairperson or if the Vice-President is not present at the meeting, then the members may choose one of their number to be Chairperson of the meeting.

(viii) If within half an hour from the time appointed for the commencement of a Management Committee meeting a quorum is not present, the meeting, if convened upon the requisition of members of the Management Committee, shall lapse. In any case it shall stand adjourned to the same day in the next week at the same time and place, or to such other day and at such other time and place as the Management

Committee may determine, and if at the adjourned meeting, a quorum is not present within half an hour from the time appointed for the meeting, the meeting shall lapse.

(ix) In the event of any officer absenting themselves from three(3) consecutive Meetings of the Committee, he/she shall automatically cease to be a member of the Committee unless he/she has applied for and the Committee has granted him/her leave of absence. Any vacancy thus created shall be filled in the manner provided for in these Rules.

#### 19. SUB-COMMITTEE

(i) The Management Committee may delegate any of its powers to a Sub-Committee consisting of such members of 'the Association' as the Management Committee thinks fit. Any Sub-Committee so formed shall in the exercise of the power so delegated conform to any regulations that may be imposed on it by the Management Committee.

(ii) A Sub-Committee may elect a Chairperson of its meetings. If no such Chairperson is elected, or if at any meeting the chairperson is not present within ten minutes after the time appointed for holding the meeting, the members present may choose one of their number to be chairperson of the meeting.

(iii) A Sub-Committee may meet and adjourn as it thinks proper. Questions arising at any meeting shall be determined by a majority of votes of the members present and in the case of an equality of votes the question shall be deemed to be decided in the negative.

#### 20. DISQUALIFIED MEMBER OF A MANAGEMENT OR SUB-COMMITTEE

All acts done by any meeting of the Management Committee or of a Sub-Committee or by any person acting as a member of the Management Committee shall, notwithstanding that it is afterwards discovered that there was some defect in the appointment of any such member of the Management Committee or person acting as aforesaid or that the members of the Management Committee or any of them were disqualified, be as valid as if every such person duly appointed and was qualified to be a member of the Management Committee.

#### 21. RESOLUTIONS IN WRITING OF THE MANAGEMENT COMMITTEE

A resolution in writing signed by all the members of the Management Committee for the time being entitled to receive notice of a meeting of the Management Committee shall be as valid and effectual as if it had been passed at a meeting of the Management Committee duly convened and held. Any such resolution

may consist of several documents in like form, each signed by one or more members of the Management Committee.

## 22. ANNUAL GENERAL OR GENERAL MEETINGS

General meetings are to be held periodically, not less than monthly nor more than three monthly, and at such a place as the Management Committee may determine.

At the time of any meeting being held, be they GENERAL or ANNUAL GENERAL or SPECIAL GENERAL MEETING, any 'Voting' required is only accessible to current FINANCIAL MEMBERS. Also ref, Rule 7, page 7.

## 23. TIMING AND BUSINESS OF THE ANNUAL GENERAL MEETING

(i) The Annual General Meeting shall be held within three months(3) of the close of the financial year.

(ii) The business to be transacted at every annual general meeting shall be :

(a) The receiving of the Management Committee's report and the statement of income and expenditure, assets and liabilities and mortgages, charges and securities affecting the property of 'the Association' for the preceding financial year,

(b) The receiving of the Auditor's report (if require under the Act) upon the books and accounts for the preceding financial year,

(c) The election of members of the Management Committee and

(d) The appointment of an auditor (if require under the Act).

## 24. SPECIAL GENERAL MEETING

The Secretary shall convene a special general meeting:-

(i) When directed to do so by the Management Committee, or

(ii) On the requisition in writing signed by no less than one-third (3) of the members presently on the Management Committee or not less than the number of ordinary members of the Association which equals double the number of members (16) presently on the Management Committee plus one (17).

Such requisition shall clearly state the reasons why such special general meeting is being convened and the nature of the business to be transacted thereat; or

(iii) On being given a notice in writing of an intention to appeal against the decision of the Management Committee to reject an application for membership or to terminate the membership of any person

## 25. QUORUM

(i) At any Management Committee Meeting the number of members required to constitute a quorum shall be a simple majority of the number of members on the Management Committee. At any General Meeting the number of members required to constitute quorum shall be the number of members on the Management Committee plus one.

(ii) No business shall be transacted at any General Meeting unless a quorum of members is present at the time when the meeting proceeds to business. For purpose of this rule “member” includes a person attending as proxy.

(iii) If within a half hour from the time appointed for the commencement of a General Meeting a quorum is not present, the meeting if convened upon the requisition of Members of the Management Committee or the Association shall lapse. In any other case, it shall stand adjourned to the same day in the next week at the same time and place, or to such other day and at such other time and place as the Management Committee may determine, and if at the adjourned meeting a quorum is not present within half an hour from the time appointed for the meeting, the members present shall be a quorum.

(iv) The Chairperson may, with the consent of any meeting which a quorum is present (and shall if directed by the meeting), adjourn the meeting from time to time and from place to place, but no business shall be transacted at any meeting other than the business left unfinished at the meeting from which the adjourned took place. When a meeting is adjourned for thirty days or more, notice of the adjourned meeting shall be given as in the case of an original meeting. Save as aforesaid it shall not be necessary to give any notice of an adjournment or of the business to be transacted at an adjourned meeting.

## 26. CONVENING OF A GENERAL MEETING

(i) The Secretary shall convene all General Meetings of Association by giving not less than three days notice of meeting to the members of the Association.

(ii) The manner by which such notice is given shall be determined by the Management Committee: Provide that notice of any meeting convened for the purpose of hearing and determining the appeal of a member against the rejection or termination of their membership by the Management Committee, shall be given in writing. Notice of a General Meeting shall clearly state the nature of the business to be discussed thereat.

## 27. FORMAT OF A GENERAL MEETING

Unless otherwise provided by these rule, at every General Meeting

(i) The President shall preside as Chairperson, or if there is no President, or if the President is not present within fifteen minutes after the time appointed for the holding of the meeting or is unwilling to act, the Vice-President shall be the chairperson or if the Vice-President is not present or is unwilling to act then the members present shall elect one of their number to be Chairperson of the meeting;

(ii) The Chairperson shall maintain order and conduct the meeting in a proper and orderly manner;

### Voting

(iii) Every question, matter or resolution concerning the Association shall be decided by a majority of votes of members present;

(iv) Every member present shall be entitled to one vote and in the case of an equality of votes the Chairperson shall have a second or casting vote, provided that no member shall be entitled to vote at any General Meeting if their subscription is more than one month in arrears at the date of the meeting;

(v) Voting shall be by show of hands or a division of members, unless not one-fifth of the members present demand a ballot, in which case there shall be a secret ballot.

The Chairperson shall appoint two members to conduct the secret ballot in such manner as that person shall determine and the result of the ballot as declared by the Chairperson shall be deemed to be the resolution of the meeting at which the ballot was demanded.

(vi) All members shall be entitled to vote except those in a Family Membership where two adults only may vote, casting one vote each as in Rule 4 (vi).

### Proxy.

(vii) A member may vote in person or by proxy or by attorney and on a show of hands every person present who is a member or a representative of a member shall have one vote and in a secret ballot every member present in person or by proxy or by attorney or duly authorised representative shall have one vote,

(viii) The instrument appointing a proxy shall be in writing, in the common or usual form under the hand of the appointor. A proxy may but need not be a member of the Association. The instrument appointing a proxy shall be deemed to confer authority to demand or join in demanding a secret ballot,

(ix) Where it is desired to afford members an opportunity of voting for or against a resolution the instrument appointing a proxy shall be in the following form or a form as near thereto as circumstances permit:

Instrument of Appointing Proxy.



THURINGOWA BIRD CLUB INCORPORATED I,..... of  
the Thuringowa Bird Club incorporated being a member of the above  
named Association hereby appoint .....of..... ,  
or failing that person ,.....as my proxy to vote for me on my  
behalf at the annual General Meeting of the Association, to be held on  
the..... day of..... 20.... , and at any adjournment thereof,

Signed this..... day of..... 20.....

Signature

The instrument appointing a proxy shall be deposited with the Secretary prior to the commencement of any meeting or adjourned meeting, at which the person named in the instrument proposes to vote; and

(xi) The secretary shall cause full and accurate minutes of all questions, matters, resolutions and other every Management Committee meeting and General meeting to be recorded and open for inspection at all reasonable times by any financial member who previously applies to the Secretary for that inspection. For the purposes of ensuring accuracy of the recording of such minutes the minutes of every meeting shall be read by any of the members present at the next succeeding meeting and the accuracy of such minutes shall be verified by any two members thereat who were present at the preceding meeting.

## 28. ALTERATION OF CONSTITUTIONAL RULES

Subject to the provision of the "Associations Incorporation Act 1981", these rules may be amended, rescinded or added to from time to time by a special resolution carried at any General Meeting: Provided that no such amendment, rescission or addition shall be valid unless the same shall have been previously submitted to and approved by the Department of Fair Trading, Queensland.

## 29. BY-LAWS

The Management Committee may from time to time make, amend or repeal by-laws, not inconsistent with these rules, for the internal management of the Association and any by-law may be set aside by a General Meeting of members, carried by a three-quarter majority of the members exercising the right to vote. Notice in writing shall be given to the Secretary of any proposed amendment, repeal or addition to the Rules and shall be published in 'WINGS' before a vote is taken on the motion.

## 30. FUNDS AND ACCOUNTS

(i) The funds of the Association shall be banked in the name of the Association in such bank as the Management Committee may from time to time direct.

(ii) Proper books and accounts shall be kept and maintained either in written or printed form in the English language showing correctly the financial affairs of the Association and the particulars usually shown in books of a like nature.

(iii) All moneys shall be banked as soon as practicable after receipt thereof.

(iv) All amounts of twenty dollars or over shall be paid by cheque signed by any two of the President, Secretary, Treasurer or other member authorised from time to time by the Management Committee

(v) Cheques shall be crossed "not negotiable" except those in payment of wages, allowances or petty cash recoupment's which may be open

(vi) The Management Committee shall determine the amount of petty cash which shall be kept on the imprest system.

(vii) All expenditure shall be approved or ratified at a Management Committee meeting.

(viii) As soon as practicable after the end of each financial year the treasurer shall cause to be prepared a statement containing particulars of -

(a) The income and expenditure for the financial year just ended; and

(b) The assets and liabilities and of all mortgages, charges and securities affecting the property of the Association at the close of that year.

(ix) All statements shall be examined by the auditor who shall present their report upon such audit to the treasurer prior to the holding of the Annual General Meeting next following year in respect of which such audit was made.

(x) The income and Property of the Association whence ever derived shall be used and applied solely in promotion of its objects and in the exercise of its powers as set out herein and no portion thereof shall be distributed, paid or transferred directly or indirectly by way of dividends, bonuses or otherwise by way of profit to or amongst the members of the Association provided that nothing herein 'contained shall prevent the payment in good faith of interest to any such member in respect of moneys advanced by them to the Association or otherwise owing by the Association to them or of remuneration to any officers or servants of the Association or to any member of the Association or other person in return for any services actually rendered to the Association provided further that nothing contained shall be construed so as to

prevent the payment or repayment to any member of out of pocket expenses money lent, reasonable and proper charges for goods hired by the or reasonable and proper rent for premises demised or let to the Association.

### 31. DOCUMENTS

The Management Committee shall provide for the safe custody of books, documents, instruments of title and securities of the Association.

### 32. FINANCIAL YEAR

The financial year of the Association shall close on 30th June in each year.

### 33. DISTRIBUTION OF SURPLUS ASSETS

If the Association shall be wound up in accordance with the provisions of the "Associations Incorporated Act 1981" and there remains, after satisfaction of all its debts and liabilities any property whatsoever, the same shall not be paid to or distributed among the members of the Association, but shall be given or transferred to some other institution or institutions having objects similar to the objects of the Association, and which shall prohibit the distribution of its or their income and property among its or their members to an extent at least as great as imposed on the Association under of by virtue of Rule 28 (x), such institutions to be determined by the members of the Association.

### 34. COMMON SEAL

The Management Committee shall provide for a Common Seal and for its safe custody. The Common Seal shall only be used by the authority of the Management Committee and every instrument to which the seal is affixed shall be signed by a member of the Management Committee and shall be counter signed by the Secretary or by a second member of the Management Committee or by some other person appointed by the Management Committee for the purpose.

**35. THURINGOWA BIRD CLUB**  
**VISION, OBJECTIVES AND VALUES STATEMENTS.**

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.

**Transparency in the Actions of the Club & it's Members**

**Bird Keeping, Breeding & Care to the highest possible Standards**

**Conservation of Species in the Wild & Aviculture**

**Interest in/for people who are concerned for Avian Welfare**

**Nobody is above the Rules/Law**

**Care & Consideration for all Living Things**

These Rules have been ammended in accordance with Minutes of the Committee Meeting Sunday 20<sup>th</sup> of February & presented under Special Resolution @ General Meeting of the Association dated Sunday the 6<sup>th</sup> of March 2022.