

CONSTITUTION
OF THE
HUNTER RECREATIONAL FLYING CLUB Inc.
AUGUST 2014



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Part 1 – Preliminary

1. Definitions

(1) In this constitution:

Annual General Meeting (AGM) means a yearly meeting of the members of the association, especially for holding elections, reviewing charges, making amendments to the constitution and reporting on the year's events.

Director-General means the Director-General of the Department of Services, Technology and Administration.

Full Member means a financial member of the association that has full privileges and voting rights.

General Meeting (GM) means a regular meeting open to all members of the association.

Honorary Member means a person granted membership for honour or distinction only, without the usual requirements or privileges.

Life Member means a member granted free membership for life by a majority vote of members present at the AGM at which the proposal for Life Member status was put forward. Life Members have full member privileges.

Ordinary committee member means a member of the committee who is not an office-bearer of the association.

Postal Vote means a vote called by the committee to address a Special Resolutions using the form in Appendix 3 or an equivalent electronic version.

Provisional Member means a person who has been granted provisional membership while their application for full membership remains under review. A provisional member has limited privileges within the association.

Secretary means:

(a) the person holding office under this constitution as secretary of the association, or

(b) if no such person holds that office - the public officer of the association,

Social Member means a member who has paid a discounted membership fee and has limited privileges within the association. A Social Member has no voting rights, is not entitled to purchase/own/rent hangar facilities.

Special General Meeting (SGM) means an extraordinary general meeting, or an emergency general meeting called at an irregular time.

Suspension means that all membership privileges are suspended by the Committee for a specified period or until the member has rectified the issue that is the basis of complaint (at the discretion of the Committee).

The Act means the Associations Incorporation Act 2009.

The Regulation means the Associations Incorporation Regulations 2010.

Part 2 - Membership

2. Membership generally

(1) A person is eligible to be a member of the association if:

- (a) the person is a natural person, and
- (b) the person has been nominated and approved for membership of the association in accordance with clause 3.

(2) A person is taken to be a member of the association if:

- (a) the person is a natural person, and
- (b) the person has:
 - I. met the criteria set out in 3 (Application for Membership)
 - II. paid the applicable membership fees (Social or Probationary membership)
 - III. been accepted as a Full Member following the probationary membership period
 - IV. not allowed membership to laps by failing to pay annual membership renewal fee
 - V. not been expelled from the association OR
- (C) the person has been granted Life or Honorary Membership in line with this constitution

(3) A person is taken to be a member of the association if the person was one of the individuals on whose behalf an application for registration of the association under section 6(1) (a) of the Act was made.

3. Application for membership

(1) An application of a person for membership of the Association:

- (a) must be made to the Association in writing on the form set out in Appendix 1 of this constitution.
- b) must be lodged with the secretary of the Association
- c) must be accompanied by the joining and membership fee relevant at the time of application.

(2) As soon as practicable after receiving the application for membership, Social or Probationary Membership will be granted. The secretary must refer any application for Full Membership to the members by posting the application on the notice board for a period of three months. After which Full Membership will be granted or rejected by the membership. If full membership is rejected, any membership fees paid by the applicant will be refunded in full. Full detail of the application process is set out in Appendix 2 of this constitution.

(3) As soon as practicable after the application has been determined, the secretary must notify the applicant, that the membership has approved or rejected their application (whichever is applicable).

(4) The secretary must, on payment by the applicant of the appropriate Joining and Membership Fee enter or cause to be entered the applicant's name in the register of members and, on the name being so entered, the applicant becomes a Social or Probationary member of the association whichever is applicable.

(5) As determined by the committee and ratified by the membership at the next normal monthly meeting a person may be accepted as an Honorary Member of the Association.

4. Cessation of membership

A person ceases to be a member of the association if the person:

- (a) dies, or
- (b) resigns membership, or
- (c) is expelled from the association, or
- (d) fails to pay the membership fee under sub clause 8 (2) prior to the next AGM.

5. Membership entitlements not transferable

A right, privilege or obligation, which a person has by reason of their membership of the association:

- (a) is not capable of being transferred or transmitted to another person, and
- (b) terminates on cessation of the person's membership.

6. Resignation of membership

(1) A member of the association may resign from membership of the association by first giving to the secretary written notice of at least one month (or such other period as the committee may determine) of the member's intention to resign and, on the expiration of the period of notice, the member ceases to be a member.

(2) If a member of the association ceases to be a member under sub clause (1), and in every other case where a member ceases to hold membership, the secretary must make an appropriate entry in the register of members recording the date on which the member ceased to be a member.

7. Register of members

(1) The public officer of the association must establish and maintain a register of members of the association specifying the name and postal or residential address of each person who is a member of the association together with the date on which the person became a member.

(2) The register of members must be kept in New South Wales:

- (a) at the main premises of the association, or
- (b) if the association has no premises, at the association's official address.

(3) The register of members must be open for inspection, free of charge, by any member of the association at any reasonable hour,

(4) A member of the association may obtain a copy of any part of the register on payment of a fee of not more than \$1 for each page copied.

(5) If a member requests that any information contained on the register about the member (other than the member's name) not be available for inspection, that information must not be made available for inspection.

(6) A member must not use information about a person obtained from the register to contact or send material to the person, other than for:

- (a) the purposes of sending the person a newsletter, a notice in respect of a meeting or other event relating to the association or other material relating to the association, or

(b) any other purpose necessary to comply with a requirement of the Act or the Regulation.

8. Fees and subscriptions

(1) A member of the association must, on admission to membership, pay to the association a fee of \$1 or, if some other amount is determined by the committee, that other amount.

(2) in addition to any amount payable by the member under sub clause 8 (1), a member of the Association must pay to the Association a membership fee of \$2 / year or, if some other amount is determined by the committee, that other amount:

(a) except as provided by paragraph (b), before 1st July at the commencement of a membership period or a period as determined by the committee, OR

(b) if the member becomes a member on or after July 1 in any calendar year on becoming a member pays in accordance with sub-clause 8 (2) a pro rata amount equal to the amount outstanding for the current membership period.

9. Members' liabilities

The liability of a member of the association to contribute towards the payment of the debts and liabilities of the association or the costs, charges and expenses of the winding up of the association is limited to the amount, if any, unpaid by the member in respect of membership of the association as required by clause 8.

10. Resolution of disputes

(1) A dispute between a member and another member (in their capacity as members) of the association, or a dispute between a member or members and the association, are to be referred to a community justice centre for mediation under the Community Justice Centres Act 1983.

(2) If a dispute is not resolved by mediation within 3 months of the referral to a community justice centre, the dispute is to be referred to arbitration under the provisions under the Commercial Arbitration Act 1983 as appropriate.

11. Disciplining of members

(1) A complaint may be made to the committee by any person that is a member of the association:

(a) has refused or neglected to comply with a provision or provisions of this constitution, or

(b) has wilfully acted in a manner prejudicial to the interests of the association.

(2) All complaints must be made in writing on the appropriate complaints form. Refer to Appendix 5 in this constitution.

(3) The committee may refuse to deal with a complaint if it considers the complaint to be trivial or vexatious in nature.

(4) If the committee decides to deal with the complaint, the committee:

(a) must cause notice of the complaint to be served on the member concerned, and

(b) must give the member at least 14 days from the time the notice is served within which to make submissions to the committee in connection with the complaint, and

(c) must take into consideration any submissions made by the member in connection with the complaint.

(5) The committee may, by resolution, expel the member from the association or suspend the member from membership of the association if, after considering the complaint and any submissions made in connection with the complaint, it is satisfied that the facts alleged in the complaint have been proved and the expulsion or suspension is warranted in the circumstances.

(5) If the committee expels or suspends a member, the secretary must, within 7 days after the action is taken, cause written notice to be given to the member of the action taken, of the reasons given by the committee for having taken that action and of the member's right of appeal under clause 12.

(6) The expulsion or suspension does not take effect:

(a) until the expiration of the period within which the member is entitled to appeal against the resolution concerned, or

(b) if within that period the member exercises the right of appeal, unless and until the association confirms the resolution under clause 12, whichever is the later.

12 Right of appeal of disciplined member

(1) A member may appeal to the association in general meeting against a resolution of the committee under clause 11, within 7 days after notice of the resolution is served on the member, by lodging with the secretary a notice to that effect.

(2) The notice may, but need not, be accompanied by a statement of the grounds on which the member intends to rely for the purposes of the appeal.

(3) On receipt of a notice from a member under sub clause (1), the secretary must notify the committee, which is to convene a special general meeting of the association to be held within 28 days after the date on which the secretary received the notice.

(4) At a special general meeting of the association convened under sub clause (3):

(a) no business other than the question of the appeal is to be transacted, and

(b) the committee and the member must be given the opportunity to state their respective cases orally or in writing, or both, and

(c) the members present are to vote by secret ballot on the question of whether the resolution should be confirmed or revoked.

(5) The appeal is to be determined by a simple majority of votes cast by members of the association.

13. Hangar ownership and rental

(1) Only members with Full Membership status are entitled to purchase hangar shares. Once purchased, the member must maintain Full Member status for the duration of the ownership.

(2) Only Provisional Members and members with Full Member entitlements are permitted to rent hangar space or base their aircraft in Club hangars.

Part 3- The committee

14. Powers of the committee

Subject to the Act, the Regulation and this constitution and to any resolution passed by the association in general meeting, the committee:

- (a) is to control and manage the affairs of the association, and
- (b) may exercise all such functions as may be exercised by the association, other than those functions that are required by this constitution to be exercised by a general meeting of members of the association, and
- (c) has power to perform all such acts and do all such things as appear to the committee to be necessary or desirable for the proper management of the affairs of the association.

15. Composition and membership of committee

(1) The committee is to consist of:

- (a) the office-bearers of the association, and
- (b) at least 3 ordinary committee members, each of whom is to be elected at the annual general meeting of the association under clause 15.

(2) The total number of committee members is to be 7.

(3) The office-bearers of the association are as follows:

- (a) the President (Chairperson),
- (b) the Vice-President,
- (c) the Treasurer,
- (d) the Secretary

(4) Each member of the committee is, subject to this constitution, to hold office until the conclusion of the annual general meeting following the date of the member's election, but is eligible for re-election.

16. Election of committee members

(1) Nominations of candidates for election as office-bearers of the association or as ordinary committee members:

- (a) must be made in writing on the form set out in Appendix 4 of this constitution, signed by the candidate and 2 members of the association
- (b) the nominee must be a financial member of the association
- (c) must be delivered to the secretary of the association at least 7 days before the date fixed for the holding of the annual general meeting at which the election is to take place.

(2) If insufficient nominations are received to fill all vacancies on the committee, the candidates nominated are taken to be elected and further nominations are to be received at the annual general meeting.

(3) If insufficient further nominations are received, any vacant positions remaining on the committee are taken to be casual vacancies.

(4) If the number of nominations received is equal to the number of vacancies to be filled, the persons nominated are taken to be elected.

(5) If the number of nominations received exceeds the number of vacancies to be filled, a ballot is to be held.

(6) The ballot for the election of office-bearers and ordinary committee members of the committee is to be conducted at the annual general meeting in such usual and proper manner as the committee may direct.

(7) A person nominated as a candidate for election as an office-bearer or as an ordinary committee member of the association must be a member of the association.

17. Secretary

(1) The secretary of the association must, as soon as practicable after being appointed as secretary, lodge notice with the association of his or her address.

(2) It is the duty of the secretary to keep minutes of:

(a) all appointments of office-bearers and members of the committee, and

(b) the names of members of the committee present at a committee meeting or a general meeting, and

(c) all proceedings at committee meetings and general meetings.

(3) Minutes of proceedings at a meeting must be signed by the chairperson of the meeting or by the chairperson of the next succeeding meeting.

18. Treasurer

It is the duty of the treasurer of the association to ensure:

(a) that all money due to the association is collected and received and that all payments authorised by the association are made, and

(b) that correct books and accounts are kept showing the financial affairs of the association, including full details of all receipts and expenditure connected with the activities of the association.

19 Casual vacancies

(1) In the event of a casual vacancy occurring in the membership of the committee, the committee may appoint a member of the association to fill the vacancy and the member so appointed is to hold office, subject to this constitution, until the conclusion of the annual general meeting next following the date of the appointment. Subject to ratification by the membership at the next ordinary monthly meeting

(2) A casual vacancy in the office of a member of the committee occurs if the member:

(a) dies, or

(b) ceases to be a member of the association, or

(c) becomes an insolvent under administration within the meaning of the Corporations Act 2001 of the Commonwealth, or

(d) resigns office by notice in writing given to the secretary, or

(e) is removed from office under clause 19, or

(f) becomes a mentally incapacitated person, or

(g) is absent without the consent of the committee from 3 consecutive meetings of the committee, or

(h) is convicted of an offence involving fraud or dishonesty for which the maximum penalty on conviction is imprisonment for not less than 3 months, or

(i) is prohibited from being a director of a company under Part 20.6 (Disqualification from managing corporations) of the Corporations Act 2001 of the Commonwealth

20. Removal of committee members

(1) The association in general meeting may by resolution remove any member of the committee from the office of member before the expiration of the member's term of office and may by resolution appoint another person to hold office until the expiration of the term of office of the member so removed.

(2) If a member of the committee to whom a proposed resolution referred to in sub clause (1) relates makes representations in writing to the secretary or president (not exceeding a reasonable length) and requests that the representations be notified to the members of the association, the secretary or the president may send a copy of the representations to each member of the association or, if the representations are not so sent, the member is entitled to require that the representations be read out at the meeting at which the resolution is considered.

21. Committee meetings and quorum

(1) The committee must meet at least three [3] times in each period of twelve [12] months and meetings may be held at two [2] or more venues using technology that gives each of the committee members a reasonable opportunity to participate.

(2) Additional meetings of the committee may be convened by the president or by any member of the committee.

(3) Oral or written notice of a meeting of the committee must be given by the secretary to each member of the committee at least 48 hours (or such other period as may be unanimously agreed on by the members of the committee) before the time appointed for the holding of the meeting.

(4) Notice of a meeting given under sub clause (3) must specify the general nature of the business to be transacted at the meeting and no business other than that business is to be transacted at the meeting, except business, which the committee members present at the meeting unanimously agree to treat as urgent business.

(5) Any five [5] members of the committee constitute a quorum for the transaction of the business of a meeting of the committee.

(6) No business is to be transacted by the committee unless a quorum is present and if, within half an hour of the time appointed for the meeting, a quorum is not present, the meeting is to stand adjourned to the same place and at the same hour of the same day in the following week.

(7) If at the adjourned meeting a quorum is not present within half an hour of the time appointed for the meeting, the meeting is to be dissolved.

(8) At a meeting of the committee:

(a) the president or, in the president's absence, the vice-president is to preside, or

(b) if the president and the vice-president are absent or unwilling to act, such one of the remaining members of the committee as may be chosen by the members present at the meeting is to preside.

(9) The committee may permit members and other persons to attend a meeting.

22. Delegation by committee to sub-committee

(1) The committee may, by instrument in writing, delegate to one or more subcommittees (consisting of such member or members of the association as the committee thinks fit) the exercise of such of the functions of the committee as are specified in the instrument, other than:

(a) this power of delegation, and

(b) a function, which is a duty, imposed on the committee by the Act or by any other law.

(2) A function the exercise of which has been delegated to a sub-committee under this clause may, while the delegation remains un-revoked, be exercised from time to time by the sub-committee in accordance with the terms of the delegation.

(3) A delegation under this clause may be made subject to such conditions or limitations as to the exercise of any function, or as to time or circumstances, as may be specified in the instrument of delegation.

(4) Despite any delegation under this clause, the committee may continue to exercise any function delegated.

(5) Any act or thing done or suffered by a sub-committee acting in the exercise of a delegation under this clause has the same force and effect as it would have if it had been done or suffered by the committee.

(6) The committee may, by instrument in writing, revoke wholly or in part any delegation under this clause.

(7) A sub-committee may meet and adjourn as It thinks proper.

23. Voting and decisions

(1) Questions arising at a meeting of the committee or of any sub-committee appointed by the committee are to be determined by a majority of the votes of members of the committee or sub-committee present at the meeting

(2) Each member present at a meeting of the committee or of any sub-committee appointed by the committee (including the person presiding at the meeting) is entitled to one vote but, in the event of an equality of votes on any question, the person presiding may exercise a second or casting vote.

(3) Subject to clause 20 (5), the committee may act despite any vacancy on the committee.

(4) Any act or thing done or suffered, or purporting to have been done or suffered, by the committee or by a sub-committee appointed by the committee, is valid and effectual despite any defect that may afterwards be discovered in the appointment or qualification of any member of the committee or sub-committee.

Part 4- General meetings

24. Annual general meetings - holding of

(1) The association must hold its first annual general meeting within 18 months after its registration under the Act.

(2) The association must hold its annual general meetings:

(a) within 6 months after the close of the association's financial year, or

(b) within such later time as may be allowed by the Director-General or prescribed by the Regulation.

25. Annual general meetings - calling of and business at

(1) The annual general meeting of the association is, subject to the Act and to clause 23, to be convened on such date and at such place and time as the committee thinks fit.

(2) In addition to any other business, which may be transacted at an annual general meeting, the business of an annual general meeting is to include the following:

(a) to confirm the minutes of the last preceding annual general meeting and of any special general meeting held since that meeting,

(b) to receive from the committee reports on the activities of the association during the last preceding financial year,

(c) to elect office-bearers of the association and ordinary committee members,

(d) to receive and consider any financial statement or report required to be submitted to members under the Act.

(3) An annual general meeting must be specified as such in the notice convening it.

26. Special general meetings - calling of

(1) The committee may, whenever it thinks fit, convene a special general meeting of the association.

(2) The committee must, on the requisition in writing of at least 25 per cent of the total number of members, convene a special general meeting of the association.

(3) A requisition of members for a special general meeting:

(a) must state the purpose or purposes of the meeting, and

(b) must be signed by the members making the requisition, and

(c) must be lodged with the secretary, and

(d) may consist of several documents in a similar form, each signed by one or more of the members making the requisition.

(4) If the committee fails to convene a special general meeting to be held within three [3] months after that date on which a requisition of members for the meeting is lodged with the secretary, those members who made the requisition may convene a special general meeting to be held not later than six [6] months after that date.

(5) A special general meeting convened by the members as referred to in sub clause (4) must be convened as nearly as is practicable in the same manner as general meetings are convened by the committee.

27. Notice

(1) Except if the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the association, the secretary must, at least 14 days before the date fixed for the holding of the general meeting, give a notice to each member specifying the place, date and time of the meeting and the nature of the business proposed to be transacted at the meeting.

(2) If the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the association, the secretary must, at least 21 days before the date fixed for the holding of the general meeting, cause notice to be given to each member specifying, in addition to the matter required under sub clause (1), the intention to propose the resolution as a special resolution.

(3) No business other than that specified in the notice convening a special general meeting is to be transacted at the meeting except, in the case of an annual general meeting, business which may be transacted under clause 24(2).

(4) A member desiring to bring any business before a general meeting may give notice in writing of that business to the secretary who must include that business in the next notice calling a general meeting given after receipt of the notice from the member.

28. Quorum for general meetings

(1) No item of business is to be transacted at a general meeting unless a quorum of members entitled under this constitution to vote is present during the time the meeting is considering that item.

(2) Ten members present (being members entitled under this constitution to vote at a general meeting) constitute a quorum for the transaction of the business of a monthly general meeting.

(3) If within half an hour after the appointed time for the commencement of a general meeting a quorum is not present, the meeting:

(a) if convened on the requisition of members, is to be dissolved, and

(b) in any other case, is to stand adjourned to the same day in the following week at the same time and (unless another place is specified at the time of the adjournment by the person presiding at the meeting or communicated by written notice to members given before the day to which the meeting is adjourned) at the same place.

(4) if at the adjourned meeting a quorum is not present within half an hour after the time appointed for the commencement of the meeting, the member's present being at least twelve [12] are to constitute a quorum.

29. Presiding member

(1) The President or, in the President's absence, the vice-President, is to preside as chairperson at each general meeting of the association.

(2) If the President and the vice-President are absent or unwilling to act, the members present must elect one of their numbers to preside as chairperson at the meeting.

30. Adjournment

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

(2) If a general meeting is adjourned for 14 days or more, the secretary must give written or oral notice of the adjourned meeting to each member of the association stating the place, date and time of the meeting and the nature of the business to be transacted at the meeting.

(3) Except as provided in sub clauses (1) and (2), notice of an adjournment of a general meeting or of the business to be transacted at an adjourned meeting is not required to be given.

31. Making of decisions

(1) A question arising at a general meeting of the association is to be determined by either:

(a) a show of hands, or

(b) if on the motion of the chairperson or if 5 or more members present at the meeting decide that the question should be determined by a written ballot—a written ballot.

(2) If the question is to be determined by a show of hands, a declaration by the chairperson that a resolution has, on a show of hands, been carried or carried unanimously or carried by a particular majority or lost, or an entry to that effect in the minute book of the association, is evidence of the fact without proof of the number or proportion of the votes recorded in favour of or against that resolution.

(3) If the question is to be determined by a written ballot, the ballot is to be conducted in accordance with the directions of the chairperson.

32. Special resolutions

A special resolution may only be passed by the association in accordance with section 39 of the Act.

ASSOCIATIONS INCORPORATION ACT 2009 - SECT 39

Voting on special resolutions

39 Voting on special resolutions

(1) A resolution is passed by an association as a "special resolution":

(a) at a meeting of the association of which notice has been given to its members no later than 21 days before the date on which the meeting is held, or

(b) in a postal ballot conducted by the association, or

(c) in such other manner as the Director-General may direct,

if it is supported by at least three-quarters of the votes cast by members of the association who, under the association's constitution, are entitled to vote on the proposed resolution.

(2) A notice referred to in subsection (1) (a) must include the terms of the resolution and a statement to the effect that the resolution is intended to be passed as a special resolution.

(3) A postal ballot referred to in subsection (1) (b) may only be conducted in relation to resolutions of a kind that the association's constitution permits to be voted on by means of a postal ballot and, if conducted, must be conducted in accordance with the regulations.

(4) A direction under subsection (1) (c) may not be given unless the Director-General is satisfied that, in the circumstances, it is impracticable to require votes to be cast in the manner provided by subsection (1) (a) or (b).

33. Voting

- (1) On any question arising at a general meeting of the association a member has one vote only.
- (2) In the case of an equality of votes on a question at a general meeting, the chairperson of the meeting is entitled to exercise a second or casting vote.
- (3) A member is not entitled to vote at any meeting of the association unless all money due and payable by the member to the association has been paid.
- (4) A member is not entitled to vote at any meeting of the association if the member is under 15 years of age.

34. Proxy votes not permitted

Proxy voting must not be undertaken at or in respect of a general meeting.

Note: Schedule 1 of the Act provides that an association's constitution is to address whether members of the association are entitled to vote by proxy at general meetings.

35. Postal ballots

- (1) The association may hold a postal ballot if required due to members being geographically dispersed to determine any ordinary or special resolution. (other than an appeal under clause 12)
- (2) When a postal ballot is to be conducted in accordance with Schedule 3 of the Regulation then the form set out in Appendix 3 of this constitution is to be used OR an equivalent electronic version.

Part 5- Miscellaneous

36. Insurance

The association may effect and maintain insurance.

37. Funds - source

- (1) The funds of the association are to be derived from entrance fees and subscriptions of members, donations, investments and subject to any resolution passed by the association in general meeting, such other sources as the committee determines.
- (2) All money received by the association must be deposited as soon as practicable and without deduction to the credit of the association's bank or other authorised deposit-taking institution account.
- (3) The Association must, as soon as practicable after receiving any money, and if the committee deems appropriate, Issue the appropriate receipt.

38. Funds - management

- (1) Subject to any resolution passed by the association in general meeting, the funds of the association are to be used in pursuance of the objects of the association in such manner as determined by resolution of a general meeting for amounts above one thousand dollars or by the committee for amounts up to and including one thousand dollars.
- (2) All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments must be signed by any 2 members of the committee or employees of the association, being members or employees authorised to do so by the committee.

39. Change of name, objects and constitution

An application to the Director-General for registration of a change in the association's name, objects or constitution is to be made by the public officer or a committee member only after a Special Resolution supported by at least seventy five percent (75%) of the membership entitled to vote.

40. Custody of books etc

Except as otherwise provided by this constitution, the public officer must keep in his or her custody or under his or her control all records, books and other documents relating to the association.

41. Inspection of books etc

(1) The following documents must be open to inspection, free of charge, by a member of the association at any reasonable hour:

- (a) records, books and other financial documents of the association,
- (b) this constitution,
- (c) minutes of all committee meetings and general meetings of the association.

(2) A member of the association may obtain a copy of any of the documents referred to in sub clause (1) on payment of a fee of not more than \$1 for each page copied.

42. Service of notices

(1) For the purpose of this constitution, a notice may be served on or given to a person:

- (a) by delivering it to the person personally, or
- (b) by sending it by pre-paid post to the address of the person, or
- (c) by sending it by facsimile transmission or some other form of electronic transmission to an address specified by the person for giving or serving the notice.

(2) For the purpose of this constitution, a notice is taken, unless the contrary is proved, to have been given or served:

- (a) in the case of a notice given or served personally, on the date on which it is received by the addressee, and
- (b) in the case of a notice sent by prepaid post, on the date when it would have been delivered in the ordinary course of post, and
- (C) in the case of a notice sent by facsimile transmission or some other form of electronic transmission, on the date it was sent or, if the machine from which the transmission was sent produces a report indicating that the notice was sent on a later date, on that date.

43. Financial year

The financial year of the association is:

- (a) the period of time commencing on the date of incorporation of the association and ending on the following June 30, and

(b) each period of 12 months after the expiration of the previous financial year of the association, commencing on 1 July and ending on the following 30 June.

Note: Schedule 1 of the Act provides that an association's constitution is to address the association's financial year.

APPENDIX 1

APPLICATION FOR MEMBERSHIP OF

HUNTER RECREATIONAL FLYING CLUB INCORPORATED

(Incorporated under the Associations Incorporations Act. 1984)

Name
(Full name of applicant)

Address

Occupation Phone Number

Mobile Phone Email Address

Emergency Contact Emergency Phone Number.....

Aircraft Type..... Registration

I hereby apply to become a FULL SOCIAL member of the above named Incorporated Association. I acknowledge that I have received, read and understand the application process, the Club's Rules and Constitution and in the event of my admission as a member, I agree to be bound by the rules of the association for the time being in force.

Do you authorise the Committee to disclose information contained on the Club's Register (other than your name) at the request of others? YES NO

Signed Date
(Signature of applicant)

I, a member of the association nominate the applicant,
(Full name)
who is personally known to me, for membership of the association.

Signature

Date

I, a member of the association second the nomination of
(Full name)
the applicant, who is personally known to me, for membership of the association.

Signature

Date

Attachments: Membership Application Process (On reverse)
Basic Club Rules
Club Constitution

APPENDIX 2

Membership Application Process

(Revised July 2014)

Procedure

- Applicant completes the application form and accepts the basic rules of membership
- Applicant must be nominated by a current financial full member
- Nomination must be seconded by another current financial full member
- Applicant pays the applicable membership fee
- Committee grants provisional membership and the application is placed on the noticeboard for a three month period.
- Members have three months to lodge objections.
- If an objection is received during the probationary period, the committee will review the basis for the objection. Once the review has been carried out, the committee may elect to:
 - Recommend to the General meeting that the probationary period be terminated and that the application rejected.
 - Disregard the objection as frivolous and continue the probation period.
 - Extend the probation period.
- If there are no objections or if the objections are disregarded by the committee, the applicant will be granted full membership status at the end of the probationary period.
- If for any reason, an application is rejected during the probationary period, any membership fees paid by the applicant will be refunded in full.

NOTE:

During the period of provisional membership, the applicant is entitled to:

- Attend Club meetings and participate in all discussions.
- Have access to Club facilities.
- Conduct their recreational aviation activities from the Club (in line with Club Rules, Airport Rules and all Appropriate Regulations).
- Rent available hangar space from the relevant hangar owner.

During the period of provisional membership, the applicant is **NOT** entitled to:

- Vote on matters arising at Club meetings.
- Hold a position on the committee.
- Nominate or second a new membership application.
- *Purchase a share in a hangar syndicate.

Suggestion

**As new members are not permitted to purchase a hangar share until full membership has been granted, it may be possible to negotiate a rental agreement with the hangar owner in which part or all of the rent paid could be deducted from the purchase price once full member status has been granted. Any such agreement would need the approval of both the hangar syndicate members and the Club's Executive Committee.*

APPENDIX 3

Postal Ballot Paper

Hunter Recreational Flying Club Inc.

Ballot of members to determine the following proposal:

Do you support the above proposal/s?

(Please write YES or NO in the box)

The ballot will close at (time)..... ON (date).....

HOW TO VOTE

1. Read these directions and the ballot paper carefully.
2. If:
 - (a) you are in favour of the proposal -- write the word 'YES' in the box provided above, OR
 - (b) you are not in favour of the proposal - write the word 'NO' in the box provided above.
3. After marking the ballot paper, fold it and place it in the inner envelope provided and seal the envelope. Then place the inner envelope in the envelope addressed to the returning officer.
4. Forward this envelope either by post or personal delivery so as to reach the returning officer not later than the time and date set out above.
5. Unless the ballot paper is marked as indicated in 3 above and the details referred to in 2 above are completed in full, your vote may be rejected as informal.

APPENDIX 4

Nomination for Election to Committee

Hunter Recreational Flying Club Inc.

(Incorporated under the Associations Incorporation Act 2009)

Associations Incorporation Regulation 2010 (Clause 15 (1) (a))

I

(Print Full Name of Applicant)

Being a financial member of the Association, hereby nominate for the position of

Signed

(Candidate's signature)

Dated..... 20.....

I

(Print Full Name of Proposer)

Being a financial member of the Association, nominate the applicant for the above position.

Signature of Proposer Date 20.....

I

(Print Full Name of Seconder)

Being a financial member of the Association, second the applicant for the above position.

Signature of Seconder Date 20

APPENDIX 5

HRFC Member Complaint Form

Details of the member lodging the complaint:

Name

Telephone Number Email Address

Name of the member/applicant to whom the complaint/objection is directed:

Name

Details of the Complaint or Objection

Please be specific and attach additional sheets if necessary

Office use only:

Complaint received by Date received

Action taken or required

.....

Date action completed Signature