

**WEST AUSTRALIAN
RIFLE ASSOCIATION Inc**



CONSTITUTION

and

BY-LAWS – STANDING ORDERS

and

RULES OF DEBATE

Adopted by Special Resolution of the Council 11 December, 1999

Amended by Special Resolution at AGM 25 September 2005

Amended by Special Resolution at AGM 1 October 2006

Amended by Special Resolution at AGM 28 September 2014

Amended by Special Resolution at AGM 25 September 2016

RULES

1. NAME OF THE ASSOCIATION

The name of the Association shall be WEST AUSTRALIAN RIFLE ASSOCIATION INC.

2. OBJECTS

(a) The objects of the Association shall be:

- (i) to control and administer the sport of target rifle shooting in Western Australia as adopted by the NRAA limited;
- (ii) to promote District Association prize meetings and State Queen's Prize Meetings, international, national and other target shooting competitions in Western Australia and elsewhere;
- (iii) to encourage proficiency in target shooting;
- (iv) to educate all people in the safe handling and responsible use of firearms of all types;
- (v) to cultivate good citizenship amongst all participants in the sport of target shooting;
- (vi) to enforce at all times "Standard Shooting Rules"; and
- (vii) to provide advice, information, recommendations and representations to Ministers of State including the Minister of Defence and any Government or statutory body, authority, or Boards bearing on or affecting target shooting generally throughout Western Australia.

(b) The income and property of the Association shall be applied solely towards the promotion of the objects of the Association and no portion of the income or property shall be paid, transferred or distributed directly or indirectly to the members of the Association, provided that nothing shall prevent the payment in good faith of remuneration to any officer or employee of the Association or to any person other than a member, in return for services actually rendered to the Association.

3. POWERS

Subject to the Associations Incorporations Act, 1987 (“the Act”) and these rules, the Association may do all things necessary or convenient for carry out its objects, and in particular, it may:

- (a) purchase, sell, hold, lease or rent and otherwise deal with and dispose of any real or personal property;
- (b) open and operate bank accounts;
- (c) borrow or raise or secure the payment of money or the repayment or performance of any debt, liability, contract or guarantee incurred or to be entered into by the Association in such manner and upon such conditions as the Association in General Meeting may determine and to secure any such borrowing, raising or payment of money or the repayment of performance of any debt, liability, contract, guarantee or other engagement in any way including by giving mortgages, charges of securities upon or over all or any of the real or personal property of the Association;
- (d) appoint agents to transact any business of the Association on its behalf;
- (e) enter into any arrangements with any government or local government authority or instrumentality;
- (f) employ, hire or engage managers, clerks, secretaries, workmen, curators, coaches or other persons;
- (g) invest the monies of the Association in any security in which trust monies may be invested or any other manner authorised by these Rules;
- (h) enter into any other contract it considers necessary or desirable;
- (i) make gifts or give prizes, and
- (j) amalgamate or associate with other Target Rifle Shooting Association or other sporting association.

4. MEMBERSHIP

- (a) Membership of the Association shall be open to all persons interested in Target Shooting at the discretion of the Council.
- (b) In admitting a person to membership the Council shall take into account the need to maintain a good standard of Target Shooting and the need to provide Target Shooting facilities for the residents within the State of Western Australia.

- (c) Membership shall consist of the following classes:
- (i) Ordinary members being any person who is resident in the State and who is a registered member of any Rifle Club which is itself a member of a District Rifle Association recognised by the Association and is also a member of the National Rifle Association of Australia PROVIDED THAT for the purposes of Clause 7(d) and 13(a) he/she has paid all fees and subscriptions and other monies due by him/her to the Association.
 - (ii) Life members elected in accordance with Rule 4(e); and
 - (iii) Honorary members admitted in accordance with Rule 4(f).
- (d) The Council shall have power to create or modify the classes of membership within these classes.
- (e) A member or past member who has rendered notable service to the Association or has held important office may be elected a Life member by the Annual General Meeting upon the recommendation of the Council.
- (f) The Council shall have power to admit a person to Honorary membership on a temporary basis.
- (g) A member shall cease to be a member if:
- (i) he/she resigns;
 - (ii) he/she fails to pay any affiliation fee by its due date; or
 - (iii) He/she is suspended or expelled.
- (h) Subject to Clause 15(b) a member may at any reasonable time inspect the records of the Association.

5 PRESIDENT, PATRON AND VICE-PATRON

At the Annual General Meeting there shall be elected President, a Patron and such number of Vice Presidents as the meeting shall consider desirable who shall be entitled to attend any General Meeting but shall not be entitled to vote or otherwise participate in the business of the Association with the exception of the President who shall be accorded the right to speak at all meetings.

6 AFFILIATION FEE

- (a) The affiliation fee for each class of member shall be determined by the Council at the first meeting of the calendar year.

- (b) Any person wishing to become a member shall submit an application endorsed by his/her club in a form approved by the Council together with the affiliation fee for one year and the Council may accept or reject any application without being required to give reasons.
- (c) All affiliation fees shall be due and payable in advance on the day appointed by the Council and if no date is appointed, 30 June in each year.

7 COUNCIL

- (a) The administration of the Association shall be the responsibility of the Council consisting of:
 - (i) President (non voting);
 - (ii) Four co-opted members;
 - (iii) One representative from each District Rifle Association affiliated with the Association;

PROVIDED THAT no person shall hold more than one position on the Council.

- (b) No Councillor can serve on Council for any period exceeding six (6) years, but may be eligible for re-election after having then enjoyed a break of two (2) years.
- (c) No person shall be eligible to be elected as a member of the Council unless he/she is an Ordinary or a Life member of the Association.
- (d) Election of Council:
 - (i) nominations for members of Council requiring election will be invited in sufficient time to be received by the first meeting of Council in each calendar year;
 - (ii) the co-opted members shall be elected by the Council at the last meeting of each financial year to hold office from the first day of the next financial year for a period of two years;
 - (iii) District representatives shall be elected by:
 1. the financial members of his/her District Rifle Association to hold office from the first day of the next financial year for a period of two (2) years;
 2. if only one nomination for District representative is received Council shall so endorse that nomination;
 3. if more than one nomination is received the Executive Officer shall forward a voting slip to every registered member of that District Association.

- (iv) Voting shall be conducted in accordance with the procedures set out in the Association's By-Laws.
- (e) The Council shall meet on at least four (4) occasions in each year. At the first meeting of Council in each financial year of the Association ("Annual Meeting of Council") the Council will elect or appoint the following:
 - (i) Chairman
 - (ii) Deputy Chairman
 - (iii) Treasurer
 - (iv) NRAA Delegate
 - (v) Alternative NRAA Delegate
 - (vi) The two members of the Executive Committee
 - (vii) Selection Committee to comprise:
 - A the Chairman; and
 - B three (3) members of the Council
 - (viii) Coaching Director;
 - (ix) Chief Range Officer;
 - (x) Honorary Solicitor;
 - (xi) West Australian Sports Federation Delegate;
 - (xii) West Australian Shooting Association Delegate;
- (f) The quorum at Council Meetings shall be half of its members plus one (1)
- (g) The Council shall have the following powers:
 - (i) To form and appoint any sub-committee/s; as required for specific purposes;
 - (ii) To employ the Executive Officer and at its discretion to employ a person or persons to carry out certain duties required by the Association, at salaries or remunerations for such period of time as may be deemed necessary.
 - (iv) To adopt, alter, add or delete policies of the Association subject to notice of intention to adopt, alter, add or to amend being given at Council Meeting prior to the Council Meeting prior to the Council meeting at which the motion is put. No policy shall be inconsistent to the provisions of these Rules.

- (h) A casual vacancy occurs in the office of a Council member if the Council member:
 - (i) dies;
 - (ii) resigns;
 - (iii) is convicted of an offence under the Act;
 - (iv) is permanently incapacitated by mental or physical illness;
 - (v) ceases to be a member of the Association, or
 - (vi) is absent from three or more meetings without leave of absence.
- (i) Where a casual vacancy within the meaning of Rule 7(h) occurs in the membership of the Council;
 - (i) in the case of a co-opted member elected pursuant to Rule 7(d)(ii), the Council may, subject to Rule 7(c) appoint a member to fill the vacancy;
 - (ii) in the case of a District representative, the District Rifle Association represented by that member shall, subject to Rule 7(c) appoint a member to fill the vacancy, and
 - (iii) a member appointed under this sub-rule shall hold office until the expiration of the term of the appointment of the person he/she replaces.

8 EXECUTIVE COMMITTEE

- (a) The administration of the Association between meetings of Council shall be the responsibility of the Executive Committee consisting of;
 - (i) Chairman
 - (ii) Deputy Chairman
 - (iii) Treasurer
 - (iv) NRAA Delegate, and
 - (v) Two (2) Council members.

PROVIDED THAT no person shall hold more than one position on the Executive Committee.

- (b) The Executive Committee will be elected annually by the Council from its members at its first meeting in each financial year of the Association and shall take office from the conclusion of that Meeting for the period

expiring at the conclusion of the first meeting of Council in the succeeding financial year unless the member's position becomes vacant in accordance with Rule 8(e).

- (c) The Executive Committee shall meet on at least two (2) occasions each year.
- (d) The quorum at Executive Committee Meetings shall consist of one half of its members plus one (1).
- (e) A casual vacancy occurs in the office of Executive Committee member if the member:
 - (i) dies;
 - (ii) resigns;
 - (iii) is convicted of an offence under the Associations Incorporations Act 1987;
 - (iv) is permanently incapacitated by mental or physical ill health;
 - (v) ceases to be a member of the Association; or
 - (vi) Is absent from three or more meetings without leave of absence.
- (f) where a casual vacancy within the meaning of Rule 7(e) occurs in the membership of the Executive Committee.
 - (i) the Council shall appoint a member to fill that vacancy, and Cannot be President or vice presidents see 8(a)
 - (ii) a member appointed under this sub-rule shall hold office until the expiration of the term of the appointment of the person he/she replaces.

9 OFFICER'S DUTIES

- (a) The Duties of President shall be:
 - (i) officiate at the Queens Prize;
 - (ii) ensure the Council conducts business in accordance with the Constitution;
 - (iii) official spokesperson of the Association;
 - (iv) execute under direction of the Council the signing of documents and execution of seal documents, and
 - (v) duties of the Vice Presidents shall be, in the absence of the President, to perform those duties required of the President by these rules.

- (b) The duties of the Chairman shall be:
 - (i) to preside at all General Meetings and Council Meetings of the Association and see that business is conducted in a proper manner and to exercise both a deliberative and in the event of a deadlock a casting vote there;
 - (ii) to call Council Meetings and Executive Committee Meetings and generally ensure the well being and objects of the Association; and
 - (iii) to preside at Executive Committee Meetings and see that the business is conducted in a proper manner and to exercise both a deliberative and in the event of deadlock, a casting vote thereat.
- (c) The duties of the Deputy Chairman shall be, in the absence of the Chairman, to perform those duties required of the Chairman by these Rules; and
- (d) The duties of the Executive Officer shall be:
 - (i) to convene and attend and keep a record of all meetings of the Association and of the Council and of the Executive Committee and of the attendances of members at those meetings;
 - (ii) within ten (10) days of any meeting of the Association or the Council or the Executive Committee to forward a summary of the deliberations of such meeting to the members of the Council and the Executive Committee, and such other persons as the Council may from time to time determine;
 - (iii) to conduct correspondence;
 - (iv) to keep and maintain in a current condition the rules of the Association and, upon the request of a member of the Association, make available those rules for the inspection of the member;
 - (v) to keep such other records, documents and papers as the Council may direct him/her to keep;
 - (vi) to keep and maintain in a current condition a register of the members and officers of the Association in accordance with Sections 27 and 29 of the Act;
 - (vii) to receive all monies due to the Association, to pay the same into the Accounts of the Association with the Association's bankers and to give receipts therefore;

- (viii) to pay all accounts by cheque signed by any two of the following or by EFT authorised by any two of the following:
 - 1. the Executive Officer; and
 - 2. any one of those members of the Executive Committee as that Committee shall from time to time appoint for that purpose;
 - (ix) to enter a proper record of the Association's financial transactions in such books as the Executive Committee shall direct him/her to keep;
 - (x) to present a statement at each Executive Committee meeting and each Council meeting showing the then state of the Association's finances and a record of all monies received and disbursed since the date of the last previous Council meeting or the Executive Committee meeting (as the case may be);
 - (xi) following the 30th June each year prepare a balance sheet incorporating a profit and loss statement for submission to the Association's auditors.
 - (xii) to perform such other duties as are imposed by the Council or the Executive Committee but in particular to undertake the duties specified in the Workplace Agreement entered into between the Association and the Executive Officer.
- (e) Duties of the Treasurer shall be;
- (i) setting a budget for the following financial year;
 - (ii) review the staff wages and honorariums; and
 - (iii) prepare a recommendation for the consideration of the Council with respect to (i) and (ii).

10 ANNUAL GENERAL MEETING

- (a) The Annual General Meeting shall be held within four (4) months after the end of the Association's financial year on a day and time to be arranged by the Executive Committee.
- (b) The quorum at Annual General Meetings shall consist of twenty-five (25).
- (c) All financial members may attend the Annual General Meeting.
- (d) If at the end of 30 minutes after the time appointed in the notice for the opening of the Meeting there be no quorum the meeting shall stand

adjourned for one week. If at such meeting there is no quorum those members present shall be competent to discharge the business of the meeting.

- (e) The business of the Annual General Meeting shall include:
 - (i) confirmation of the minutes and matters arising;
 - (ii) receipt of the Report of the Chairman;
 - (iii) presentation and adoption of Audited Statements of Accounts for the preceding financial year;
 - (iv) the election of President and Vice Presidents as deemed desirable;
 - (v) the election of a Patron, Vice Patrons and Life Members;
 - (vi) consideration of and voting upon motions of which due notice has been given; and
 - (vii) general business.

11 SPECIAL GENERAL MEETING

- (a) A Special General Meeting may be called in one of the following ways:
 - (i) by resolution of the Council;
 - (ii) by petition in writing by at least ten (10) members of the Association;
 - (iii) by the Chairman, or
 - (iv) by resolution at a previous Annual General Meeting or Special General Meeting.

Such meeting if called pursuant to a member's petition to be convened within twenty-eight (28) days of the receipt of the petition.

- (b) The quorum at Special General Meetings shall consist of twenty-five (25) members

12 CHAIRMAN OF GENERAL MEETING

- (a) The Chairman, or in his absence the Deputy Chairman, shall preside at the Annual General Meeting and at any Special General Meeting.
- (b) In the absence of the Chairman or Deputy Chairman, the Meeting shall elect any member of the Association to preside.

- (c) The Chairman of any General Meeting shall have a deliberative Vote, and shall be entitled to exercise a casting vote in the event of deadlock.

13 VOTING

- (a) Only Life Members and financial Ordinary Members shall be eligible to vote at any General Meeting of the Association.
- (b) At every General Meeting a resolution put to the vote shall be decided by a show of hands by a numerical majority of members present.
- (c) A Special Resolution must be passed by a majority of not less than 75% of the members who are present and entitled to vote at a General Meeting.
- (d) At all General Meetings each member shall be entitled to one vote subject to the Chairman being entitled to exercise a casting vote in accordance with these Rules.
- (e) At all Meetings each members entitled to vote, shall only be entitled to vote if he/she is present at the time the vote is taken or is present by proxy.
- (f) Any Councillor who is contesting a position on Council or any other position is not permitted to vote or take part in the debate or selection process to decide the outcome of the ballot.

14 NOTICE OF MOTIONS

- (a) The Executive Officer shall give:
 - (i) Notice to all members not less than twenty-one (21) days prior to the Annual General Meeting or any Extra-ordinary General Meeting and of any Special Resolutions or Ordinary Motions to be proposed thereat.
 - (ii) A notice or other document that is to be given to a member under these rules is taken not to have been given to the member unless it is in writing and —
 - a. delivered by hand to the recorded address of the member; or
 - b. sent by prepaid post to the recorded postal address of the member; or
 - c. sent by facsimile or electronic transmission to an appropriate recorded number or recorded electronic address of the member.
 - d. In this rule, “*recorded*” means recorded in the register of members.
 - (iii) To all Council members twenty-one (21) clear days’ notice of a Council meeting in any manner he/she finds convenient.

15 MINUTES OF MEETING

- (a) The Executive Officer, or in his/her absence another member, shall keep minutes of all General Meetings, Council Meetings and Executive Committee Meetings.
- (b) Subject to the discretion of the Chairman, minutes of all meetings shall be open to inspection by any member at a time and place convenient to the Executive.

16 PENALTIES

SUSPENSION and EXPULSION

- (a) Any member of the Association who fails to observe the Rules of the Association or whose conduct in the opinion of the Executive Committee is prejudicial to the interest of the Association or to Target Shooting may be suspended or removed from membership of the Association by a majority of at least 66% of the Executive committee as shall be present and vote at a Meeting of the Executive Committee called for that purpose and for which at least seven (7) clear days notice shall have been given to all members of the Executive Committee and to the member whom it is proposed to suspend or expel.
- (b) The member whom it is proposed to suspend or expel may attend such Executive Committee Meeting for the purpose of being heard and offering an explanation for his/her alleged conduct if he/she so desires.
- (c) An appeal against suspension or expulsion shall lie to a Council Meeting which shall be called by the Executive Officer within twenty-eight (28) days of receipt of the request in writing of the member who has been suspended or expelled. Such request must be made within seven (7) days of the Executive Committee's decision. Any member of the Executive Committee involved in a decision pursuant to rule 16 (a) shall not be entitled to participate in the hearing of any appeal pursuant to this rule.
- (d) Any member who is suspended or expelled shall not be entitled to any refund of any part of the affiliation fee unless otherwise approved by the Executive Committee or Council.
- (e) On appeal from a decision of the Executive Committee the Council may make such resolution as it may see fit to allow or disallow the appeal in whole or in part and may vary the decision of the Executive Committee.
- (f) Where a member has been suspended or expelled, his suspension or expulsion shall not affect the membership of any other persons who may comprise a family membership.

- (g) Where a member is suspended such member shall be deemed to be not a member during the period of his suspension until such times as his/her suspension is lifted and shall not be permitted to discharge a rifle on a rifle range.
- (h) The Executive Officer shall notify the Firearms Branch of the West Australian Police Department of any expulsion or a member within fourteen (14) days of the decision of the Executive Committee or if an appeal is made within fourteen (14) days of the decision of the Council (whichever is later).

MONETARY FINE

- (i) In any case of misconduct by a member not provided for under SSR's, which in the opinion of the Executive Committee does not justify suspension or expulsion, the Executive Committee may, without prejudice to the provisions of the Rules, impose any of the following penalties;
 - (i) A fine not exceeding \$50.00 for the first offence;
 - (ii) A fine not exceeding \$100.00 for the second or subsequent offence.
- (j) If any member makes default for a period of twenty-one (21) days or such other period as may be fixed by the Executive Committee in paying any fine imposed under the preceding Rule, he/she may be struck off the roll of members, subject to conditions (if any) as the Executive Committee may impose as to re-enrolment.

17 RESIGNATION

- (a) Any person who wishes to resign his/her membership shall do so in writing by letter addressed to the Executive Officer.
- (b) Any person who fails to pay his/her annual subscriptions before the due date shall be deemed to have resigned from the membership of the Association.

18 FINANCE

- (a) The Council shall cause true accounts to be kept of the monies received and expended.
- (b) A balance sheet containing a summary of the assets and liabilities of the Association on 30 June in each year together with a statement of profit

and loss for the preceding year shall be made out and submitted to the next Annual General Meeting by the Executive Officer.

- (c) The accounts shall be audited by the Auditor who shall make a report on the accounts.
- (d) The Council shall conduct its financial transactions through a bank or other financial institution.
- (e) All cheques shall be signed in the manner specified by Rule 9(d) (ii). The Executive Officer shall pass all accounts for payment.
- (f) The accounts shall be open to inspection by any member upon giving reasonable notice to the Executive Officer at a time and place convenient to the Executive Officer.

19 AUDITOR

The Auditor shall be appointed by resolution at the Annual Meeting of Council to audit the accounts and he/she shall not be a member of the Council. The Auditor may attend the Annual General Meeting and take part in discussions.

20 COMMON SEAL

The Association shall have a seal which shall be in the custody of the Executive Officer. It shall be affixed to such documents as the Council determines and it shall be used only by the President and two members of Council who shall countersign every document to which the seal is affixed as evidence of the authority of its use. A true and correct record shall be kept of all such documents to which the seal is fixed in the Seal Register maintained by the Executive Officer who shall also keep a copy of such documents.

21 DISSOLUTION

- (a) The Association may at any time be dissolved in accordance with Section 30 of the Act if at an Extra-ordinary General Meeting called for that purpose it resolves by special resolution of the members present and entitled to vote at the meeting that it be wound up.
- (b) If, on the winding up of the Association, any property of the Association remains after satisfaction of the debt and liabilities of the Association and the cost, charges and expenses of that winding up, that property shall not be paid to or distributed among the members of the Association, but shall be distributed to:
 - (i) another incorporated association or associations having objects similar, wholly or in part to those of the Association and which shall prohibit the distributions of its or their income and property among its or their members, or
 - (ii) for charitable purposes,

which incorporated association or purposes, as the case requires, shall be determined by resolution of the members when authorising and directing the Council under Section 33(3) of the Act to prepare a distribution plan for the distribution of the surplus property of the Association.

21 ALTERATION OF RULES

- (a) No alteration, addition or amendment of these Rules shall be made unless and until carried by a special resolution at any General Meeting called for such purposes.
- (b) Notice of any proposed addition, alteration or amendment shall be given in accordance with Rule 14.
- (c) The Executive Officer on behalf of the Association shall within one (1) month of the passing of the special resolution altering the Association's Rules, lodge with the Office of Fair Trading, notice of the special resolution, setting out particulars of the alteration together with a Certificate given by an Executive Committee member certifying that the resolution was duly passed as a special resolution and that the Rules of the Association as so altered conform to the requirements of the Act.