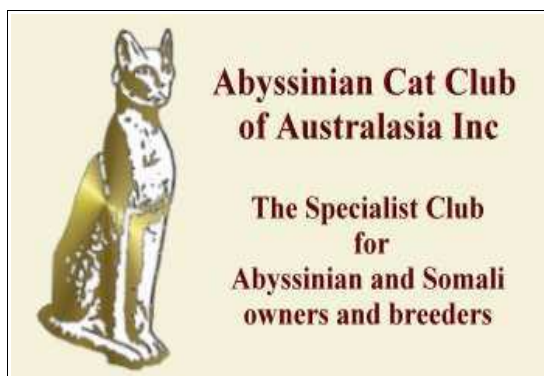


# Constitution of the Abyssinian Cat Club of Australasia Inc.

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4th November 1994  
Amended 14th November 1999  
Amended 15th April 2000  
Amended 6th February 2006  
Amended 6th December 2007  
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oOo  
Preparation of the Constitution and  
amendments:  
S McHutchison (1994)  
W McDonald (1999,2000)  
F Mangan (2006, 2007,2011)  
oOo

## **PART I - PRELIMINARY**

### **The Club**

1. The name of the Club shall be the Abyssinian Cat Club of Australasia Incorporated, hereinafter called the Club.

2. The Club colours shall be cream and brown.

### **Foundation Members**

3. The persons present at the inaugural meeting of the Abyssinian Cat Club of Australasia held on 15th October 1966 in Sydney shall be deemed to be the Foundation Members of the Club. A list of Foundation members is at Attachment B of this Constitution.

### **Patron**

4. One patron may be elected on a yearly basis at the Annual General Meeting.

- a) Preference shall be given to a non member.
- b) The Patron may attend all meetings except
- c) Committee meetings, unless invited. A Patron who is a non member has no voting rights.

### **Interpretation**

5. In this Constitution, except in so far as the context or subject matter otherwise indicates or requires:

- a) "Secretary" means:
  - (i) the person holding office under this Constitution as Secretary of the Club, or
  - (ii) where no such person holds that office, the public officer of the Club;

"General meeting" means a general meeting of the Club other than Annual General Meeting;

"Member" means an ordinary member, a joint member or an Honorary Life Member;

"Original Club" means the unincorporated club known as the Abyssinian Cat Club of Australasia;

"The Act" means the Association Incorporation Act 2009;

"The Regulation" means the Associations Incorporation Regulation 2010

- b) A meeting may be held at two or more venues linked using any technology that gives each of the members a reasonable opportunity to participate.

6. In this Constitution:

- a) a reference to a function includes a reference to a power, authority and duty, and
- b) a reference to the exercise of a function includes where the function is a duty, a reference to the performance of the duty.
- c) a reference to Abyssinian cats includes a reference to Somali cats and Abyssinian or Somali kittens.

7. The provisions of the Interpretation Act, 1987, apply to and in respect of this Constitution in the same manner as those provisions would so apply if this Constitution were an instrument made under the Act.

### **Objects**

8. The objects of the Club shall be:

- a) To promote and improve the breeding of pedigreed Abyssinian cats.
- b) To maintain a critical watch on Abyssinian cats, their official points and standards and the interpretation of such standards by breeders and judges.
- c) To promote and foster co-operation in the breeding of Abyssinian cats.
- d) To hold shows and exhibitions of Abyssinian cats and to support other Clubs providing classes for Abyssinian cats.
- e) To help train judges to judge Abyssinian cats according to ruling standards.
- f) To endeavour to avail the members of all possible information on the breeding and welfare of Abyssinian cats.
- g) To make awards at various shows and exhibitions, to encourage the owning, showing and breeding of Abyssinian cats conforming to ruling standards.
- h) To aid and support the activities for the benefit and welfare of Abyssinian cats.

## **PART II - MEMBERSHIP**

### **Membership qualifications**

9. A person is qualified to be a member of the Club if and only if:

- a) the person is a natural person,

- b) the person has been nominated for membership of the Club as provided by clause 13 and has been approved for membership of the Club by a committee meeting.

calendar year the fee is due. A member whose membership has ceased under this provision shall be regarded as a lapsed member.

### **Types of membership**

**10.** The Club shall consist of ordinary members, joint members and Honorary Life Members.

**11.** Ordinary and joint members are persons who are qualified to be members under clause 9 and who have not ceased to be members through the operation of any of the provisions of clause 15.

- a) Joint members shall be two (2) persons residing in the same household or jointly owning the same Abyssinian cat and who have applied as such. Each joint member has full voting rights.

**12.** Honorary Life Members are those persons who were granted Honorary Life Membership by the Original Club and who have not ceased to be members of the Club through the operation of any of the provisions of clause 15.

- a) Honorary Life Membership may be cancelled if considered expedient by a majority vote at an Annual General Meeting  
b) A list of Honorary Life Members is at Attachment C of this Constitution.

### **Nomination for membership**

**13.** Applications for membership shall be on the duly prescribed form and shall be received at a committee meeting and approved by a majority vote. Prospective members shall not be present during voting on their membership.

**14.** Applications for membership may be refused without assigning any reason.

### **Cessation of membership**

**15.** A person ceases to be a member of the Club if the person:

- a) dies,  
b) resigns that membership,  
c) is expelled from the Club, or  
d) is required to pay an annual membership fee in accordance with clause 22 and has not paid that fee before 1st October in the

### **Lapsed members**

**16.** A lapsed member is not entitled to vote on any Club business or hold any position in the Club.

**17.** A lapsed member may have his or her membership restored upon payment of the outstanding membership fee before 31st December in the calendar year that the fee was due.

- a) A lapsed member who has not paid the outstanding membership fee before 31st December in the calendar year that the fee was due and who wishes to continue to be a member of the Club must apply for membership of the Club in accordance with clause 13.

### **Resignation of membership**

**18.** A member of the Club is not entitled to resign that membership except in accordance with this clause:

- a) A member of the Club who has paid all amounts payable by the member to the Club in respect of the member's membership may resign from membership of the Club by first giving notice in writing to the Secretary of the member's intention to resign and upon the expiration of the period of notice, the member ceases to be a member.  
b) Where a member of the Club ceases to be a member pursuant to clause 18(a), and in every other case where a member ceases to hold membership, the Secretary shall make an appropriate entry in the register of members recording the date on which the member ceases to be a member.

### **Register of members**

**19.** The Secretary of the Club shall establish and maintain a register of members of the Club specifying the name and address of each person who is a member of the Club together with the date on which the person became a member.

- a) For the purposes of this clause, members

who are members at the time of incorporation shall be deemed to have become members on the date of the Club's incorporation.

**20.** The register of members shall be held by the Secretary and shall be available for inspection, free of charge, by any member of the Club at a reasonable hour.

### **Membership fees**

**21.** A person shall, upon admission to membership, pay to the Club a joining fee of two dollars (\$2) or, where some other amount is determined by the Committee, that other amount.

a) for a joint membership only one joining fee is payable.

**22.** In addition to any amount payable by the member under clause 21, a member of the Club shall pay to the Club an annual membership fee as follows:

- a) for an ordinary membership a fee of twenty dollars (\$20) or, where some other amount is determined by the Committee, that other amount.
- b) for a joint membership a fee of twenty-four dollars (\$24) or, where some other amount is determined by the Committee, that other amount.
- c) except as provided by clause 22(d), before 1st July in each calendar year, or
- d) where a member becomes a member on or after 1st July in any calendar year, upon becoming a member and before 1st July in each succeeding calendar year.

**23.** Honorary Life Members are not required to pay an annual membership fee.

**24.** Annual membership fees are not refundable.

### **Members' liabilities**

**25.** The liability of a member of the Club to contribute towards the payment of debts and liabilities of the Club or the cost, charges and expenses of the winding up of the Club is limited to the amount, if any, unpaid by the member in respect of membership of the Club as required by clause 22.

### **Resolution of internal disputes**

**26.** Disputes between members (in their capacity as members) of the Club, and disputes between members and the Club, which have not been able to be resolved within the forums of the Club, may be referred to a community justice centre for mediation in accordance with the Community Justice Centres Act, 1983.

### **Disciplining of members**

**27.** Where the Committee is of the opinion that a member of the Club:

- a) has refused or neglected to comply with a provision or provisions of this Constitution, or
- b) has acted in a manner prejudicial to the interests of the Club, the Committee may, by resolution:
  - (i) expel the member from the Club, or
  - (ii) suspend the member from membership of the Club for a specified period, or
  - (iii) censure the member

**28.** A resolution of the Committee under clause 27 is of no effect unless the Committee, at a meeting held not earlier than fourteen (14) days and not later than twenty-eight (28) days after service on the member of a notice under clause 29, confirms the resolution in accordance with this clause.

**29.** Where the committee passes a resolution under clause 27, the Secretary shall, as soon as practicable, cause a notice in writing to be served on the member:

- a) setting out the resolution of the Committee and the grounds on which it is based;
- b) stating that the member may address the Committee at a meeting to be held not earlier than fourteen (14) days and not later than twenty-eight (28) days after the service of the notice.
- c) stating the date, place and time of that meeting; and
- d) informing the member that the member may do either or both of the following:
  - (i) attend and speak at that meeting;
  - (ii) submit to the Committee at or prior to the date of that meeting written representations relating to the resolution.

**30.** At a meeting of the Committee held as referred to in clause 9, the Committee shall:

- a) give to the member an opportunity to make oral representations;
- b) give due consideration to any written representations submitted to the Committee by the member at or prior to the meeting, and
- c) by resolution determine whether to confirm or to revoke the resolution.

**31.** Where the Committee confirms a resolution under clause 30, the Secretary shall, within seven (7) days after that confirmation, by notice in writing inform the member of the fact and of the member's right of appeal under clause 33.

**32.** A resolution confirmed by the Committee under clause 31 does not take effect:

- a) until the expiration of the period within which the member is entitled to appeal against the resolution where the member does not exercise the right of appeal within the period, or
- b) where within that period the member exercises the right of appeal, unless and until the Club confirms the resolution pursuant to clause 35.

#### **Right of appeal of a disciplined member**

**33.** A member may appeal to the Club in general meeting against a resolution of the Committee which is confirmed under clause 30, within seven (7) days after notice the resolution is served on the member by lodging with the Secretary a notice to that effect.

- a) Upon receipt of a notice from a member under this clause, the Secretary shall notify the Committee which shall convene a general meeting of the Club to be held within twenty-one (21) days after the date on which the Secretary received the notice.

**34.** At a general meeting of the Club convened under clause 33:

- a) no business other than the question of the appeal shall be transacted;
- b) the Committee and the member shall be given the opportunity to state their respective cases orally or in writing, or both; and

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

**35.** If at the general meeting the Club passes a special resolution in favour of the confirmation of the resolution, the resolution is confirmed.

#### **PART III - THE COMMITTEE AND OTHER CLUB POSITIONS**

**36.** The Committee shall be called the Committee of management of the Club and, subject to the Act, the Regulation, this Constitution and any resolution passed by the Club in general meeting:

- a) shall control and manage the affairs of the Club;
- b) may exercise all such functions as may be exercised by the Club other than those functions that are required by this Constitution to be exercised by a general meeting of members of the Club;
- c) has power to perform all such acts and do all such thing as appear to the Committee to be necessary or desirable for the proper management of the affairs of the Club, and
- d) shall report on decisions taken to the next general meeting.

#### **Constitution and membership of the Committee**

**37.** Subject in the case of the first members of the committee to the Act, the Committee shall consist of:

- a) the office-bearers of the Club, and
- b) at least one Club member, and
- c) the Minute Secretary (if elected or appointed).

**38.** The office-bearers of the Club shall be:  
the President  
the Vice-President  
the Secretary  
the Treasurer  
the Editor and  
the Promotions Officer.

**39.** Each member of the Committee shall, subject to this Constitution, hold office until conclusion of the Annual General Meeting following the date of the member's election. Committee members are eligible for re-election, subject to the following provisions:

- a) A person may hold more than one position in the Club, but no person may hold concurrently the positions of President, Secretary or Treasurer.
- b) The President, Secretary and Treasurer of the Club may not concurrently hold the same position in any other NSW cat club.
- c) The Executive members of the Club (President, Vice President, Secretary and Treasurer) are required to have served one (1) term as a Committee member
- d) The Executive members of the Club are required to currently own an Abyssinian or Somali cat.

**40.** Notwithstanding the provisions of clause 39, any member may fill a casual vacancy until a replacement is elected at the next Annual General Meeting.

**41.** The Club may elect annually a Minute Secretary.

### **Non-Committee positions**

**42.** The Club shall elect annually at the Annual General Meeting:  
a Public Officer who must be a resident of NSW, three (3) editorial Committee members and a Veterinary Surgeon.

**43.** The holder of a position referred to in clause 42 is not, by virtue of holding that position, a member of the Club's Committee.

**44.** The positions of Patron, Auditor and Veterinary Surgeon may be filled by persons who are not members of the Club.

**45.** All office-bearers shall act in an honorary capacity.

### **Election of Committee members**

**46.** Nominations of candidates for election as office-bearers of the Club, or as the members of the committee referred to in clause 37(b), shall be made in writing, signed by two (2) members of the Club and accompanied by the written consent of the candidate.

- a) If the number of nominations received is equal to or less than the number of vacancies to be filled, the persons nominated shall be deemed to be elected.
- b) If the number of nominations received exceeds the number of vacancies to be

filled, a secret ballot shall be held.

- c) Any vacant positions remaining on the Committee shall be deemed to be casual vacancies.

### **Secretary**

**47.** The Secretary of the Club shall, as soon as practicable after being appointed as Secretary, lodge notice with the Club of his or her address.

**48.** It is the duty of the Secretary to keep a record of:

- a) all appointments of persons to Club positions;
- b) the names of members present at a Committee meeting or a general meeting, and
- c) proceedings at Committee meetings and general meetings.

**49.** Minutes of proceedings at a meeting shall be signed by the chairperson of the meeting or by the chairperson of the next succeeding meeting.

### **Treasurer**

**50.** It is the duty of the Treasurer of the Club to:

- a) ensure that all money due to the Club is collected and received and that all payments authorised by the Club are made;
- b) ensure that correct books and accounts are kept showing the financial affairs of the Club including full details of all receipts and expenditure connected with the activities of the Club, and
- c) present a financial statement at each meeting, including all accounts paid since the previous meeting and a Statement of Expenditure and Receipts, for the previous financial year, at the Annual General Meeting.

### **Casual Vacancies**

**51.** For the purposes of this Constitution, a casual vacancy in a Club position occurs if the person:

- a) dies;
- b) ceases to be a member of the Club if membership of the Club is required to hold the position;
- c) becomes an insolvent under administration

- within the meaning of Corporation Law;
- d) resigns office by notice in writing given to the Secretary;
  - e) is removed from the position under clause 52;
  - f) becomes of unsound mind or a person whose person or estate is liable to be dealt with in any way under the law relating to mental health, or
  - g) is, other than in the case of the Patron, Veterinary Surgeon or editorial Committee member, absent without leave for three (3) consecutive meetings of the Club. The acceptance by a meeting of apologies for absence from a meeting shall be deemed to be a grant of leave.
  - h) in the event of a casual vacancy occurring in the membership of the committee, or another Club position, the Committee may, subject to normal eligibility requirements, appoint a person to fill the vacancy and the person so appointed shall hold office, subject to this Constitution, until the conclusion of the Annual General Meeting next following the date of the appointment.

#### **Removal of a person from the Committee or other position**

**52.** The Club in a general meeting may by resolution remove any person from the position the person holds before the expiration of the person's term of office and may by resolution appoint another person to hold office until the expiration of the term of office of the person so removed.

**53.** A person to whom a proposed resolution referred to in clause 52 relates, must be given notice of the proposed resolution. Where a person to whom a proposed resolution referred to in clause 52 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 Club, the Secretary or the President may send a copy of the representations to each member of the Club or, if the representations are not so sent, the person is entitled to require that the representations be read out at the meeting at which the resolution is considered.

#### **PART IV - COMMITTEE MEETINGS**

**54.** The Committee shall meet at least three (3) times in each period of twelve (12) months at

such place and time as the Committee may determine.

- a) Additional meetings of the Committee may be convened by the President, or Secretary, or by any three (3) members of the Committee.
- b) Oral or written notice of a meeting of the Committee shall be given by the Secretary to each member of the Committee at least forty-eight (48) hours (or such other period as may be unanimously agreed upon by the members of the Committee) before the time appointed for the holding of the meeting.
- c) Notice of a meeting given under clause 54(b) shall specify the general nature of the business to be transacted at the meeting and no business other than that business shall be transacted at the meeting, except business which the Committee members present at the meeting unanimously agree to treat as urgent business.
- d) Any four (4) members of the Committee constitute a quorum for the transaction of the business of a meeting of the Committee.
- e) No business shall 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 stands adjourned to the same place and at the same hour of the same day in the following week.
- f) If at the adjourned meeting a quorum, being not less than three (3) members of the Committee, is not present within half an hour of the time appointed for the meeting the meeting shall be dissolved.

#### **Delegation by the Committee to sub-Committee**

**55.** The Committee may, by instrument in writing, delegate to one or more sub-Committees (consisting of such member or members of the Club as the Committee thinks fit) the exercise of such of the functions of the Committee as are specified in the instrument other than this power of delegation and a function which is a duty imposed on the Committee by the Act or by any other law.

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

- b) A delegation under this clause may be made subject to such conditions or limitations as to the exercise of any function the subject thereof, or as to time or circumstances, as may be specified in the instrument of delegation.
- c) Notwithstanding any delegation under this clause, the Committee may continue to exercise any function delegated.
- d) 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.
- e) The Committee may, by instrument in writing, revoke wholly or in part any delegation under this clause.
- f) A sub-Committee may meet and adjourn as it thinks proper.

### **Voting and decisions**

**56.** Questions arising at a meeting of the Committee or of any sub-Committee appointed by the Committee shall be determined by a majority of the votes of members of the Committee or sub-Committee present at the meeting.

- a) 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 (1) vote but, in the event of an equality of votes on any question, the person presiding may exercise a second or casting vote.

**57.** Subject to clause 54(d) the Committee may act notwithstanding any vacancy on the Committee.

**58.** 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 notwithstanding any defect that may afterwards be discovered in the appointment or qualification of any member of the Committee or sub-Committee.

## **PART V - CLUB MEETINGS**

### **Annual General Meetings**

**59.** With the exception of the first Annual General Meeting of the Club, the Club shall, at least once in each calendar year and within the

period of six (6) months after the expiration of each financial year of the Club, convene an Annual General Meeting of its members.

**60.** The Club shall hold its first Annual General Meeting:

- a) within the period of eighteen (18) months after its incorporation under the Act, and
- b) within the period of six (6) months after the expiration of the first financial year of the Club.

**61.** Clauses 59 and 60 have effect subject to any extension or permission granted by the Director-General or prescribed by the Regulation.

**62.** The Annual General Meeting of the Club shall, subject to the Act and to clauses 59, 60 and 61, be convened on such date and at such place and time as the Committee thinks fit.

**63.** In addition to any other business which may be transacted at an Annual General Meeting, the business of an Annual General Meeting shall be:

- a) to confirm the minutes of the last preceding Annual General Meeting;
- b) to receive from the Committee reports upon the activities of the Club during the last preceding financial year;
- c) to elect office-bearers of the Club, members of the Committee and other position holders, and
- d) to receive and consider the statement which is required to be submitted to members under the Act.

**64.** An Annual General Meeting shall be specified as such in the notice convening it.

### **General meetings**

**65.** General meetings of the Club shall be held at least once in a period of twelve (12) months or at such times and dates arranged by the President or Secretary. In addition to any other business which may be transacted at a general meeting, the business of a general meeting shall include:

- a) confirmation of minutes and business arising from the minutes;
- b) reports including those relating to the objects and running of the Club, including

business associated with Club shows.

**66.** The President or Secretary shall, on the requisition in writing of not less than six (6) members, convene a general meeting of the Club.

- a) A requisition of members for a general meeting:
- (i) shall state the purpose of the meeting;
  - (ii) shall be signed by the members making the requisitions;
  - (iii) shall be lodged with the Secretary, and
  - (iv) may consist of several documents in a similar form, each signed by one or more of the members making the requisition.

**67.** If the President or Secretary fail to convene a general meeting to be held within one (1) month after the date on which a requisition of members for the meeting is lodged with the Secretary, any one (1) or more of the members who made the requisition may convene a general meeting to be held not later than three (3) months after that date.

- a) A general meeting convened by a member or members as referred to in this clause shall be convened as nearly as is practicable in the same manner as general meetings are convened by the President or Secretary and any member who thereby incurs expense is entitled to be reimbursed by the Club for any expense so incurred.

### **Notice of meetings**

**68.** Notice of meeting shall be given in accordance with this clause.

- a) The Secretary shall, at least twenty-one (21) days before the date fixed for the holding of the Annual 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.
- b) Except where the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the Club, the Secretary shall, at least fourteen (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.

- c) Where the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the Club, the Secretary shall at least twenty-one (21) days before the date fixed for the holding of the general meeting, cause notice to be sent to each member in the manner provided in clause 68(b), the intention to propose the resolution as a special resolution.

**69.** Subject to clauses 63 and 65, no business other than that specified in the notice convening a meeting shall be transacted at the meeting.

**70.** The notice required by clause 68 may be delivered to the member personally, sent to the member at the member's address appearing in the register of members, or sent by facsimile transmission or some other form of electronic transmission to an address specified by the member for giving or serving the notice. The notice required by clause 68 may be provided to members through the inclusion of notice in a Club publication.

**71.** A member desiring to bring any business before a general meeting may give notice in writing of that business to the secretary, who shall give notice of that business as required by clause 68, and shall place that business on the agenda for the next general meeting after the receipt of the notice from the member.

### **Quorum**

**72.** No item of business shall be transacted at a meeting unless a quorum of members entitled under this Constitution to vote is present during the time the meeting is considering that item.

- a) Seven (7) members present in person (being members entitled under this Constitution to vote) constitute a quorum for the transaction of the business of an Annual General Meeting.
- b) Five (5) members present in person (being members entitled under this Constitution to vote) constitute a quorum for the transaction of the business of a general meeting.
- c) If within half an hour after the appointed time from the commencement of a meeting a quorum is not present, the meeting if convened upon the requisition of members shall be dissolved and in any other case

shall stand adjourned to the same day in the following week at the same time and (unless another place is specified at the time of 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.

- d) 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 members present (being not less than three (3) for all meetings) shall constitute a quorum.

### **Adjournment**

**73.** 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 shall be transacted at an adjourned meeting other than the business left unfinished at the meeting at which the adjournment took place.

- a) Where a general meeting is adjourned for fourteen (14) days or more, the Secretary shall give written or oral notice of the adjourned meeting to each member of the Club stating the place, date and time of the meeting and the nature of the business to be transacted at the meeting.
- b) Except as provided in this clause, notice of an adjournment of a general meeting or the business to be transacted at an adjourned meeting is not required to be given.

### **Making of decisions**

**74.** Other than as this Constitution provide otherwise, questions shall be decided by a simple majority vote at all Club meetings.

- a) All members have the right to vote on all matters.
- b) Other than as provided by this clause, upon any questions arising at a meeting of the Club, a member has one (1) vote only.
  - (i) In the case of an equality of votes on a question at a meeting, the presiding member of the meeting is entitled to exercise a second or casting vote.
- c) There shall be no proxy voting.
- d) Voting at all meetings shall be by a show of hands, except that a secret ballot will be

conducted for the election of persons to Club positions, or when directed by the presiding member of the meeting, or if requested by at least two (2) members present at the meeting.

- e) Where a secret ballot is directed or requested at a meeting, the secret ballot shall be taken:
  - (i) immediately in the case of a secret ballot which relates to the election of the chairperson of the meeting or to the question of an adjournment, or
  - (ii) in any other case, in such manner and at such time before the close of the meeting as the chairperson directs, and the resolution of the secret ballot on the matter shall be deemed to be the resolution of the meeting on that matter.
- f) A returning officer and two (2) scrutineers shall be elected to control all postal votes and secret ballots.

**75.** Either the Committee, or a Club Meeting, have all the power to refer any question to a postal vote of all members eligible to vote on the question.

- a) A postal vote shall be arranged by the Secretary who will consult with the President and the returning officer to specify exactly the question to be resolved.
- b) The Secretary shall then
  - (i) send voting papers to all members eligible to vote on the question, and
  - (ii) set a reasonable closing date for the receipt of replies, after which date any vote received shall be deemed informal.
- c) A simple majority of affirmative votes cast in a postal ballot shall decide a motion in the affirmative.
- d) Any ballot marked in any other way than as directed by the returning officer controlling the election shall be deemed informal.

### **Special Resolution**

**76.** A resolution of the Club is a special resolution if:

- a) it is passed by a majority which comprises not less than three-quarters of such members of the Club as, being entitled under this Constitution so to do, vote in person at a general meeting of which not less than twenty-one (21) days written notice

specifying the intention to propose the resolution as a special resolution was given in accordance with this Constitution;

- b) where it is made to appear to the Commission that it is not possible or practicable for the resolution to be passed in the manner specified in subparagraph (a), the resolution is passed in a manner specified by the Commission.

## **PART VI - MISCELLANEOUS**

### **Insurance**

**77.** The Club shall effect and maintain insurance.

- a) In addition to the insurance required under this clause, the Club may effect and maintain other insurance.

### **Finance**

**78.** The financial year of the Club shall commence on 1st July and end on 30th June in the following calendar year, unless the Committee determines otherwise.

**79.** The funds of the club shall be derived from entrance fees and annual subscriptions of members, donations and, subject to any resolution passed by the Club in general meeting, such other sources as the Committee determines.

- a) All money received by the Club shall be deposited as soon as practicable and without deduction to the credit of the Club's account.
- b) The Club shall, as soon as practicable after receiving any money, issue an appropriate receipt.

**80.** Subject to any resolution passed by the Club at either a committee or general meeting, the funds of the Club shall be used in pursuance of the objects of the Club in such manner as the Committee determines.

- a) All account payments will be approved by at least four (4) members of the Committee including President and/or Secretary via telephone, written or electronic means. All accounts will be paid either by
  - (i) cheque. All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments shall be

- signed by any two (2) members of the Committee being members authorised to do so by the Committee, or
- (ii) electronic means for accounts of \$300 or less, or an amount as determined by the Committee. Payments shall be made by either of two (2) Committee members being members authorised to do so by the Committee, or
- (iii) in the case of incidental show expenses, by cash, with an amount as agreed at the Annual General Meeting.

All payments and their approval shall be recorded and ratified at the next Committee and next general meeting of the Club.

- b) The Club will not operate for the purpose of profit or gain of its individual members at any time during the function or winding up of the Club.
- c) The assets and income of the Club shall be applied exclusively to the promotion of its objects and no portion shall be paid or distributed directly or indirectly to the members of the Club except as bona fide remuneration for services rendered or expenses incurred on behalf of the Club.
- d) In the event of the Club being dissolved, the amount which remains after such dissolution and the satisfaction of all debts and liabilities shall be paid and applied by the Club in accordance with its powers to any organisation which has similar objects and which has clauses prohibiting the distribution of assets and income to its members.

### **Alteration of the Constitution**

**81.** This Constitution, including the objects of the Club and the Code of Ethics may be altered, rescinded or added to only by a special resolution of the Club.

### **Execution of documents**

**82.** Any instrument shall be attested by the signatures either of two (2) members of the Committee or of one member of the Committee and of the public officer or Secretary.

### **Custody and inspection of books**

**83.** Except as otherwise provided by this Constitution, The Secretary shall keep in his or

her custody or under his or her control all records, books and other documents relating to the Club.

**84.** The records, books and other documents of the Club shall be open to inspection, free of charge, by a member of the Club at any reasonable hour.

### **Service of notices**

**85.** For the purpose of this Constitution:

- a) a notice may be served on or given to a member:
  - (i) by delivering it to the member personally, or
  - (ii) by sending it by pre-paid post to the member's address appearing in the register of members, or
  - (iii) by sending it, through the inclusion of notice in a Club publication, by pre-paid post to the member's address appearing in the register of members or
  - (iv) by sending it by facsimile transmission or some other form of electronic transmission to an address specified by the member for giving or serving the notice
- b) a notice is taken, unless the contrary is proved, to have been given or served:
  - (i) in the case of a notice given or served personally, on the date on which it is received by the addressee, and
  - (ii) in the case of a notice sent by pre-paid post, on the date when it would have been delivered in the ordinary course of post, and
  - (iii) 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.

### **Affiliations**

**86.** The Club shall be an affiliate of the New South Wales Cat Fanciers' Association, or its heirs or successors.

**87.** The Club and every member of the Club shall be deemed to have agreed to be bound by the Constitution and Regulations of the Control for the time being in force, and at all times to submit to and carry out every determination, decision, requirement or direction of the Control, so far as they apply to the Club or the member.

### **Cats in Distress Fund**

**88.** A cats-in-distress fund may be established by the Club for the purpose of assisting Abyssinian cats and kittens in distress.

### **Presiding member**

**89.** At all Club meetings:

- a) the President or, in the President's absence, the Vice-President, shall preside, or
- b) if the President and the Vice-President are absent or unwilling to act, another person may be chosen by the members present at the meeting to preside.

### **Membership entitlements not transferable**

**90.** A right, privilege or obligation which a person has by reason of being a member of the Club:

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

### **Code of Ethics**

**91.** The Code of Ethics of the Club is set out at Attachment A to this Constitution. On joining the Club, a person shall agree to abide by this code.

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## ATTACHMENT A

### CODE OF ETHICS

In keeping with my commitment to the welfare of Abyssinian cats, I will abide by this Code of Ethics.

I will maintain the best possible standards of health and care for my cats. I will maintain only the number of cats which can properly be cared for and protected from illness and stress-related problems.

I will keep myself aware of developments in the health and care of cats. An appropriate program of immunisation will be maintained for all my cats. I will ensure that my actions do not expose my or other cats to the transmission of disease.

All my entire cats will be tested at appropriate intervals for diseases as recommended by my registering body. All my entire cats will be kept in a manner which will prevent unwanted litters and the spread of disease.

My breeding program will be for the benefit of Abyssinian cats.

I will only use, or sell, for breeding purposes the highest quality kittens or cats available to me which are of sound health and temperament. I will sell only as pets, any kittens or cats which have hereditary or show disqualifying faults, or known or suspected health problems. I will require a neuter/spay agreement for all kittens or cats sold as pets.

I will help a prospective owner who wishes to buy a show or breeding cat secure the best potential show or breeding kitten available.

I will only sell kittens or cats to buyers who I believe will keep and use them in accordance with the ideals set out in this Code of Ethics. I will refuse to sell to any buyer where I am not satisfied that the kitten or cat will be properly cared for.

I will reach a clear written or verbal understanding with clients and providers on the details of kitten or cat sales, stud or other services or arrangements.

I will not let kittens go to their owners unless they are at an age approved by my registering body and I am satisfied that the kitten is ready to go to its new home.

I will, where practicable, ensure that all kittens have had the vaccinations required by my governing body's show clauses before going to their new home. I will provide the current vaccination certificate to the new owner.

I will provide the buyers of kittens with written advice on rearing, cleanliness, vaccinations and the kitten's current and future dietary requirements. I will, under certain circumstances, allow a buyer to return a kitten and will make those conditions known to the buyer at the time of sale.

I will make myself available to the novice breeder or owner for advice and guidance, especially those to whom I have sold a kitten for showing or breeding.

4th November 1994

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**ATTACHMENT B****FOUNDATION MEMBERS OF THE CLUB**

The following persons were present at the inaugural meeting of the Abyssinian Cat Club of Australasia held on 15th October 1966 in Sydney and, in accordance with clause 3 of this Constitution, are deemed to be the Foundation Members of the Club:

Mr Barry

Mrs Anne Burt

Mrs Thelma Carlisle

Mrs Val Donahee

Mrs Bea Donmall

Mrs Diane Harrison (now Royal)

Mrs Mary Helsham

Mr & Mrs Hughes

Mr Peter & Mrs Virginia Larsen

Mrs McReaddie

Mrs Joan Murcell

Mr Les O'Neill

Mr Renyi

Mrs Patricia Sheumack

Mrs M & Miss Swarts

Mrs Val Tchan

Mrs Erica Wells

Mr & Mrs G Williams

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**ATTACHMENT C****HONORARY LIFE MEMBERS**

The following persons were granted Honorary Life Membership by the Abyssinian Cat Club of Australasia in recognition of special services rendered to the Original Club and, in accordance with clause 12 of this Constitution, are Honorary Life Members of the Abyssinian Cat Club of Australasia Incorporated:

Melvie McGarry  
NSW Prefix Merindee

Elsie Outram  
NSW Prefix Kongsi

Diane Reynolds  
Victorian Prefix Withit

J Ricketts  
NSW Prefix Rickilee

Diane Royal  
NSW Prefix Avalona  
now Aureate

Mrs Patricia Sheumack  
NSW Prefix Mindal

J Smith  
Victorian Prefix Binalong

M Wreford  
Victorian Prefix Binalong

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