

# Cat Control Council of Tasmania (Inc)

(Member Body of the Co-Ordinating Cat Council of Australia)

## **CONSTITUTION**

(Adopted 21st February 1995)

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# **CONSTITUTION**

## **PART I - PRELIMINARY**

### **1. NAME OF THE COUNCIL**

1. The name of the Council is the "Cat Control Council of Tasmania", and shall be hereinafter referred to in this Constitution as the "C.C.C.".

### **2. INTERPRETATION**

2.1 In this Constitution, unless a contrary intention appears:

"Agricultural Society" means any agricultural, horticultural or pastoral society in Tasmania that conducts regular shows providing for the exhibition of, inter alia, livestock and domestic animals.

"Committee" means the Committee of Management of the C.C.C.

"Financial Year of the C.C.C." means the period beginning on the first day of January in each year and ending on the 31st day of December following.

"general meeting" means a general meeting of members convened in accordance with clauses 31 and 32

"ordinary Committeeman" means a member of the Committee who is not an office bearer as referred to in sub-clause 20.2

2.2 The office of the C.C.C. shall be at a location as determined from time to time by the Committee.

## **PART II - OBJECTS**

### **3. OBJECTS**

3.1 To promote in every way the general improvement of the standard, breeding, and exhibition and welfare of cats.

3.2 To draw up and provide rules:

(a) Under which the C.C.C. or any duly appointed Committee or Sub-Committee may grant permission to hold shows and other exhibitions.

(b) For regulating all such shows and other exhibitions.

(c) For any purpose connected with the objects of the C.C.C.

- 3.3 To protect the interests of exhibitors at shows and other exhibitions.
- 3.4 To keep a Register of cats and ownership thereof, litters and prefixes, and to make regulations therefor.
- 3.5 To draw up rules for the affiliation of kindred bodies, and to grant or withhold affiliation in accordance with the rules of the C.C.C.
- 3.6 To either give, or contribute towards, prizes, medals and awards in connection with shows and other exhibitions, to promote and support displays and entertainments.
- 3.7 To afford means of reference for the amicable settlement of disputes and to prevent illegal, discreditable or dishonest practices.
- 3.8 To purchase, hire, make, provide and maintain all kinds of real and personal property for the carrying out of the objects of the C.C.C. or any of them.
- 3.9 To hire or employ secretaries, clerks, managers, servants, and workmen and to pay to them and other persons, in return for services rendered to the C.C.C. salaries, wages and gratuities.
- 3.10 To subscribe to, and become associated or affiliated with, any other bodies whose objects are kindred to the objects of the C.C.C.
- 3.11 To legislate, to make rules, regulations and/or by-laws, and to do all other acts, matters, and things, as may be necessary or expedient to promote all or any of the objects of the C.C.C. or any of them.
- 3.12 To levy fees for membership, registrations of cats, litters, prefixes, transfers of ownership, or for any other purpose which is considered desirable to carry out the objects of the C.C.C. or any of them.
- 3.13 To award Challenge Certificates, to allot titles, and to make regulations therefor.
- 3.14 To hear appeals from exhibitors or from members of affiliated bodies, owners of cats who are themselves, or whose cats have been, disqualified or penalised by affiliated bodies.
- 3.15 To appoint Committees and Sub-Committees and to delegate such powers as are considered expedient for the carrying out of the objects of the C.C.C. or any of them, and pursuant to the Constitution and Rules of the C.C.C.

## **PART III - MEMBERSHIP**

### **4. MEMBERSHIP QUALIFICATIONS**

4.1 Any person who is nominated and approved for membership as provided in this Constitution is eligible to be a member of the Council on payment of the annual subscription determined from time to time by the Committee.

4.2 A person who is not a member of the C.C.C. at the time of the adoption of this Constitution, shall not be admitted to membership unless:

- (a) they are normally resident in Tasmania;
- (b) they are not a member of a similar control body in Tasmania;
- (c) they are nominated as provided in clause 5; and
- (d) their admission as a member is approved by the Committee.

4.3 Notwithstanding the provisions of Rule 4.2 (a), a non-Tasmanian resident may be granted non-voting Associate Membership.

4.4 Membership of the C.C.C. is mandatory for all persons wishing to:

- (a) Register or breed pedigreed cats under the auspices of the C.C.C.;
- (b) Avail themselves of the administrative services of the C.C.C.;
- (c) Serve on the Committee of the C.C.C. or any C.C.C. affiliated club; or
- (d) Act as an organising official at any C.C.C. sanctioned show or exhibition except that nothing in this Constitution shall prevent any person appointed by an agricultural society in Tasmania acting as an official in any show conducted by that agricultural society.

## **5. NOMINATION FOR MEMBERSHIP**

5.1 An application of a person for membership of the C.C.C.:

- (a) shall be in writing;
- (b) shall be proposed and seconded by Financial members of the C.C.C.;
- (c) shall be signed by the applicant, and
- (d) shall be lodged with the Secretary of the C.C.C.

5.2 As soon as is practicable after the receipt of the application, the Secretary shall refer the application to the Committee.

5.3 The Committee can approve or refuse an application without assigning any reason to the refusal or approval of the application.

5.4 Upon the application being refused by the Committee, the Secretary shall, with as little delay as possible, notify the applicant, in writing, that they have been refused membership of the C.C.C.

5.5 Upon the application being approved by the Committee, the Secretary shall, with as little delay as possible, notify the applicant, in writing, that they have been approved for membership of the C.C.C. and, upon receipt of the sum payable, by or on behalf of the applicant as first year subscription, shall enter the applicant's name in a Register of Members to be kept by the Secretary, whereupon the applicant becomes a member of the C.C.C.

## **6. MEMBERSHIP ENTITLEMENTS**

6.1 Upon registration the applicant shall become possessed of the rights and privileges of membership until the day following the Annual General Meeting of members which shall be held by the end of February in each year, provided that he or she shall not receive the rights

and privileges specifically set out for financial members at any time whilst his or her member's subscription is due and unpaid (subject to sub-clauses 21.2, 21.3, and 31.8).

## **7. MEMBERSHIP ENTITLEMENTS NOT TRANSFERABLE**

7.1 A right privilege or obligation of a person by virtue of his membership of the C.C.C.:

(a) is not capable of being transferred or transmitted to another person; and (b) terminates upon the cessation of his membership, whether by death, resignation or otherwise.

## **8. CESSATION OF MEMBERSHIP**

8.1 A member ceases to be a member:

- (a) if the person dies;
- (b) if the person resigns from membership of the C.C.C.;
- (c) if the person is expelled from the C.C.C.;
- (d) when his or her annual subscription remains unpaid as at 31<sup>st</sup> December of the year in which he or she was a financial member; or,
- (e) if the person is convicted of an offence under the Animal Welfare Act (Tas) or any amendment thereof or Act substituted therefor or equivalent legislation in any jurisdiction within or outside Australia.

## **9. RESIGNATION OF MEMBERSHIP**

9.1 A member of the C.C.C. may, at any time, resign from the C.C.C. by delivering or sending by post to the Secretary a written notice of resignation.

9.2 Upon the receipt of the notice under sub-clause 9.1, the Secretary shall remove the name of the member by whom the notice was given from the register of members, whereupon the person ceases to be a member.

## **10. SUSPENSION OF MEMBERSHIP**

10.1 In the case of a person suspended or disqualified or otherwise ineligible to take part in shows or exhibitions held under the rules of the C.C.C. his or her membership shall be suspended for the term of such suspension, disqualification or ineligibility or for a longer period as the Committee may decide.

10.2 Suspension of membership means that the member has no rights or privileges with respect to the C.C.C. that would be otherwise conferred in this Constitution.

## **11. EXPULSION OF MEMBERSHIP**

11.1 Subject to this rule, the Committee may expel a member from the C.C.C. if, in the opinion of the Committee the member has been guilty of conduct detrimental to the interests of the C.C.C.

11.2 The expulsion of a member pursuant to clause 12 clause does not take effect:

- (a) until the expiration of fourteen days after the service on the member of a notice under clause 12; or

(b) if the member exercises his right of appeal under this clause, until the conclusion of the meeting of the Appeals Committee convened to hear the appeal, whichever is the later date.

**12. NOTIFICATION OF EXPULSION** 12.1 Where the Committee expels a member from the C.C.C., the Secretary of the C.C.C.

shall, without undue delay, cause to be served on the member a notice in writing:

- (a) stating that the Committee has expelled the member;
- (b) specifying the grounds for the expulsion; and
- (c) informing the member that if he so desires he may, within fourteen days after the service of the notice on him, appeal against the expulsion as provided in this clause.

### **13. APPEAL AGAINST EXPULSION**

13.1 A member on whom a notice under clause 12 is served may appeal against the expulsion to the Appeals Committee by delivering or sending by post to the Secretary of the C.C.C., within fourteen (14) days after the service of that notice, a requisition in writing demanding the convening of a meeting for the purpose of hearing this appeal.

### **14. APPEALS COMMITTEE MEETING**

14.1 Upon receipt of a requisition under clause 13, the Secretary shall forthwith notify the Appeals Committee of its receipt and shall thereupon cause a special meeting of its members to be held within twenty-one (21) days after the date on which the requisition is received by the Secretary.

14.2 At the Appeals Committee meeting convened for the purpose of this rule -

- (a) no business other than the question of the expulsion shall be transacted and at all times the rules of natural justice complied with.
- (b) the Committee may place before the meeting details of the grounds of the expulsion and the Committee's reasons for the expulsion;
- (c) the expelled member shall be given an opportunity to be heard; and
- (d) the members present shall vote by secret ballot on the question whether the expulsion should be lifted or confirmed

### **15. DETERMINATION OF APPEAL**

15.1 If at the Appeals Committee meeting a majority of the members present vote in favour of the lifting of the expulsion, the expulsion shall be deemed to have been lifted and the expelled member is entitled to continue his membership of the C.C.C.

15.2 If at the Appeals Committee meeting a majority of the members present vote in favour of the confirmation of the expulsion, the expulsion takes effect, and the expelled member ceases to be a member of the C.C.C.

### **16. THE APPEALS COMMITTEE**

16.1 (a) The Appeals Committee shall consist of the Chairman of the C.C.C., who shall act as Chairman, and the President of each club affiliated with the C.C.C.

- (b) Where the President of an affiliated club has a personal, financial, or other involvement in the affair, the C.C.C. Committee has the right to exclude that person from the Appeals Committee on that occasion.
- (c) The C.C.C. Secretary must attend the hearing of any appeal by the Appeals Committee and provide to that Committee such assistance, information and advice as the Appeals Committee may reasonably require, but shall not take part in the determination of the appeal.
- (d) A quorum of the Appeals Committee shall comprise not less than three (3).

#### **17. MEMBERSHIP SUBSCRIPTIONS**

17.1 All members' subscription shall become due and payable on the first day of January in each year.

#### **18. HONORARY LIFE MEMBERSHIP**

18.1 The Committee may grant Honorary Life Membership to any members of the Cat Control Council who have rendered outstanding or special service to the C.C.C. or affiliated body.

### **PART IV - THE COMMITTEE**

#### **19. POWERS OF THE COMMITTEE**

19.1 The affairs of the C.C.C. shall be managed by a Committee of management constituted as provided in clause 20.

19.2 The Committee:

- (a) shall control and manage the business and affairs of the C.C.C.;
- (b) shall, subject to this Constitution, exercise all such powers and functions as may be exercised by the C.C.C., other than those powers and functions that are required by this Constitution to be exercised by General Meetings of members of the C.C.C., and
- (c) has the power to perform all such acts and things as they appear to the Committee to be essential for the proper management of the business and affairs of the C.C.C.

19.3 The Committee shall have power to make, repeal, vary or add to any Rules, By-Laws, or Regulations for the carrying out of the objects of the C.C.C. or any of them, including power to make regulations or rules governing any matter referred to in the Constitution as subject to, or governed by, any Rules and/or Regulations.

19.4 The Committee shall have absolute power from time to time to fix the amount of annual subscription payable by members.

#### **20. CONSTITUTION AND MEMBERSHIP**

20.1 The Committee shall consist of:

- (a) the officers of the C.C.C.;



(b) nine (9) ordinary Committee members; each of whom shall be elected pursuant to the provisions of the Constitution.

20.2 The officers of the C.C.C. shall be:

- (a) a President;
- (b) a Secretary; and
- (c) a Treasurer.

20.3 Each member of the Committee shall, subject to this Constitution and subject to sub-part

(a) of this sub-clause, hold office for a period of three (3) years with one (1) officer and three (3) Committeemen standing down each year on a rotational basis. (a) For the first two years of operation of this Committee, the officer and Committeemen to stand down shall be determined by way of a ballot.

20.4 Each member so standing down subject to the requirements of this clause may make themselves available for immediate re-election if so desired.

20.5 At the first meeting of Committee following the Annual General Meeting, subject to the provisions of sub-part (a) of this sub-clause, the members present shall nominate and elect the following additional officers from their ranks;

- (a) Chairman - This officer can be any elected office bearer, member of general Committee, general member, or non-member of the C.C.C.. If this officer is not an elected member of the Committee, he will have no function other than to preside over all General and Committee Meetings of the C.C.C. in a fair and impartial manner and will have no voting power other than a casting vote only in matters of otherwise equality of voting;
- (b) Vice-President - to officiate where required in the absence of the President;
- (c) Assistant Secretary - to render assistance to the Secretary where required;
- (d) Registrar - to perform all functions as defined in this Constitution as Duties of the registrar; and
- (e) Public Officer.

## **21. ELECTION OF COMMITTEE MEMBERS**

21.1 Each member of Committee shall be elected by a postal ballot immediately prior to the Annual General Meeting.

21.2 Subject to sub-part (a) of this sub-clause, to be eligible to be nominated for a position of office or of general Committeeman of the C.C.C., a person is required to be a continuous financial member of the C.C.C., or a recognised control body approved by the Committee of the C.C.C., for a period of three (3) years prior to and up to the day of calling of nominations.

(a) This condition does not apply to those persons who were accepted as members of the C.C.C., subject to the conditions of this Constitution, prior to 31st December 1995.

21.3 To be eligible to nominate a person for a position on the Committee, a person is required to be a continuous financial member of C.C.C. for the period from October 1st in the year prior to the A.G.M., until the A.G.M.

21.4 Nominations of candidates for electable positions on the Committee:

(a) shall be made in writing, signed by two (2) members of the C.C.C. and accompanied by the written consent of the candidate (which may be endorsed on the form of nomination); and (b) shall be delivered to the Secretary of the C.C.C. at least twenty one (21) days before the date fixed for the holding of the annual general meeting.

21.5 If insufficient nominations are received to fill all vacancies on the Committee, the candidates nominated shall be deemed to be elected and further nominations shall be received at the annual general meeting.

21.6 If the number of nominations received is equal to the number of vacancies to be filled, the persons nominated shall be deemed to be elected.

21.7 If the number of nominations exceeds the number of vacancies to be filled, a ballot shall be held.

21.8 The ballot shall be conducted prior to the annual general meeting by way of postal ballot in the manner prescribed.

(a) In all elections the ballot will be by way of preferential voting with members to record a number of preference against all candidates.

(b) ballot paper shall be sent to each member at their address as indicated in the Register of Members maintained by the Secretary 18 days prior to the date of the Annual General Meeting.

(c) the ballots shall be returned to the returning officer four (4) days prior to the date of the Annual General Meeting.

21.9 Each candidate will be entitled to appoint one (1) scrutineer to scrutinise the counting of votes.

21.10 The nomination of the scrutineer can be made by the candidate at anytime prior to the counting of votes.

21.11 Unless otherwise decided by the Committee the Secretary is deemed to be the returning officer.

## **22. EXECUTIVE COMMITTEE**

22.1 The President, the Secretary, and the Treasurer constitute an Executive Committee, which may issue instructions to the Secretary and the servants of the C.C.C. in matters of urgency connected with the management of the affairs of the C.C.C. during the intervals between meetings of the Committee, and where such instructions are issued shall report thereon to the next meeting of the Committee.

## **23. THE SECRETARY**

23.1 The Secretary shall have power to delegate any part of his duties or functions herein to any other Committee member for a period up to 30 days. This period may be extended with the approval of the Committee.

23.2 The Secretary or his delegate shall:

(a) Attend all meetings of the Committee, all General Meetings and any other meetings the Committee deem desired, to attend to keep all minutes of the proceedings thereof.; and

(b) Keep and maintain the Register of Members and Affiliated Bodies, and correspondence files in such manner as may from time to time be prescribed by the Committee and in accordance with Rules and Regulations thereof.

23.3 The Secretary together with any two (2) members of the Committee is authorised to clear C.C.C. matters which have an established precedent. 23.4 The Secretary shall be paid an Honorarium of an amount as determined from time to time by the Committee.

## **24. THE TREASURER**

24.1 The Treasurer shall keep true accounts:

- (a) of all sums of money received and expended by the C.C.C. and the matter in respect of which the receipt or expenditure takes place; and
- (b) of the property, credits, and liabilities of the C.C.C. and, subject to any reasonable restrictions as to time and manner of inspecting them that may be imposed by the C.C.C. for the time being, those accounts shall be open to the inspection of the members of the C.C.C.

24.2 The Treasurer of the C.C.C. shall faithfully keep all general records, accounting books, and records of receipts and expenditure connected with the operations and business of the C.C.C. in such form and manner as the Committee may direct. 24.3 The accounts, books, and records referred to in sub-clauses 24.1 and 24.2 shall be kept at such place as the Committee may decide.

24.4 The Treasurer of the C.C.C. shall, on behalf of the C.C.C., receive all moneys paid to the C.C.C. and forthwith after the receipt thereof issue official receipts therefor. 24.5 The Treasurer shall be paid an honorarium of an amount as determined from time to time by the Committee.

## **25. THE REGISTRAR**

25.1 The Registrar or his delegate shall:

- (a) keep and maintain the Register of Prefixes;
- (b) keep and maintain records of change of ownership of cats;
- (c) keep and maintain the Register of all cats and effect new registrations of individual cats and litters ;
- (d) collate and calculate Cat of the Year awards; and
- (e) keep records of all challenges and award titles as required;

in such manner as may from time to time be prescribed by the Committee and in accordance with rules and regulations thereof.

25.2 The Registrar shall be paid an Honorarium of an amount as determined from time to time by the Committee.

## **26. VACANCIES**

26.1 In the event of any casual vacancy of any position of Committee, as defined in this Constitution, the Committee may appoint one (1) member to the vacant office, and the

member so appointed may continue in office for what would have been the remaining term of the person causing the vacancy.

## **27. REMOVAL OF COMMITTEE MEMBERS**

27.1 For the purpose of this Constitution, the office of a Committeeman becomes vacant if the officer or Committeeman:

- (a) dies;
- (b) becomes of unsound mind;
- (c) ceases to be a resident in the State;
- (d) fails, without leave of the Committee, to attend three consecutive meetings;
- (e) fails, without leave of the Committee, to attend at least 60% of all scheduled meetings; or
- (f) ceases to be a member of the C.C.C.

## **28. MEETINGS OF COMMITTEE**

28.1 The Committee shall meet at least every two (2) months at such a place and such a time as the Committee may determine.

28.2 Special meetings of the Committee may be convened by the President or any five (5) of its members.

28.3 Notice shall be given to all members of the Committee of any Special Meeting, specifying the business to be transacted and no other business shall be transacted at such a meeting without the approval of the Chairman.

28.4 Greater than half if the members of the Committee constitute a quorum for the transaction of the business of a meeting of the Committee.

28.5 No business shall be transacted 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 shall stand adjourned to the same place and at the same hour of the same day in the following week unless the meeting is a special meeting, in which case it lapses.

28.6 At meetings of the Committee:

- (a) the Chairman, or in his absence the President, or in the absence of both of them, the Vice President; or
- (b) if the Chairman, President, and Vice President are all absent, such one of the remaining members of the Committee as may be chosen by the members present; shall preside.

28.7 Written notice of each Committee meeting shall be served on each member of the Committee by delivering it to him at a reasonable time before the meeting or by sending it by post in a prepaid letter addressed to him at his usual or last-known place of abode in time to reach him in due course of post before the date of the meeting.

28.8 A member of Committee who has an interest in any contract or arrangement made or proposed to be made with the C.C.C. shall disclose his interest at the first meeting of the Committee at which the contract or arrangement is

first taken into consideration, if his interest then exists, or, in any other case, at the first meeting of the Committee after the acquisition of his interest.

28.9 If a member of the Committee obtains an interest in a contract or arrangement after it is made or entered into he shall disclose his interest at the first meeting of the Committee after he becomes so interested.

28.10 No member of the Committee shall vote as a member of the Committee in respect of any contract or arrangement in which he has an interest and if he does so vote his vote shall not be counted.

28.11 Notwithstanding anything hereinbefore or hereinafter stated, the Committee of the C.C.C. may in its absolute discretion temporarily suspend the operation of the Rules, or any of them, at any time.

28.12 Accurate minutes of the business of all Committee Meetings shall be recorded, and at the next Committee Meeting such minutes shall be read and confirmed and the presiding officer of the meeting shall sign his name and the date of such confirmation, and the Committee shall then transact such business and discuss such matters as may be brought forward by the President, Chairman, Secretary or his Deputy.

28.13 No resolution affecting the Rules or Regulations of the C.C.C. shall be submitted at a meeting of the Committee unless at least fourteen (14) days notice of such motion has been given to all Committee members.

28.14 If in the opinion of the presiding officer of the meeting any matter of urgent importance has arisen which requires immediate discussion, a member may, with the consent of three fifths of the members present, propose any motion without having given the notice required under sub-clause 28.13.

28.15 At all Committee Meetings of the C.C.C. Standing Orders shall be followed as published in the Rostrum Book, "Take the Chair". Where there is doubt over questions of order or practice the ruling of the presiding officer of the meeting shall be accepted as final.

## **29. DELEGATION BY COMMITTEE TO SUB-COMMITTEE**

29.1 The Committee may at any time appoint a Sub-Committee from the Committee as it may think fit and shall prescribe the powers and functions thereof.

29.2 The Committee may co-opt as members of a Sub-Committee such persons as it thinks fit, whether or not those persons are members of the C.C.C., but a person so co-opted is not entitled to vote.

29.3 The President, The Chairman, or the Secretary shall be an ex-officio member of all SubCommittees.

29.4 All acts done by the members of the Committee or of a Sub-Committee duly authorised in that behalf shall notwithstanding that it afterwards be discovered that some person or persons were ineligible to act on such Committee or Sub-Committee be as valid as if such person or persons were eligible to act on such Committee or Sub-Committee.

29.5 Half plus one of the appointed members of a Sub-Committee constitute a quorum at a meeting of the Sub-Committee.

29.6 The Secretary of the C.C.C. is responsible for calling meetings of a Sub-Committee.

29.7 Written notice of each Sub-Committee meeting shall be served on each member of the Sub-Committee by delivering it to him at a reasonable time before the meeting or by sending it by post in a prepaid letter addressed to him at his usual or last-known place of abode in time to reach him in due course of post before the date of the meeting.

### **30. VOTING AND DECISIONS**

30.1 Questions arising at meetings of the Committee or of any such Sub-Committees appointed by the Committee shall be determined by a show of hands or by way of poll as determined by the presiding officer in his absolute discretion.

30.2 Subject to this Constitution each member present at the meeting is entitled to one (1) vote and in the event of an equality of votes on any question, the person presiding may exercise a casting vote.

30.3 A notice may be served by or on behalf of the C.C.C. upon any member either personally or by sending it through the post in a prepaid letter addressed to the member at his address described in the Register of Members.

## **PART V - GENERAL MEETINGS OF MEMBERS**

### **31. ANNUAL GENERAL MEETING**

31.1 The C.C.C. shall, in each year, hold an Annual General Meeting

31.2 The Annual General Meeting of members shall be held by the end of February each year.

31.3 The Annual General Meeting shall be in addition to any other General Meetings that may be held in the same year.

31.4 The Annual General Meeting shall be specified as such in the notice convening it.

31.5 Such notice convening it shall be sent to each member at their address as prescribed in the register of members not less than fourteen (14) clear days before the day appointed for the meeting.

31.6 The ordinary business of the annual general meeting shall be:

- (a) to confirm the minutes of the last proceeding Annual General Meeting and of any General Meeting held since that meeting;
- (b) to receive from the Committee and servants of the C.C.C. reports upon the transactions of the C.C.C. during the last financial year;
- (c) to declare the result of the ballot to elect office bearers and ordinary Committeemen;
- and (d) to discuss any business notice of which has been lodged in writing with the Secretary at least 30 days prior to the meeting.

31.7 The annual general meeting may transact special business of which notice is given in accordance with this Constitution.

31.8 All general meetings other than the Annual General Meeting shall be called Special General Meetings.

31.9 To be eligible to attend the Annual General Meeting and to vote on matters before such a meeting, a person is required to be a continuous financial member of

the C.C.C. for the period from October 1st in the year prior to the A.G.M. until the A.G.M.

## **32. SPECIAL GENERAL MEETINGS**

32.1 A special general meeting may be convened by the President, any five (5) members of Committee, or any 20% of the general members of the C.C.C., whenever they think fit to do so.

32.2 A requisition for a special general meeting shall state the objects of the meeting and shall be signed by those who requisition the special general meeting and deposited with the Secretary of the C.C.C. and may consist of several documents of like form, each signed by one or more of the requisitionists.

32.3 If the Secretary does not cause a Special General Meeting to be held within twenty one (21) days from the date on which a requisition therefor is deposited at the office of the C.C.C., the requisitionists, or any of them, may convene the meeting; but any meeting so convened shall not be held after three (3) months from the date of the deposit of the requisition.

## **33. GENERAL MEETINGS - PROCEDURES AND QUORUM**

33.1 The Secretary of the C.C.C. shall, at least fourteen (14) days before the date fixed for holding a General Meeting of the C.C.C.;

(a) cause to be inserted in at least one newspaper published and circulating generally in the southern area of this State and at least one newspaper published and circulating generally in the northern area of this State, an advertisement in the public notices column; and / or

(b) cause to be sent to each member at their address as prescribed in the Register of Members, a notice of meeting; specifying the place and time for the holding of the meeting, and the nature of the business to be transacted thereat.

33.2 All business that is transacted at Special General Meetings and all business that is transacted at the Annual General Meeting, with the exception of that specially referred to in these rules as being the ordinary business of the Annual General Meeting, shall be deemed to be special business.

33.3 At all General Meetings of the C.C.C. no business shall be considered or discussed other than that of which notice has been given on the notice summoning the meeting, or any business which, in the opinion of the presiding officer of the meeting, shall arise out of such business.

33.4 No item of business shall be transacted at a General Meeting unless a quorum of members entitled under these rules to vote is present during the time when the meeting is considering that item.

33.5 Fifteen (15) members personally present (being members entitled under these rules to vote thereat) constitute a quorum for the transaction of the business of a General Meeting.

33.6 The Chairman, or in his absence, the President, or in the absence of both the Chairman and the President, the Vice-President shall preside at every General Meeting of the C.C.C. 33.7 If the Chairman, President, and Vice-President are all absent from a General Meeting, the members present shall elect one of their number to preside thereat.

33.8 At all General Meetings of the C.C.C. Standing Orders shall be followed as published in the Rostrum Book, "Take the Chair". Where there is doubt over questions of order or practice the ruling of the presiding officer of the meeting shall be accepted as final.

#### **34. ADJOURNMENT**

34.1 If within one hour after the appointed time for the commencement of a General Meeting a quorum is not present, the meeting, if convened upon the requisition of members, shall be dissolved; and in any other case it shall stand adjourned to the same day in the next week, at the same time and (unless another place is specified by the Chairman at the time of the adjournment or by written notice to members given before the day to which the meeting is adjourned) at the same place, and if at the adjourned meeting a quorum is not present within one hour after the time appointed for the commencement of the meeting, the meeting shall be dissolved.

34.2 The presiding officer of a General Meeting at which a quorum is present may, with the consent of 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.

34.3 Where a meeting is adjourned for fourteen days or more, the like notice of the adjourned meeting shall be given as in the case of the original meeting.

34.4 Except as provided in the foregoing provisions of this Constitution, it is not necessary to give any notice of an adjournment or of the business to be transacted at an adjourned meeting.

#### **35. VOTING**

35.1 A question arising at a General Meeting of the Council shall be determined on a show of hands, unless the presiding officer, in his absolute discretion, decides a poll is required. A declaration by the presiding officer that a resolution has, on a show of hands, been carried, or carried unanimously, or carried by a particular majority, or lost, and an entry to that effect in the minute book of the C.C.C. is evidence of the fact, without proof of the number of proportion of the votes recorded in favour of, or against, that resolution.

35.2 Upon any question arising at a General Meeting of the C.C.C., a member has one vote only.

35.3 All members shall vote in person.

35.4 In the case of an equality of voting on a question the Chairman of the meeting is entitled to exercise a casting vote.

35.5 If at a meeting a poll on any question is required it shall be taken at that meeting in such manner as the Chairman may direct, and the result of the poll shall be deemed to be the resolution of the meeting on that question.

35.6 A poll that is required on the election of a presiding officer, or on a question of adjournment, shall be taken forthwith, and a poll that is required on any other question shall be taken at such time before the close of the meeting as the presiding officer may direct.

### **PART VI - FINANCE**

#### **36. FUND MANAGEMENT**

36.1 The income and property of the C.C.C., however derived, shall be applied solely towards the promotion of the objects and purposes of the C.C.C. and no portion thereof shall



be paid or transferred, directly or indirectly, by dividend, bonus, or otherwise, to any member of the C.C.C.

36.2 The C.C.C. shall not:

(a) appoint a person who is a member of the Committee to any office in the gift of the C.C.C. to the holder of which there is payable any remuneration by way of salary, fees, or allowances; or

(b) pay to any such person any remuneration or other benefit in money or money's worth (other than the repayment of out-of-pocket expenses).

36.3 Nothing in the foregoing provisions of this rule prevents the payment in good faith to a servant or member of the C.C.C. of:

(a) remuneration in return for services actually rendered to the C.C.C. by the servant or member or for goods supplied to the C.C.C. by the servant or member in the ordinary course of business;

(b) interest at a rate not exceeding nine and one-quarter per cent on moneys lent to the C.C.C. by the servant or member; or (c) a reasonable and proper sum by way of rent for premises let to the C.C.C. by the servant or member.

### **37. BANK ACCOUNT**

37.1 The Committee shall cause to be opened with such bank as the Committee selects a banking account in the name of the C.C.C. into which all moneys received shall be paid by the Treasurer as soon as possible after receipt thereof.

(3) The Committee may receive from the C.C.C.'s bank or bankers for the time being the cheques drawn by the C.C.C. on any of its accounts with the bank or bankers and may release and indemnify the bank or bankers from and against all claims, actions, suits, or demands that may be brought against the bank or bankers arising directly or indirectly out of those cheques or the surrender thereof to the C.C.C.

### **38. PAYMENT OF ACCOUNTS**

38.1 Except with the authority of the Committee, no payment of a sum exceeding twenty (20) dollars shall be made from the funds of the C.C.C. otherwise than by cheque drawn on the C.C.C.'s bank account, but the Committee may provide the Secretary and the Registrar with a sum to meet urgent expenditure, subject to the observance of such conditions in relation to the use and expenditure thereof as the Committee may impose.

38.2 All cheques, drafts, bills of exchange, promissory notes, and other negotiable instruments shall be signed by the Treasurer or, in his absence, by such other member or members of the Committee as the Committee may nominate for that purpose, and shall be countersigned by the President or the Secretary.

### **39. AUTHORISATION OF PAYMENT**

39.1 All cheques drawn on the C.C.C.'s bank account require authorisation by the Committee.

39.2 Any expenditure incurred on behalf of the C.C.C. shall be ratified by the Committee at its next meeting and the Treasurer, the Secretary or their deputies shall be empowered by the Committee as it deems fit to provide for any meet sundry items by way of petty cash.

#### **40. INSPECTION OF ACCOUNT BOOKS AND RECORDS**

40.1 The Bank Pass Books, Account Books, Accounts and Vouchers, and any other books directly or indirectly connected with the financial position of the C.C.C. shall be the property of the C.C.C., and shall be produced to the Committee whenever it shall so desire.

#### **41. THE AUDITOR**

41.1 The Committee shall appoint an auditor of the C.C.C. for the then current financial year of the C.C.C.

41.2 Once at least in each financial year of the C.C.C., the accounts of the C.C.C., shall be examined by the auditor.

41.3 The auditor shall certify as to the correctness of the accounts of the C.C.C. and shall report thereon to the members present at the annual general meeting.

41.4 In his report, and in certifying to the accounts, the auditor shall state -

- (a) whether he has obtained the information required by him;
- (b) whether, in his opinion, the accounts are properly drawn up so as to exhibit a true and correct view of the financial position of the C.C.C. according to the information at his disposal and the explanations given to him and as shown by the books of the C.C.C.;
- and (c) whether the rules relating to the administration of the funds of the C.C.C. have been observed.

41.4 The Treasurer of the C.C.C. shall cause to be delivered to the auditor a list of all the accounts, books, and records of the C.C.C.

41.5 The auditor -

- (a) has a right of access to the accounts, books, records, vouchers, and documents of the C.C.C.;
- (b) may require from the servants of the C.C.C. such information and explanations as may be necessary for the performance of his duties as auditor;
- (c) may employ persons to assist him in investigating the accounts of the C.C.C.; and
- (d) may, in relation to the accounts of the C.C.C. examine any member of the Committee or any servant of the C.C.C.

#### **42. TRUSTEES OF C.C.C. PROPERTY**

42.1 All property, real or personal, owned by the C.C.C. shall be vested in the Committee of the C.C.C. for the time being in office as Trustees for the C.C.C.

### **PART VII - MISCELLANEOUS**

#### **43. SERVICE OF NOTICES**

43.1 A notice may be served by or on behalf of the C.C.C. upon any member either personally or by sending it through the post in a pre-paid letter addressed to the member at his address described in the Register of Members.

#### **44. DETERMINATION OF DISPUTES.**

44.1 Subject to this rule, a dispute between a member of the C.C.C., in his capacity as a member, and the C.C.C. shall be determined by arbitration in accordance with the provisions of the Commercial Arbitration Act 1986.

(a) Nothing in this sub-clause affects the operation or effect of Clause 11.

#### **45. AMENDMENT OF CONSTITUTION**

45.1 This Constitution shall come into force forthwith and shall be the Constitution of the C.C.C., and no part of the Constitution shall be varied, altered, repealed, or amended, save at a meeting of the members at a general meeting, by a resolution on that behalf carried by a majority of seventy-five per cent of the members present, and provided that any such proposed variation, alteration, revocation or amendment be notified in writing to all members prior to the meeting.

#### **46. DISSOLUTION**

46.1 No association or individual shall have any proprietary right or interest to any of the funds or property of the C.C.C. Such property and funds shall be devoted to the promotion of the objects of the C.C.C., and in the event of the winding-up of that body shall be devoted to the promotion of objects similar to those of the C.C.C.

46.2 In the event of the C.C.C. being wound up:

(a) every member of the C.C.C.; and

(b) every person who, within a period of twelve (12) months immediately preceding the commencement of the winding up, was a member of the C.C.C.;

is liable to contribute to the assets of the C.C.C. for payment of the debts and liabilities of the C.C.C. and for the costs, charges, and expenses of the winding up and for the adjustment of the rights of the contributors among themselves such sum not exceeding two (2) dollars as may be required, but a former member is not liable so to contribute in respect of any debt or liability of the C.C.C. contracted after he ceased to be a member.

#### **47. THE SEAL OF ASSOCIATION**

47.1 The seal of the C.C.C. shall be in the form of a rubber stamp, inscribed with the name of the C.C.C. encircling the word "seal".

47.2 The Seal of the C.C.C. shall not be affixed to any instrument except by the authority of the Committee, and the affixing thereof shall be attested by the signatures either of two (2) members of the Committee, or of one (1) member of the Committee and the Public Officer of the C.C.C. or such other person as the Committee may appoint for that purpose, and that attestation is sufficient for all purposes that the seal was affixed by authority of the Committee.

47.3 The seal shall remain in the custody of the Public Officer.