

VIKINGS FISHING CLUB INC.

CONSTITUTION

*Original Constitution passed at a Special General Meeting on
08th June 1993 at Revision 0*

*Amended and passed at the Annual General Meeting on 25th
July 2004 at Revision 1*

*Amended and passed at the Annual General Meeting on 19th
July 2009 Revision 2*

*Amended and passed at the Annual General Meeting on 25th
July 2010 at Revision 3*

*Amended and passed at the Special General Meeting on 13th
September 2011 at Revision 4*

*Amended and passed at the Special General Meeting on 10th
June 2014 at Revision 5*

*Amended and passed at the Annual General Meeting on 27th
June 2014 at Revision 6*

*Amended and passed at the General Meeting on 14th October
2014 at Revision 7*

*Amended and passed at the Annual General Meeting on the
22 July 2018 at Revision 8*

OBJECTS AND RULES
OF THE
VIKINGS FISHING CLUB INC.

OBJECTS

1. *The Objects of the Vikings Fishing Club Inc. are:*
 - (a) *to foster and encourage the amateur sport of recreational fishing;*

and
 - (b) *to promote social interaction and good fellowship amongst members of the Club and others with similar interests.*

2. *For the purposes of furthering those objectives, but not otherwise, the Club shall have the legal capacity and all the powers of a natural person.*

3. *The purpose of clause 2 is:*
 - (a) *to prevent the doctrine of ultra vires⁽¹⁾ in its application to the powers of the Club to further its Objects,*

and
 - (b) *to ensure that the Club is able to give effect to its Objects set out in clause 1 without the necessity to specifically include a power, and clause 2 shall be construed accordingly.*

4. *Further to clause 2, the membership shall have the power:*
 - (a) *to establish rules and by-laws for the Club to provide a standard code of conduct for all members;*
 - (b) *to engage in inter and intra club competition;*
 - (c) *to keep and maintain records of fish caught, and where necessary, submit on their own behalf, claims for records.*

⁽¹⁾ **ultra vires** - going beyond the legal power or authority of an agent, company, tribunal etc

RULES

TABLE OF PROVISIONS

Clause

PART 1 - PRELIMINARY

1. *Interpretation*

PART 2 - MEMBERSHIP

2. *Membership qualification*
3. *Nomination of membership*
4. *Membership entitlements not transferable*
5. *Cessation of membership*
6. *Resignation of membership*
7. *Fee, subscriptions etc*
8. *Unfinancial members*
9. *Disciplining of members*
10. *Right of appeal of disciplined member*

PART 3 - THE COMMITTEE

11. *Powers of the committee*
12. *Constitution and membership*
13. *Election of committee members*
14. *Secretary*
15. *Treasurer*
16. *Vacancies*
17. *Removal of committee members*
18. *Committee meetings and quorum*
19. *Delegation by committee to sub-committee*
20. *Voting and decisions*

PART 4 - GENERAL MEETINGS

21. *Annual general meetings - holding of*
22. *Annual general meeting - calling of and business at*
23. *General meetings and special general meetings - calling of*
24. *Notice*
25. *General meetings - procedure and quorum*
26. *Presiding member*
27. *Adjournment*
28. *Making of Decisions*
29. *Voting*
30. *Reserved*

PART 5 - MISCELLANEOUS

31. *Funds - source*
32. *Funds - management*
33. *Alteration of objects and rules*
34. *Reserved*
35. *Custody of books*
36. *Inspection of books*
37. *Service of notices*
38. *Surplus property*
39. *Name of the Club*
40. *Headquarters of the Club*
41. *Liability of Officers and Members*

PART 1 - PRELIMINARY**1. Interpretation**

These rules have been compiled under guidelines provided by the Associations Incorporation Act 1991 and the Associations Incorporation Regulations 1991.

(1) *In these rules, unless a contrary intention appears:*

"financial year" means the year ending 30 June;

"member" means a member, however described, of the Vikings Fishing Club Inc.;

"ordinary member" means a financial member, not being an associate or junior member, of the Vikings Fishing Club Inc.;

"associate member" is the spouse of an ordinary member whose membership has been paid by the ordinary member. Unless the committee advises to the contrary, an associate member may attend any annual, general or special general meeting, however an associate member does not have the right to vote.

"junior member" means a person under 18 years of age who is subject to these rules as if he were an ordinary member of the Club, except that the junior member does not have the right to vote at any annual, special or general meeting (a junior member is automatically granted membership by virtue of a parental or grandparental family membership);

"ordinary committee member" means a member of the committee who is not an office-bearer of the Vikings Fishing Club Inc.. as referred to in paragraph 12 (1) (a);

"secretary" means the person holding office under these rules as Secretary of the Vikings Fishing Club Inc.;

"executive" - The executive positions of the Club are allotted to those members who hold the following positions:

- i. President*
- ii. Vice-President*
- iii. Secretary*
- iv. Treasurer*

(2) *In these rules-*

(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 power, authority or duty, a reference to the exercise of the power or authority or the performance of the duty.

"membership year" is that period between 1st July and 30 June of the following year.

"by-law" means any rule or regulation which has been made by the Club which is supplementary to the contents of this Constitution.

Words in the singular number include the plural and words in the plural number include the singular unless the contrary appears.

Words importing a gender include every other gender unless the contrary intention appears.

Where the words "the Club" appear in this document, it means "Vikings Fishing Club Inc."

Clause headings are for convenience only and have no effect on the construction, interpretation or meaning of this Constitution.

For the purposes of Part 4 of this Constitution the following apply:

- (1) "annual general meeting" is a meeting convened in accordance with Rule 21 .
- (2) "general meeting" is a meeting convened by the committee in accordance with Rule 23 (1).
- (3) "special general meeting" is a meeting convened by the committee for a special purpose or called by the membership in accordance with Rule 23 (2) - (5) inclusive.

PART 2 - MEMBERSHIP

2. Membership qualifications

- (1) A person, who must be a current financial member of the Tuggeranong Valley Rugby Union and Amateur Sports Club Limited, is qualified to be a member if -
- (a) the person -
- (i) has been nominated for membership in accordance with sub-rule 3(1);
- and
- (ii) has been approved for membership of the Vikings Fishing Club Inc. by the committee of the Club.

or

- (b) *the person is a junior member as defined in Part 1 of these rules. A junior member on attaining 18 years of age is to apply for membership in accordance with rule 2.(1)(a) (i) & (ii) above.*

3. Nomination for membership

- (1) *A nomination of a person for membership of the Vikings Fishing Club Inc. -
 - (a) *shall be made by a person in writing in the form set out by the committee in writing, and presented in person at a general meeting, to the Secretary of the Club.**
- (2) *As soon as is practicable after receiving a nomination for membership, the Secretary shall verify the correctness and refer the nomination to the Treasurer*
- (3) *The Treasurer shall as soon as practicable request the nominee to pay the sum payable under these rules by a member as the first years annual subscription.*
- (4) *The Treasurer shall, on payment by the nominee of the amount referred to in sub-rule (3) within the period referred to in that sub-rule, enter the nominee's name in the register of members and, upon the name being so entered, the nominee shall become a member of the Vikings Fishing Club Inc. Completed membership forms are to be retained for archival purposes by the Secretary in a designated folder.*

4. Membership entitlements not transferable

A right, privilege or obligation which a person has by reason of being a member of the Vikings Fishing Club Inc. -

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

5. Cessation of membership

A person ceases to be a member of the Vikings Fishing Club Inc. if the person -

- (a) *dies;*
- (b) *resigns from membership of the Vikings Fishing Club Inc.;*
- (c) *is expelled from the Vikings Fishing Club Inc.;*

(d) *fails to renew membership of the Vikings Fishing Club Inc. before or on the date of the annual general meeting;*

or

(e) *is suspended, by the Board of Directors or their representatives, from all rights and privileges as a member of the Tuggeranong Valley Rugby Union and Amateur Sports Club Limited.*

6. Resignation of membership

- (1) *A member is not entitled to resign from membership of the Vikings Fishing Club Inc. except in accordance with this rule.*
- (2) *A member who has paid all amounts payable by the member to the Club may resign from membership of the Vikings Fishing Club - Inc. by first giving notice (being not less than 1 month or, if the committee has determined a shorter period, that shorter period) 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.*
- (3) *Where a person ceases to be a member, the Secretary shall make an appropriate entry in the register of members recording the date on which the member ceased to be a member.*

7. Fee, subscriptions etc

- (1) *The annual membership fee of the Vikings Fishing Club Inc. is reviewed by the committee yearly and updated in Club rules as required.*
- (2) *The annual membership fee is payable and due -*
 - (a) *except as provided by paragraph (b), before or on the date of the annual general meeting;*
 - or*
 - (b) *where a person becomes a member on or after the date of the beginning of the financial year , before or on the date of the annual general meeting in each succeeding calendar year.*
 - (c) *where a person becomes a member in accordance with sub-rule 2(b), the committee may, if it sees fit, remit a pro rata amount of the annual membership fee.*

8. Unfinancial members

- (1) *A member may be deemed to be an unfinancial member if the following applies:*
 - (a) *the member is 28 days in arrears with annual membership fees;*
or
 - (b) *is in arrears for that period with any Club imposed levy (this may include, but is not limited to, trip fees, raffle tickets etc.)*
- (2) *a member deemed to be unfinancial will have no rights or privileges of the Club until such time as the debt is cleared.*

9. Disciplining of members

- (1) *Where the committee is of the opinion that a member-*
 - (a) *has persistently refused or neglected to comply with a provision of these rules;*
or
 - (b) *has persistently and wilfully acted in a manner prejudicial to the interests of the Vikings Fishing Club Inc.,*
the committee may, by resolution -
 - (c) *expel the member from the Vikings Fishing Club Inc.;*
or
 - (d) *suspend the member from such rights and privileges of membership of the Vikings Fishing Club Inc. as the committee may determine for a specified period.*
- (2) *A resolution of the committee under sub-rule (1) is of no effect unless the committee, at a meeting held not earlier than 14 days and not later than 28 days after service on the member of a notice under sub-rule (3), confirms the resolution in accordance with this rule.*
- (3) *Where the committee passes a resolution under sub-rule (1), 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 members may address the committee at a meeting to be held not earlier than 14 days and not later than 28 days after 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 the meeting;*
 - (ii) *submit to the committee at or prior to the date of that meeting written representations to the resolution.*

(4) *At a meeting of the committee mentioned in sub-rule (2), the committee shall -*

- (a) *give to the member mentioned in sub-rule (1) an opportunity to make oral representations;*
- (b) *give due consideration to any written representations submitted to the committee by that member at or prior to the meeting;*

and

- (c) *by resolution determine whether to confirm or to revoke the resolution of the committee made under sub-rule (1).*

(5) *Where the committee confirms a resolution under sub-rule (4), the Secretary shall, within 7 days after that confirmation, by notice in writing inform the member of that confirmation and of the member's right of appeal under rule 10.*

(6) *A resolution confirmed by the committee under sub-rule (4) does not take effect -*

- (a) *until the expiration of the period within which the members is entitled to appeal against the resolution where the member does not exercise the right of appeal within that period;*

or

- (b) *where within that period the member exercises the right of appeal, unless and until the Vikings Fishing Club Inc. confirms the resolution with sub-rule 10(4).*

10. Right of appeal of disciplined member

(1) *A member may appeal to the Club in a special general meeting against a resolution of the committee which is confirmed under 9(4), within 7 days after notice of the resolution is served on the member, by lodging with the Secretary a notice to that effect.*

(2) *Upon receipt of a notice under sub-rule (1), the Secretary shall notify the committee which shall convene a special general meeting of the Club to be held within 21 days after the date on which the Secretary received the notice or as soon as possible after that date.*

- (3) *At a special general meeting of the Club convened under sub-rule (2)* -
- (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 make representations in relation to the appeal orally or in writing, or both;*
- and*
- (c) *the members present shall vote by secret ballot on the question of whether the resolution made under 9(4) shall be confirmed or revoked.*
- (4) *If the meeting passes a special resolution in favour of the confirmation of the resolution made under 9(4), that resolution is confirmed.*

PART 3 - THE COMMITTEE

11. Powers of the committee

The committee, subject to these rules and to any resolution passed by the Club in a 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 these rules to be exercised by the Club in general meeting;*
- (c) *has the power to perform all such acts and do such things as appear to the committee to be necessary or desirable for the proper management of the affairs of the Club.*
- (d) *has the power to formulate, and amend, an application form for membership to the Vikings Fishing Club Incorporated that will suit the club's database.*

12. Constitution and membership

- (1) *The committee shall consist of -*
- (a) *the office bearers of the Vikings Fishing Club Inc.;*
- and*
- (b) *8 ordinary committee members;*
- each of whom shall be elected pursuant to rule 13 or appointed in accordance with sub-rule (4).*

- (2) *The office-bearers of the Club shall be -
 - (a) *the President;*
 - (b) *the Vice-President;*
 - (c) *the Treasurer;*
 - and*
 - (d) *the Secretary.**
- (3) *Each member of the committee shall, subject to these rules, hold office until the conclusion of the annual general meeting following the date of the member's election, but is eligible for re-election.*
- (4) *In the event of a vacancy in the membership of the committee, the committee may appoint a member of the Club to fill the vacancy and the member so appointed shall hold office, subject to these rules, until the conclusion of the annual general meeting next following the date of appointment.*

13. Election of committee members

- (1) *Nominations of candidates for election as office-bearers of the Club or as ordinary committee members -
 - (a) *shall be made in writing, signed by 2 members of the Club and accompanied by the written consent of the candidate (which may be endorsed on the nomination form);*
 - and*
 - (b) *shall be delivered to the Secretary of the Club not less than 7 days before the date fixed for the annual general meeting at which the election is to take place.**
- (2) *If insufficient nominations are received to fill the vacancies on the committee, the candidates nominated shall be deemed to be elected and further nominations shall be received at the annual general meeting.*
- (3) *If insufficient further nominations are received, any vacant positions remaining on the committee shall be deemed to be vacancies.*
- (4) *If the number of nominations received is equal to the number of vacancies to be filled, the persons nominated shall be taken as elected.*
- (5) *If the number of nominations received exceeds the number of vacancies to be filled, a ballot shall be held.*

- (6) *The ballot for the election of office-bearers and ordinary committee members shall be conducted at the annual general meeting in such manner as the committee may direct.*
- (7) *A person is not eligible to hold more than 1 position on the committee.*

14. Secretary

- (1) *The Secretary of the Club shall, as soon as practicable after being appointed as secretary, notify the members of the Club of his contact telephone number.*
- (2) *The Secretary shall keep minutes of -*
 - (a) *all elections and appointments of office-bearers and ordinary committee members;*
 - (b) *the names of members of the committee present at a committee meeting or a general meeting;*

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

15. Treasurer

- (1) *The Treasurer of the Club shall -*
 - (a) *collect and receive all monies due to the Club and make all payments authorised by the Club;*
 - (b) *keep correct accounts and books showing the financial affairs of the Club with full details of all receipts and expenditure connected with the activities of the Club.*

and
 - (c) *present to the annual general meeting an audited statement of the financial affairs of the Club.*

16. Vacancies

- (1) *For the purposes of these rules, a vacancy in the office of a member of the committee occurs if the member -*
 - (a) *dies;*
 - (b) *ceases to be a member of the Vikings Fishing Club Inc.;*
 - (c) *resigns the office;*

(d) *is removed from office pursuant to rule 17;*

or

(e) *is absent without the consent of the committee from all meetings of the committee held during a period of 3 months.*

17. Removal of committee members

The Club in special general meeting may by resolution, remove any member of the committee from the office of member of the committee before the expiration of the member's term of office.

18. Committee meetings and quorum

(1) *The committee shall meet at least 3 times in each calendar year as such place and time as the committee may determine.*

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

(3) *Oral or written notice of a meeting of the committee shall be given by the Secretary to each member of the committee at least 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.*

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

(5) *Any 2 members of the executive committee and 3 ordinary committee members constitute a quorum for the transaction of the business of a meeting of the committee.*

(6) *No business shall be transacted by the committee unless a quorum is present and if within half an hour after 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.*

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

(8) *At meetings of the committee -*

(a) *the President or in the absence of the president, the vice-President shall preside;*

or

(b) *if the President and vice-President are absent, 1 of the remaining members of the committee may be chosen by the members present to preside.*

19. Delegation by committee to sub-committee

- (1) *The committee may, by instrument in writing, delegate to 1 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 -
 - (a) *this power of delegation;*

and
 - (b) *a function which is a function imposed on the committee by resolution of the Club in general meeting.**
- (2) *A function, the exercise of which has been delegated to a sub-committee under this rule may, while the delegation remains unrevoked, be exercised from time to time by the sub-committee in accordance with the terms of the delegation.*
- (3) *A delegation under this rule may be made subject to such conditions or limitations as to the exercise of any function or as to time or circumstances, as may be specified in the instrument of delegation.*
- (4) *Notwithstanding any delegation under this rule, the committee may continue to exercise any function delegated.*
- (5) *Any act or thing done or suffered by a sub-committee acting in the exercise of a delegation under this rule has the same force and effect as it would have been done or suffered by the committee.*
- (6) *The committee may, by instrument in writing, revoke wholly or in part any delegation under this rule.*
- (7) *A sub-committee may meet and adjourn as it thinks proper.*

20. Voting and decisions

- (1) *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.*
- (2) *Each member present at a meeting of the committee or of any sub-committee appointed by the committee (including the person presiding at the meeting) is entitled to 1 vote but, in the event of equality of votes on any question, the person presiding may exercise a second or casting vote.*
- (3) *Subject to 18(5), the committee may act notwithstanding any vacancy on the committee.*

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

PART 4 - GENERAL MEETINGS

21. Annual general meetings - holding of

- (1) The Vikings Fishing Club Inc., shall, at least once in each calendar year and within the period of 2 months after the expiration of each financial year of the Club, convene an annual general meeting of its members.

22. Annual general meetings - calling of and business at

- (1) The annual general meeting of the Vikings Fishing Club Inc. shall be convened on such date and at such place and time as the committee thinks fit.
- (2) 15% of members present in person (being members entitled under these rules to vote at an annual general meeting) constitute a quorum for the transaction of the business of an annual general meeting.
- (3) 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 preceding annual general meeting and of any special general meeting held since that meeting;
 - (b) to receive from the committee reports on the activities of the Club during the preceding financial year;
 - (c) to elect members of the committee, including office-bearers;
- and
- (d) to receive and consider the statement of accounts and reports that are required to be submitted to members.
- (4) An annual general meeting shall be specified as such in the notice convening it in accordance with rule 24.
- (5) An annual general meeting shall be conducted in accordance with the provisions of this part.

23. General and special general meetings - calling of

- (1) *General meetings of the Club are to be held on the second Tuesday of each month however the committee may, whenever it thinks fit, convene a general meeting (not being a special general meeting) of the Club.*
- (2) *The committee shall, on the requisition in writing of not less than 25 per cent of the total number of members, convene a special general meeting of the Club.*
- (3) *A requisition of members for a special general meeting-*
 - (a) *shall state the purpose or purposes of the meeting;*
 - (b) *shall be signed by the members making the requisition;*
 - (c) *shall be lodged with the secretary;*

and

 - (d) *may consist of several documents in a similar form, each signed by 1 or more of the members making the requisition.*
- (4) *If the committee fails to convene a special general meeting within 1 month after the date on which a requisition of members for the special general meeting is lodged with the secretary, any 1 or more of the members who made the requisition may convene a special general meeting to be held not later than 3 months from that date.*
- (5) *A special general meeting convened by a member or members referred to in rule (4) shall be convened as nearly as is practicable in the same manner as general meetings are convened by the committee and any member who thereby incurs expense is entitled to be reimbursed by the Club for any reasonable expense so incurred.*

24. Notice

- (1) *Except if the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the association, the Secretary must, at least 14 days before the date fixed for the holding of the general meeting, send notice to each member at the member's address appearing in the register of members, a notice in accordance with Clause 37, specifying the place, date and time of the meeting and the nature of the business proposed to be transacted at the meeting.*
- (2) *If the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the association, the Secretary must, at least 21 days before the date fixed for the holding of the general meeting, send notice to each member in the way provided in subsection (1) specifying, in addition to the matter required under that subsection, the intention to propose the resolution as a special resolution.*

- (3) *No business other than that specified in the notice convening an annual, general or special general meeting shall be transacted at the meeting except, in the case of an annual general meeting, business which may be transacted pursuant to rule 22(3).*
- (4) *A member desiring to bring any business before a general meeting may give notice in writing of that business to the Secretary who shall include that business in the agenda for the next general meeting after receipt of the notice from the member.*

25. General meetings - procedure and quorum

- (1) *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 the meeting is considering the item.*
- (2) *15% of members present in person (being members entitled under these rules to vote at a general meeting) constitute a quorum for the transaction of the business of a general meeting.*
- (3) *If within half an hour after the appointed time for the commencement of a general meeting a quorum is not present, the meeting 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.*
- (4) *If at the adjourned meeting a quorum is not present within half an hour after the time appointed for the commencement of the meeting, the members present (being not less than 5) shall constitute a quorum.*

26. Presiding member

- (1) *The president, or in the absence of the president, the vice-president, shall preside at each general meeting of the Club.*
- (2) *If the President and the vice-President are absent from a general meeting, the members present shall elect 1 of their number to preside at the meeting.*

27. Adjournment

- (1) *The person presiding at 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.*
- (2) *Where a general meeting is adjourned for 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.*

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

28. Making of decisions

- (1) *A question arising at a general meeting of the Club shall be determined on a show of hands and, unless before or after the declaration of the show of hands a poll is demanded, a declaration by the person presiding that a resolution has, on the show of hands, been carried or carried unanimously or carried by a particular majority or lost, or an entry to that effect in the minute book of the Club, is evidence of the fact without proof of the number or proportion of the votes recorded in favour of or against that resolution.*
- (2) *At a general meeting of the Club, a poll may be demanded by the person presiding or by not less than 3 members present in person at the meeting.*
- (3) *Where the poll is demanded at a general meeting, the poll shall be taken -*
- (a) *immediately in the case of a poll which relates to the election of the person to preside at the meeting or to the question of an adjournment;*
- or*
- (b) *in any other case, in such manner and at such time before the close of the meeting as the person presiding directs, and the resolution of the poll on the matter shall be deemed to be the resolution of the meeting on that matter.*

29. Voting

- (1) *Subject to sub-rule (3), upon any question arising at a general meeting of the Club a member has 1 vote only.*
- (2) *All votes shall be given personally.*
- (3) *In the case of an equality of votes on a question at a general meeting, the person presiding is entitled to exercise a second or casting vote.*
- (4) *A member is not entitled to vote at any general meeting of the Club unless all money due and payable by the member to the Club has been paid.*

30. Reserved

PART 5 - MISCELLANEOUS

31. Funds - source

- (1) *The funds of the Club shall be derived from annual subscriptions of members, donations and, subject to any resolution passed by the Club in general meeting, such other sources as the committee determines.*

- (2) *The funds of the Club shall be applied solely towards the promotion of the Objects and no part of those funds shall be paid or transferred, directly or indirectly, to the Members, by way of profit.*
- (3) *All money received by the Club shall be deposited as soon as practicable and without deduction to the credit of the Viking Fishing Club Inc.'s bank account.*

32. Funds - management

- (1) *Subject to any resolution passed by the Club in general meeting, the funds of the Vikings Fishing Club Inc. shall be used in pursuance of the objects of the Club in such manner as the committee determines.*
- (2) *All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments shall be signed by any 2 members of the committee of the Club, being members of the committee authorised to do so by the committee.*
- (3) *Payments of any outstanding moneys that the Vikings Fishing Club Inc. owes may be paid via electronic means, namely B Pay or EFT.*

33. Alterations of objects and rules

- (1) *Neither the objects of the Vikings Fishing Club Inc. nor these rules shall be altered except by resolution of an annual general meeting or a special general meeting called for that purpose.*
- (2) *That the Constitution be corrected as necessary to take into account any minor consequential changes, inconsistencies and typographical errors. These changes to be notified to members, and recorded in the minutes at the VFC general meeting following such changes being made. Changes which fall outside the above parameters are to be resolved in accordance with Rule 33(1).*

34. Common Seal

- (1) *The common seal of the Vikings Fishing Club Inc shall be kept in the custody of the Public Officer.*
- (2) *The common seal shall not be affixed to any instrument except by authority of the committee and the affixing of the common seal shall be attested by the signatures of either 2 members of the committee or of 1 of the committee and of the secretary.*

35. Custody of books

Subject to these rules, the Secretary shall keep in his/her custody or under his/her control all records, books and other documents relating to the Vikings Fishing Club Inc..

36. Inspection of books

The records, books and other documents of the Vikings Fishing Club Inc. shall be open to inspection, at a reasonable time and place as determined by the committee, free off charge, by a member of the Club.

37. Service of notices

- (1) *For the purpose of these rules, a notice may be served by or given to a person:*
 - (a) *by delivering it to the person personally, or*
 - (b) *by sending it by pre-paid post to the address of the person, or*
 - (c) *by sending it by email, or some other form of electronic transmission to an address specified by the person for giving or serving the notice.*

- (2) *For the purpose of these rules, a notice is taken, unless the contrary is proved, to have been given or served:*
 - (a) *in the case of a notice given or served personally, on the date on which it is received by the addressee, and*
 - (b) *in the case of a notice send by pre-paid post, on the date when it would have been delivered in the ordinary course of post, and*
 - (c) *in the case of a notice sent by facsimile transmission or some other form of electronic transmission, on the date it was sent, or if the machine from which the transmission was sent produces a report indicating that the notice was sent on a later date, on that date.*

38. Surplus property

- (1) *In the event of dissolution of the Vikings Fishing Club Inc., the assets and funds in hand shall, after payment of expenses and liabilities, be handed on to such social or sporting club or charitable institutions operating in the A.C.T. as a majority of the members present, and entitled to vote at the meeting dissolving the club, decide.*

39. Name of the Club

The name of the Club shall be "Vikings Fishing Club Inc."

40. Headquarters of the Club

The headquarters of the Club shall be in the Erindale Vikings Club , 6 Ricardo Street, Wanniasa, A.C.T. 2903.

41. Liability of Officers and Members

No member of the VFC Inc. will be deemed liable for any costs, charges and expenses for which the VFC Inc. is liable for winding up procedures.