



# South Coast Amateur Radio Club Inc.

## CONSTITUTION

[www.scarc.org.au](http://www.scarc.org.au)

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June 2007

### 1.0 Name

The name of the organisation shall be the “The South Coast Amateur Radio Club Incorporated”, hereinafter called “The Club”.

### 2.0 Objects

The objects of the club shall be:

- 2.1 Advancement of the aims of Amateur Radio in all aspects.
- 2.2 Furtherance of the high standard of Amateur Radio in all practice and technical knowledge to members.
- 2.3 Encouragement of all members to obtain their highest Amateur status.
- 2.4 Provision of service to the community within the capability of the Club.

### 3.0 Membership

3.1 Members shall be persons who have agreed to abide by the constitution, all Club policy, accepted the above objects, paid the prescribed membership fee and who are:

3.1.1 Persons who have applied in writing for membership and who are accepted by a majority vote of members at a Committee meeting.

3.2 Membership may be suspended or canceled by not less than a two-thirds majority vote at a General Meeting.

3.2.1 The Club shall not be required to accept the renewal of a membership of any suspended or canceled member when the renewal next falls due.

3.2.2 Any suspended or canceled member may, on not less than 2 weeks written or email notice, require the suspension or cancellation to be reconsidered at the next subsequent General Meeting.

3.3 Membership shall cease on:

3.3.1 Written notice or email provided to the Secretary of the Club.

3.3.2 Non-renewal of membership within 2 months of expiry.

3.4 The membership period shall commence at the beginning of the financial year, and shall cease at the end of the financial year.

3.5 A membership fee shall be payable at the beginning of each membership period ceasing at the end of the membership period, of which shall be determined at the

beginning of every financial year of the Club, and can be re-assessed at any time during the financial year, if required, and changed as seen fit by the Committee.

- 3.6 Any person[s] who is accepted as a member during the financial year shall have their membership fee calculated and charged on a pro-rata basis, as set by the Committee at a Committee meeting.

#### **4.0 Management**

- 4.1 Management shall abide by the Rules of the Incorporation Act.
- 4.2 Management shall be invested in a Committee of not less than 5 and not more than 10 members.
- 4.3 The Office Bearers of the Club shall be the Chairperson, Secretary, Treasurer, and up to no more than 7 other members who shall be elected by the members at the Annual General Meeting.
- 4.4 The Committee shall meet as often as may be required to conduct the business of the Club, and not less than 9 times each calendar year.
- 4.5 The quorum for a Committee meeting shall be half of the elected members plus 1 other.
- 4.6 An Office Bearer and 2 other members of the Committee shall have the power to call a meeting of the Committee.
- 4.7 Notice of meetings shall be given at the previous meeting, or by not less than 7 days notice distributed to all Committee members, or in an emergency by other means.
- 4.8 An Office Bearer or member of the Committee shall cease to hold such office upon;
- 4.8.1 Resignation in writing.
  - 4.8.2 Suspension as a member of the Club.
  - 4.8.3 Being absent from 3 successive meetings without explanation acceptable to the Committee.
  - 4.8.4 Majority of the Club at a General Meeting that the position will be declared vacant because the duties of the position have not been performed in an acceptable manner PROVIDED THAT notice of motion to declare the position vacant has been given to the members, and that the person who is the subject of the motion shall be provided with an opportunity to speak on the motion.
- 4.9 Vacancies unfilled or arising in the Office Bearers or other Committee Members may be filled by the Members by election at a General Meeting for the unexpired remainder of the term.
- 4.10 The Committee may function validly, notwithstanding any vacancies so long as its numbers are not reduced below 5.
- 4.11 The Committee may appoint sub-committees of members and non-members for specific purposes, who shall meet as they see fit, or as directed by the Committee, and shall report to the Committee.
- 4.12 Committee members must not vote in any decision in which, they or a close associate have a financial interest, and must not use their position to obtain any financial, or other advantage for themselves, or for a close associate.

4.13 No Office Bearer shall hold the same office for more than 3 successive years, without the approval, of no less than two thirds of the members present at a General Meeting.

## **5.0 Powers**

5.1 The powers of the Club shall be the powers contained in the Incorporation Act, and without limiting those powers, the Club shall be entitled to hold real property, open and operate bank accounts, invest in trustee securities, and enter into any necessary or desirable contract.

5.2 The Committee shall be entitled to exercise the full powers of the Club, and without limiting those powers, shall have the management and control of the funds and other property of the Club, provided that the Committee must obtain the approval of the members at a General Meeting, before borrowing money.

## **6.0 Meetings**

6.1 The Annual General Meeting shall be held at least once in each calendar year and in any event not more than 2 months after the close of the financial year.

6.2 Business of the Annual General Meeting shall be:

6.2.1 Confirm the minutes of the preceding Annual General Meeting.

6.2.2 To receive the Chairperson's report.

6.2.3 To receive the Treasurer's report and financial statements for the previous financial year, together with the financial budget for the forthcoming financial year.

6.2.4 To elect, or re-elect the Office Bearers and Committee Members, who must consent in person, or in writing.

6.2.5 To conduct any other business placed on the agenda before the commencement of the meeting.

6.3 A Special General Meeting shall be called by the Secretary within 28 days of receipt, of a directive of the Committee. Or a written request of 3 Committee members, or 6 members, specifying the business to be conducted at the meeting. The business of such Special General Meeting shall be confined to that in the Notice Paper.

6.4 Notice of not more than 28 days and not less than 7 days of all General Meetings shall be provided to members.

6.5 Members shall be entitled to 1 vote at any General Meeting at which they are present.

6.6 A quorum at any General Meeting shall be 10 members or two-thirds of the membership, whichever is the less.

6.7 If, at any General Meeting, there is no quorum within 30 minutes of the time appointed for the meeting, then a majority of members may decide to adjourn the meeting for a period not exceeding 14 days. The quorum for such an adjourned meeting shall be reduced to 5, failing which the meeting will lapse all together.

## **7 Voting**

7.1 Voting shall be by show of hands except that:

- 7.1.1 Any contested election at an Annual General Meeting can be by secret ballot at the request of a candidate.
- 7.1.2 A meeting may by show of hands, require any other vote to be by secret ballot.
- 7.2 Non-members with special interests, or knowledge relevant to the Club, may be invited to attend and speak at the discretion of the Chairperson, but such persons may not vote.
- 7.3 Any member may appoint a proxy, who may or may not be a member, stating in writing the name of the proxy, the meeting at which the proxy is to attend and signed by the member appointing the proxy. Such notice entitles the proxy to a vote when required.

## **8 Chairperson**

- 8.1 The Chairperson shall ensure the safekeeping of the Common-Seal which shall be affixed only by resolution of the Committee, or of a General Meeting and in the presence of 2 Committee Members, including at least 1 Office Bearer.
- 8.2 The Chairperson shall chair Committee, General and Annual General Meetings, except that in the absence of the Chairperson, or at the request of the Chairperson, or of a majority of a meeting; another member may be elected as Chairperson for that meeting.
- 8.3 The Chairperson at any meeting shall have a personal deliberative vote and in addition have a casting vote in votes are equal.
- 8.4 The Chairperson together with the Secretary shall prepare the agenda for Committee and General Meetings.
- 8.5 The Chairperson of a meeting shall encourage full balanced participation by all members, and shall decide on points of order.
- 8.6 The Chairperson shall act as Spokesperson unless an alternative Spokesperson has been appointed by the Committee or a General Meeting. The Spokesperson shall make statements in accordance with previously agreed policy, or in an emergency, following consultation with at least 2 Committee Members.

## **9 Treasurer**

- 9.1 The Treasurer shall ensure that all monies received are paid into an account authorised by the Committee in the name of the Club. Payments shall be as Petty Cash or by cheque signed by 2 authorised signatories of whom there shall be no more than 3 appointed by the Committee, or by electronic means. The Committee may in special circumstances, authorise 1 signatory to sign. Major or unusual expenditures shall be authorised in advance by the Committee, or members at a General Meeting.
- 9.2 The Treasurer shall ensure that records are kept of all receipts and payments and other financial transactions. Such records shall be available for inspection by any member.
- 9.3 The Treasurer shall ensure that financial budgets and statements are prepared and shall submit a report on the finances to each General Meeting and Committee Meeting.

9.4 The Treasurer shall ensure that annual Financial Statements comprising either an account of receipts of payments and a statement of assets and liabilities, or an account of income and expenditure and a balance sheet shall be prepared following the end of the Club's financial year, which shall commence on 1 February and end on 31 January unless altered at a General Meeting.

9.5 The Treasurer shall ensure that annual Financial Statements are audited by an independent auditor before presentation to the Annual General Meeting. The independent auditor shall be appointed by the Committee. Provided that where the auditor is changed the Treasurer shall inform the Annual General Meeting in the Treasurer's Report.

## **10 Secretary**

10.1 The Secretary shall ensure that notice of meetings is given in accordance with the provisions of the Constitution.

10.2 The Secretary shall ensure that records that records are kept of the Club including the Constitution and policies, records of members, a register of minutes of meetings and notices. A file of correspondence and records of submissions or reports made by, or on behalf of the Club.

10.3 In the absence of the Secretary or at the request of the Secretary, or a majority of a General Meeting, a nominated person shall be elected as Minutes Secretary.

## **11 Amendments to the Constitution and Rules**

11.1 This Constitution may be repealed or amended by resolution of three-fourths of the members present and voting at a General Meeting of which not less than 7 days notice has been given. Such notice must include notice of the proposed repeal or amendment, and has been distributed to all members.

11.2 Rules for the proper administration of meetings or business may be made, repealed or amended by a General Meeting, or by a Committee Meeting. Subsequent to any further disallowances at a General Meeting; provided that not less than 7 days notice including notice of the proposed new Rule, repeal or amendment has been given to members.

## **12 Liability, Property and Dissolution**

12.1 Persons, who with the authority of the Committee incur any debt or other liability on behalf of the Club, shall have such liability met by the Club so that they incur no personal loss.

12.2 The income, property and funds of the Club shall be used solely towards promotion of the objects of the Club, and shall not be paid or transferred to any member or relatives of members, provided that nothing herein shall prevent any payment in good faith to any person in return for services actually rendered, or to any person in furtherance of the objects of the Club and without undue preference.

12.3 Upon dissolution, all property remaining after all legal liabilities, shall be transferred to a trustee appointed by the Wireless Institute of Australia following the following conditions:

12.3.1 There is no distribution of income or property to the members to the extent herein; and

12.3.2 The Club shall not be dissolved except by approval of not less than three-fourths of the Club members present, and voting at a meeting called for that purpose. One calendar month's notice must be given to all members of the proposed dissolution.

### **13 Life Membership**

13.1 The Club may bestow life membership upon 20 years continuous membership, or for exemplary service to the Club.

13.2 Recommendations for life membership shall be made by the Committee, and granted by majority vote of members present, and voting, at the Annual General Meeting. A Life Membership certificate will be presented to those awarded Life Membership of the Club.

13.3 Members granted life membership, are not required to pay annual membership fees, and are entitled to a deliberate vote.