

This is annexure "B" referred to in the application signed

By me and dated the 16th day of November, 1989.

.....
ROBRT JAMES MAXWELL

NEWCASTLE & COALFIELDS RACING PIGEON FEDERATION INC

PART 1- PRELIMINARY

Interpretation

- 1** (1) in these rules, except in so far as the context or subject – matter
Otherwise indicates or requires.

"the Act" means the *Associations Incorporations Act, 1984*;

"administrative regulations" means the administrative regulations and measures and the prescription of forms and procedures made by the committee pursuant to these rules.

"affiliates" means the clubs and other racing pigeon organisations affiliated with the former association or granted affiliation with the association pursuant to these rules.

"association" means the "Newcastle & Coalfields Racing Pigeon Federation Inc.", incorporated under the Act.

"constituent document" means:

- (1) In the case of a company incorporated under the Companies (New South Wales) Code- its memorandum and articles of association,
(11) in the case of a co-operative society registered under Co-Operation Act, 1923, or an association incorporated under the Act
- Its rules, or
(111) in the case of an unincorporated body- its constitution,
and includes any by-laws or other subsidiary regulations made under any such document.

"club" means the following racing pigeon clubs:-

Adamstown, Cessnock, Lambton, Lake Macquarie, Maitland, Mt Sugarloaf, Raymond Terrace, Wallsend, Mayfield, Weston, Newcastle Hunter which were affiliated with the former association immediately before incorporation and which shall upon the incorporation of the Association

- (1) Be thereby affiliated with the association, and
(11) Entitled to have their delegates admitted to membership of the Association, and other pigeon clubs which is granted affiliation with the federation.

"delegate members" means a member of the association pursuant to Rule 2 (2).

"executive member" means an individual who is an office bearer of the association or an ordinary member of the committee.

“Federation” means the “Newcastle & Coalfields Racing Pigeon Federation Inc. incorporated under the Act.

“former association” means the unincorporated association known as the “Newcastle & Coalfields Racing Pigeon Federation”

“full member” means a member of the association who is entitled under These rules;

- (a) To receive notice of, and
 - (b) To attend, and
 - (c) To vote at
- A meeting of the association.

“ordinary member” means a member of the committee who is not an office bearer of the association, as referred to in Rule 14 (1) (b);

“life member” means an individual who was immediately before the incorporation of the association a life member of the former association, or who is admitted, under these rules, to life membership of the association.

“the regulation” means the Association Incorporation Regulation, 1985.

“Rules” means the rules of the association for the time being in force.

“club member” means an individual who is registered by a club with the association.

“race rules” means the rules, conditions, laws and regulations for the control, conduct and management of pigeon racing and includes clock rules.

“secretary” means

- (a) The person holding office under these rules as Secretary of the association; or
- (b) Where no such person holds that office- the public officer of the association.

“Special general meeting” means a general meeting of the association other than An annual general meeting;

- (2) The affiliation of a club or organisation with the association effected by the admission of their delegates as members of the association shall constitute a several recognition that these rules, the administrative regulations and the race rules and clock rules have the same binding force and effect on each of them as these rules have by the Act on each member of the Association and a several acknowledgement by the affiliates and their respective members of the exclusive control of pigeon racing by the Association and an agreement to refer all protests, claims and disputes between the association and the affiliates and between each other to the association for hearing and determination pursuant to these Rules.
- (3) The provisions of the *Interpretations Act, 1987*, apply to and in respect of these Rules in the same manner as those provisions would so apply if these rules were an instrument made under the Act.

PART 11 – MEMBERSHIP

Types of Membership

- 2** (1) the association shall consist of members as follows:
- (a) Executive members;
 - (b) One (1) delegate nominated annually by each club;
 - (c) Club members;
 - (d) Life members.
- (2) Each delegate member shall be appointed annually by his or her affiliate and shall hold membership from the commencement of the next ensuing annual general meeting until the commencement of the annual general meeting of the association held in the year next following. No delegate shall have the right of voting or privilege of taking part in any question arising in the association unless a notification of his or her appointment signed by the secretary of the affiliate which he or she represents, shall previously been received by the secretary of the association.

Admission to Membership and Affiliation

- 3** (a) new delegates of new affiliated clubs:

Any club seeking affiliation with the association shall make application in writing in a form determined by the committee and shall lodge the same with the secretary of the association.

- I. The application shall be submitted to a general meeting of the association for approval. If the nomination is approved, the association has the right to attach such conditions to the affiliation as may be provided for in the administrative regulations of the association provided that no such condition or conditions contravene the provisions of the Act or the regulation or these Rules.
- II. Where the association determines to approve a nomination for affiliation, the secretary shall, as soon as practicable after that determination, notify the nominee of the approval.
- III. Upon a grant of affiliation, the new club shall thereupon be entitled to nominate one (1) delegate, as a member of the association and the secretary of the association shall upon receipt of the nomination enter the delegates name in the register of members and the name and address of the secretary of the new club in the register of affiliates.
- IV. The association shall not be required to give any reason or explanation for rejecting any application for affiliation.

(b) Executive Membership

- (1) An Individual upon his or her election taking effect as an office bearer or an ordinary member of the committee, shall thereby be admitted to executive membership.

© Club Membership

Application for club membership of the association shall be made annually in writing by the members of the club in a form determined by the committee and shall be lodged with the secretary of the association by the club members.

Proposed life members shall be nominated in writing by the committee which shall call a general meeting of the association for the purpose of considering such nominations and upon the committee certifying to the necessary qualifications the name of the nominee shall be submitted to the association for election and such nominee shall be elected by a resolution carried by a three –fourths majority of members present and be entitled to vote.

Cessation of Membership

4 (1) Delegate Members.

- (1) A delegate member shall cease to be a member of the association if the member:
- (a) Dies;
 - (b) Resigns that membership, or
 - (c) Is expelled from the association, or
 - (d) Ceases to be a delegate of the club or organisation that nominated him or her, or
 - (e) Fails to attend without leave three (3) consecutive meetings of the association.
- (11) A member shall cease to be a delegate member if that member becomes an executive member.

PROVIDED THAT

- (1) A cessation of membership under Rule 14 (1) (b) or (c) or (d) or (e) shall not be effective until the relevant club or organisation nominates another delegate in his or her place for the balance of the year, and,
- (11) In the event of the death of a delegate his or her club or organisation shall within 28 days thereof nominate another delegate as a member of the association for the rest of the year.

(2) Executive Member

- (a) An Executive member ceases to be a member of the association if that person ceases to hold office under these Rules as an office bearer or an ordinary member of the committee.
- (b) A member shall cease to be an executive member if that member becomes a delegate member.

(3) Life Member

A life member of the association ceases to be a member of the association if the person

- (a) Dies;
- (b) Resigns that membership, or
- (c) Is expelled from the association.

(4) Club Member

A club member ceases to be a member of the association if the member

- (a) Dies
- (b) Resigns that membership, or
- (c) Is expelled from the association, or
- (d) Ceases for any other reason to be a member of a club, or

- (e) If the club with which the club member is registered disaffiliates from the association or its affiliation with the association is terminated or suspended.

Membership Entitlements not Transferable

- 5** A right privilege or obligation which a person has by reason of being a member of the association-
- (a) is not capable of being transferred or transmitted to another person; and
 - (b) terminates on cessation of the members membership.

Resignation of Membership

- 6**
- (1) A member of the association is not entitled to resign that membership except in accordance with this Rule .
 - (2) A member of the association who has paid all amounts (if any) payable by the member to the association in respect of the member's membership, may resign from membership of the association by first giving notice in writing to the secretary of the member's intention to resign. Upon the receipt of the notice, the member ceases to be a member.
 - (c) Where a member of the association ceases to be a member pursuant to clause (2), and in every case where a member ceases to hold membership, the secretary shall make an appropriate entry in the registrar of members recording the date on which the member ceased being a member.

Register of Members and Affiliates

- 7**
- (1) the secretary of the association shall establish and maintain a register of members of the association specifying the name and address of each person who is a member of the association together with the date in which the member became a member.
 - (2) The secretary shall also record therein which of the delegate members are primary delegates and secondary delegates.
 - (3) The secretary shall establish and maintain a register of affiliates and record therein the names and addresses of the secretary of each affiliate.
 - (4) The register of members and the affiliates shall be kept at the principal place of administration of the association and shall be open for inspection, free of charge, by any member of the association at any reasonable hour.

Fees, Subscriptions, etc.

- 8**
- (1) The association shall charge a joining fee upon application to join the association by a potential ordinary member. Such an amount to be determined from time to time by the committee. Should the application to join be unsuccessful the joining fee is non-refundable (Note (a) page 20)
 - (2) Executive members and delegate members shall not be liable to pay an annual subscription.
 - (3) A club shall pay to the association an annual registration fee in respect to each club member registered by it. The registration fee shall be determined by the committee and shall be paid each year by the date determined by

the committee.

- (4) Clubs shall pay an annual subscription fee in such an amount and at such time as determined from time to time by the committee.
- (5) Club members shall pay a liberation fee of such an amount and at such time as shall be determined from time to time by the committee.
Club members shall pay such transportation levies as is determined by the committee from time to time.

Member's liabilities

9

The liability of a member of the association to contribute towards payment of the debts and liabilities of the association or the costs, charges and expenses of the winding up on the association is limited to the amount of \$1 and a club member shall pay any unpaid liberation fee and transportation levy and every person who becomes a member of the association is deemed to have undertaken to pay such amount, if so required, in the event the association is wound up while such a person is a member or within a period of one year after ceasing to be a member thereof.

Expulsion from the Association, suspension from membership and other disciplinary measures

10

- (1) Where the committee is of the opinion that a member of the association
- (1) has persistently refused or neglected to comply with a provision or provisions of these Rules; or the race rules, or the clock rules or administrative regulations or
- (11) has persistently or wilfully acted in a manner prejudicial to the interests of the association, the association may, by resolution-
- (a) Issue a warning or reprimand to the member; or
- (b) Impose a monetary penalty on the member; or
- (c) Expel the member from the association; or
- (d) Suspend the member from the association for a specified period.
- (2) A resolution of the committee under clause (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 clause (3) confirms, the resolution in accordance with this rule.
- (3) Where the committee passes a resolution under clause (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 member 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 that meeting;
- ii. Submit to the committee at or prior to the date of that meeting written representations relating to the resolution;
- (e) Informing the member at the absolute discretion of the Chairperson, the member may be legally represented and further

informing the member that if legal representation is not allowed by the chairperson, the member may be represented by another person not so qualified.

- (4) At a meeting of the committee held as referred to in clause (3), the committee shall:
- (a) Give to the member an opportunity to make oral representations;
 - (b) Give due consideration to any written representation submitted to the committee by the member at or prior to the meeting; and
 - (c) By resolution determine whether to confirm or revoke the resolution.
- (5) Where the committee confirms a resolution under clause (4), the secretary shall, within 7 days after that confirmation, by notice in writing inform the member of the fact and of the member's right of appeal under Rule 11.
- (6) A resolution confirmed by the committee under clause (4) does not take effect-
- (a) Until the expiration of the period within which the member is entitled to appeal against the resolution, where the member does not exercise the right of appeal within that period; or
 - (b) Where within that period the member exercises the right of appeal, unless and until the association confirms the resolution pursuant to Rule 11 (4)

Right of Appeal

- 11** (1) A member may appeal to the association in general meeting against a resolution of the committee which is confirmed under Rule 10 (4) within 7 days after notice of resolution is served on the member, by lodging with the secretary a notice to that effect.
- (2) Upon receipt of a notice from a member under clause (1), the secretary shall notify the committee which shall convene a general meeting of the association to be held within 21 days after the date on which the secretary received the notice.
- (3) At a general meeting of the association convened under clause (2)-
- (a) No business other than the question of appeal shall be transacted;
 - (b) The committee and the member shall be given the opportunity to state their respective cases orally or in writing, or both; and
 - (c) At the absolute discretion of the chairperson, the member may be legally represented, provided that if legal representation is not allowed by the chairperson, the member may be represented by another person not so qualified, and
 - (d) The members present shall vote by secret ballot on the question of whether the resolution would be confirmed or revoked.
- (4) If at the general meeting the association passes a special resolution in favour of the confirmation of the resolution, the resolution is confirmed.

Application of certain Rules to and Special Provisions Relative to Affiliates.

- 12** (1) The following Rules shall apply mutatis mutandis (1) to affiliates
- (a) Rule 6 – resignation of affiliation
PROVIDED THAT the club shall pay to the association any amount outstanding in respect to affiliation fees and any other monies due and payable by it to the association.
 - (b) Rules 10 and 11- termination or suspension of affiliation or other disciplinary measures.

(1) *Mutatis mutandis* is (literally) Latin for “with those things having been changed which need to be changed.” However, it is more often translated or understood to mean “the necessary changes having been made”. It essentially indicates that new terms have been substituted or that the reader should note any differences from the original and take them into consideration. “After extensive negotiations and redrafting of several key provisions, the two parties finally signed the contract *mutatis mutandis*.”

- (2) The affiliation of a club shall cease:
- (a) If it resigns;
 - (b) If the affiliation is terminated;
 - (c) If being an incorporated body, it is wound up or, being an unincorporated body, becomes (in the opinion of the committee) defunct, disbanded or dissolved.
 - (d) If it does not within 28 days after written notice from the association to do so, comply with a direction of the committee to amend or repeal any of the clauses of its constituent document.

PART III – Committees

SECTION 1 – MANAGEMENT COMMITTEE

Powers, etc., of the Committee

- 13** The committee shall be called the committee of management of the association and, subject to the Act, the regulation and these Rules and to any resolution passed by the association in general meeting –
- (a) Shall control and manage the affairs of the association;
 - (b) May exercise all such functions as may be exercised by the association other than those functions that are required by the Act, the Regulation or these Rules to be exercised by a general meeting of members of the association or by the general committee or by a standing committee of the association;
 - (c) May make such administrative regulations not inconsistent with the Act, the Regulation or with these Rules as in the opinion of the committee are necessary or desirable for the proper control, administration and management of the association’s finances, affairs, interests, property and activities, including without limiting the generality thereof the specification of the powers, duties and responsibilities of delegated positions, clock rules, race rules, the use of the association’s assets, gear and facilities, standing orders for all meetings of the association, its committees and sub-committees and the recognition of the suspensions and disqualifications of sports persons and sport officials, for the resolution of disputes or protests and may amend and rescind from time to time any such regulations. Provided the Committee shall within 14 days of the enactment of the same or their alteration (as the case maybe) notify the secretary of each affiliate.
 - (d) Has power to perform all such other acts and do all such other things as appear to the committee to be necessary or desirable for the proper management of the affairs of the association.
- 14** (1) Subject in the case of the first members of the committee to section 21 of the Act, the committee shall consist of –
- (a) The office bearers of the association and shall be elected pursuant to rule 15 at the Annual General Meeting of the association.

- (b) The delegate of each affiliated club.
- (2) The office bearers of the association shall be-
 - (a) The president
 - (b) The vice president
 - (c) The secretary
 - (d) The treasurer
 - (e) The ring secretary; and
 - (f) The race 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 or nomination, as the case may be, but is eligible for re-election, subject to the provisions of Rule 15.
- (4) In the event of a casual vacancy occurring in the membership of the committee, the committee may appoint a person to fill the vacancy and the person so appointed shall hold office, subject to these rules, until the conclusion of the annual general meeting next following the date of the appointment.
- (5) There shall be an executive committee which shall consist of the president, secretary, treasure and, in the absence of any one of them, the vice president. The executive committee shall make urgent decisions for the association and report to the committee thereon at its next meeting.

Election of Members of the Committee

- 15**
- (1) Not more than three members of, or other persons holding a close association with, the same affiliate shall, at the same time, be members of the committee.
 - (2) Nominations of candidates (who need not be members of the association or of a club or an affiliated organisation) for election as office bearers of the association-
 - (a) Shall be made in writing and signed by two full members and by the candidate; and
 - (b) Shall be delivered to the secretary of the association ten days before the date of the annual general meeting. The secretary shall, at least seven days before the annual general meeting, notify the secretary of each affiliate of the names of the candidates.
 - (3) 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.
 - (4) If insufficient further nominations are received, any vacant positions remaining on the committee shall be deemed to be casual vacancies.
 - (5) 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.
 - (6) If the number of nominations received exceeds the number of vacancies to be filled, a ballot shall be held.
 - (7) The ballot for the election of office bearers shall be conducted at the annual general meeting in such usual and proper manner as the committee may direct.
 - (8) A person may be nominated for more than one office in the association as well as the ordinary membership of the committee. The ballot for the election of the various offices shall be conducted in the order in which the office bearers are listed in Rule 14(2).

Duties and Functions of Officials

16

- (a) **Secretary**
- (1) The secretary of the association shall, as soon as practicable after being appointed as secretary, lodge notice with the association of his or her address.
 - (2) It is the duty of the secretary to keep minutes of –
 - (a) All appointments of office bearers and members of the committee.
 - (b) The names of members of the committee present at a committee meeting; and
 - (c) All proceeding at committee meetings and general meetings. For the purpose of this Rule, “committee meetings” includes meetings of the general committee and of standing committees.
 - (3) Minutes of proceedings at a meeting shall be signed by the chairperson of the meeting or by the chairperson of the next succeeding meeting.
- (b) **Treasurer**
- It is the duty of the treasurer of the association to ensure that-
- (1) All the money due to the association is collected and received and that all payments authorised by the association are made;
 - (2) Correct books and accounts are kept, showing the financial affairs of the association including full detail of all receipts and expenditure connected with the activities of the association.
- © **Assistant Secretary**
- The assistant secretary shall:-
- (1) If required by the secretary, record and keep all minutes of meetings of the association and the general committee and all standing committees of the association;
 - (2) If required by the secretary, record and keep all minutes of meetings of the association and the district general committee; and
 - (3) Generally assist the secretary.
- (d) **Ring Secretary**
- The ring secretary shall take possession of all Federation rings and arrange distribution and sale of same and keep proper records of all business transactions by him on behalf of the federation.
- (e) **Race Secretary**
- The appointed Race Secretary shall control all federation races and supply in detail for adoption by the executive committee a result worked on a velocity principal taken to one (1) decimal point to determine place getters. In cases where competitors are still equal following the result being taken to the decimal it shall be declared a dead heat for the position.

Casual Vacancies

17

For the purpose of these rules, a casual vacancy in the office of a member of the committee occurs if the member-

- (a) Dies;
- (b) Ceases to be a member of the association
- (c) Becomes an insolvent under administration within the meaning of companies (New South Wales) code;
- (d) Resigns office by notice in writing given to the secretary;
- (e) Is removed from office under Rule 18 herein;
- (f) Becomes of unsound mind or a person whose person or estate is liable to be dealt with in any way under the law relating to mental health; or

- (g) Is absent without the consent of the committee from two (2) consecutive meetings of the committee;
- (h) Is disqualified by the operation of Rule 15 (1) : the member disqualified shall be the one whose election, appointment or actions cause a breach of Rule 15 (1).

Removal of a Member of the Committee

- 18**
- (1) the association in general meeting may be by resolution remove any member of the Committee from the office of member before the expiration of the member's term of office and may by resolution appoint another person to hold office until the expiration of the term of office of the member so removed.
 - (2) A member of the committee to whom a proposed resolution referred to in clause 18(1) relates, may appeal such resolution and such appeal shall be made and conducted in accordance with the provisions of Rule 11 herein.

Meetings and Quorum

- 19**
- (1) Meetings of the committee shall be held at such times and intervals as the committee shall decide. Meetings shall be convened by the secretary or, in the absence of the secretary, by the president.
 - (2) The secretary shall, upon receiving a request in writing signed by three (3) members of the committee, convene a special meeting of the committee. However, no such special meeting will be convened unless the requisition from the three members sets out, in writing, the purpose for which the special meeting is to be held.
 - (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 clause (3) shall specify the general nature of the business to be transacted at the meeting and no business other than that business shall be transacted at the meeting, except business which the committee members present at the meeting unanimously agree to treat as urgent business.
 - (5) Eleven (11) members of the committee constitute a quorum for the transaction of business of the meeting of the committee.
 - (6) No Business shall be transacted by the committee unless a quorum is present and if within half an hour of the time appointed for the meeting a quorum is not present the meeting stands adjourned to the same place and at the same hour of the same day in the following week.
 - (7) If at the adjourned meeting a quorum is not present within a half an hour of the time appointed for the meeting, the meeting shall be dissolved.
 - (8) At a meeting of the committee –
 - (a) The president or, in the president's absence, the vice president shall preside; or
 - (b) If the president and vice president are absent or unwilling to act such one of the remaining members of the committee as may be chosen by the members present at the meeting, shall preside.
 - (9) The secretary of the association shall within 14 days after the date of a meeting of the committee, send a copy of the minutes of that meeting, to the secretary of each affiliate.

Delegation by Committee to Sub- Committee

- 20**
- (1) The committee may, by instrument in writing, delegate to one or more sub-committees (consisting of such member or members of the association or such other persons 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 duty imposed on the committee by the Act or by any other law.
 - (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 section may be made subject to such conditions or limitations as to the exercise of any function the subject thereof, or as to time or circumstances, as may be specified in the instrument of delegation.
 - (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 if it had 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.

Voting and Decisions

- 21**
- (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 committee.
 - (2) Each member present at a meeting of the committee or any sub-committee appointed by the committee (including the person presiding at the meeting) is entitled to one vote but, in the event of an equality of votes on any question the person presiding may exercise a casting vote.
 - (3) Subject to Rule 19(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 qualifications of any member of the committee or sub-committee.

STANDING COMMITTEE

SECTION II

- 22**
- There is hereby established the following standing committee:-
- (1) Liberation committee
A liberation committee or agent shall be appointed at the annual meeting or to Meet exigencies by the executive committee from time to time for the purpose of conducting all federation business in this regard.
 - (II) Liberations
Separate or special liberations required by clubs may be granted by the executive Committee from time to time. Any club or individual who does not apply and obtains by other methods a separate liberation, a penalty shall be imposed by the executive committee not exceeding \$20. These rules may be added to from time to time by the management committee to meet circumstances as they arise.
 - (III) Duties of Liberator
The liberator shall take sole charge and be fully responsible for the safe keeping and

welfare of the birds as from the point of departure. He shall check all baskets, seals etc. prior to the departure and note any anomalies.

He shall see that no unauthorised person has access to the birds once they are under his control. He shall not take directions unless expressly authorised from any member, delegate or club, he shall be directly responsible to the executive and or the liberation committee for any direction.

He shall feed and water during transit on a scale which shall be advised from time to time. He shall not feed birds on day of liberation unless specifically instructed to do so by the executive, nor shall he place feed in the baskets whereby it may be contaminated.

In the event of a holdover, birds to be fed and watered as instructed.

No bird or birds are to be liberated until contact has been made with the liberation committee and authorised to do so after weather conditions and circumstances are jointly examined.

All birds' race and surplus are to be liberated at the times set out on the federation schedule unless exception circumstances prevail and instructions are given otherwise.

The liberator shall contact the liberation committee by telephone one hour prior to liberation.

In the event of late arrival the liberator shall make contact as expediently as possible. In the event of the unforeseen or an accident happening not provided for in the schedule or these instructions prior to or subsequent to liberation, same must be reported as soon as possible.

The liberator shall make a full report on all on all races and their conduct, stating his opinions to the secretary as early as possible on return.

The liberator has the power, if on examination, he finds a race bird in the basket minus a rubber ring, to take particulars of colour, metal ring etc., and immediately report same for checking against malpractice.

PART IV GENERAL MEETINGS

Annual General Meetings- holding of

- 23**
- (1) With the exception of the first annual general meeting of the association, the association shall, at least once in each calendar year and within the period of 6 months after the expiration of each financial year of the association, convene an annual general meeting of its members.
 - (2) The association shall hold its first annual general meeting-
 - (a) Within the period of 18 months after its incorporation under the Act; and
 - (b) Within the period of 2 months after expiration of the first financial year of the association.
 - (3) Clauses (1) and (2) have effect subject to any extension or permission granted by the Commission under section 26 (3) of the Act.

Annual general meetings – calling of and business at

- 24**
- (1) The annual general of the association shall, subject to the Act and Rule 23, be Convened on such date in the month of December in each year, and at such place and time as the committee see fit.
 - (2) In addition to any other business which may be transacted at an annual general meeting, the business of an annual general meeting shall be:
 - (a) To confirm the minutes of the last preceding annual general meeting and any special general meeting held since that meeting.

- (b) To receive from the committee reports upon the activities of the association during the last preceding financial year;
 - (c) To receive and consider the statement which is required to be submitted to members pursuant to section 26 (6) Of the Act: and
 - (d) The election of a patron (if any) who shall be nominated for such position by the committee;
 - (e) To elect office-bearers of the association and ordinary members of the committee;
 - (f) The acceptance of nominations for all standing committees of the association;
 - (g) To appoint auditors;
 - (h) The announcement of the date for the closing of team entries for the next season;
 - (i) Any other business brought forward in accordance with these Rules.
- (3) An annual general meeting shall be specified as such in the notice convening it.

Special General Meetings – the calling of –

- 25**
- (1) The committee may, whenever it thinks fit, convene a special general meeting of the association.
 - (2) the committee shall, on the requisition in writing of not less than 5 full members convene a special general meeting of the association.
 - (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 one or more of the members making the requisition.
 - (4) If the committee fails to convene a special general meeting to be held within 1 month after that date on which a requisition of members for the meeting is lodged with the secretary, any one or more of the members who made the requisition may convene a special general meeting to be held not later than 3 months after that date.
 - (5) A special general meeting convened by a member or members as referred to in clause (4) shall be convened as nearly as practicable in the same manner as general meetings are convened by the committee and any member who hereby incurs expense is entitled to be reimbursed by the association for any expenses so incurred.

Notice

- 26**
- (1) except where the nature of the business proposed to be dealt with at a general Meeting requires a special resolution of the association, the secretary shall, at least 14 days before the date fixed for the holding of the general meeting, cause to be sent by pre-paid post to each full member at the members address appearing in the register of members, but in the case of a delegate member care of the secretary of his or her affiliate and, as well, to the secretary of each affiliate, a notice specifying the place, date and time of the meeting and the nature of the business proposed to be transacted at the meeting.
 - (2) Where nature of the business proposed to be dealt with at a general meeting requires a special resolution of the association, the secretary shall, at least 21 days before the date fixed for the holding of the general meeting, cause notice to be sent to each full member in the manner provided, in clause (1) specifying, in addition to the matter required under clause (1), the intention to propose the resolution as a special resolution.

- (3) No business other than that specified in the notice convening a 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 24 (2).
- (4) A full member desiring to bring any business before a general meeting may give notice in writing of that business in the next notice calling a general meeting given after receipt of the notice from the member.

Procedure

27

- (1) No item of business shall be transacted at a general meeting unless a quorum of persons entitled under these rules to vote is present during the time the meeting is considering that item.
- (2) A quorum for a general meeting shall not be less than 11 of all full members being present in person or by proxy (if allowed).
- (3) If within half an 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, 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 the adjournment by the person presiding at the meeting or communicated by written notice to full members given before the day to which 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 full members present (being not less than 21) shall constitute a quorum.

Presiding Member

28

- (1) The president or, in the president's absence, the vice president, shall preside as Chairperson at each general meeting of the association.
- (2) If the president and the vice president are absent from the general meeting or unwilling to act, the full members present shall elect one of their number to preside as chairperson at the meeting.

Adjournment

29

- (1) The chairperson of a general meeting at which a quorum is present may, with the consent of the majority of full 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 full member and the secretary of each affiliate, of the association 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 clauses (1) and (2), notice of an adjournment of a general meeting or of the business to be transacted at the adjourned meeting is not required to be given.

Making of Decisions

30

- (1) A question arising at a general meeting of the association shall be determined on a show of hands, and unless before or on the declaration of the show of hands a poll is demanded, a declaration by the chairperson that a resolution has, on a 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 association, is evidence of the fact without proof of the number or proportion of votes recorded in favour of or against the resolution.
- (2) At a general meeting of the association, a poll may be demanded by the

chairperson or by not less than 3 full members present in person or by proxy (if allowed) 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 chairperson of the meeting or to the question of adjournment; or
 - (b) In any other case, in such manner and at such time before the close of the meeting as the chairperson directs, and the resolution of the poll on the matter shall be deemed to be the resolution of the meeting on that matter

Special Resolution

31 A resolution of the association is a special resolution if-

- (a) It is passed by a majority which comprises not less than three-quarters of such members of the association as, being entitled under these Rules so to do, vote in person or by proxy (if allowed), at a general meeting of which not less than 21 days written notice specifying the intention to propose the resolution as a special resolution was given in accordance with these rules; or
- (b) Where it is made to appear to the commission that it is not possible or practicable for the resolution to be passed in the manner specified in paragraph (a) – the resolution is passed in a manner specified by the commission.

Votes and Voting

- 32**
- (1) Subject to sub-clause (2) and (3), upon any question arising at a general meeting of the association, a member has one vote only.
 - (2) A member shall not be entitled;
 - (a) To receive notice of, or
 - (b) To attend, or
 - (c) Vote, at any general meeting of the association, unless such member is also an executive member or delegate member.
 - (3) A life member shall be entitled to attend and (with the approval of the meeting) enter into discussion at a general meeting of the association but shall not, unless such life member is also an executive member or a delegate member, be entitled to vote at a general meeting of the association.
 - (4) All votes shall be given personally.
 - (5) A person shall not-
 - (a) Attend or vote at any meeting of the association; or
 - (b) Vote at any election of a member of the committee,

As a proxy of an executive member.
 - (6)
 - (i) A delegate member shall be entitled to appoint another person (not being another delegate member) as proxy by notice given to the secretary prior to the time set down for the commencement of the meeting in respect of which the proxy is appointed. Any person so appointed as a proxy must be a member of the club or organisation which nominated the member of the association for whom the proxy is to act and the document appointing such proxy must be countersigned by the secretary or other authorised officer of such club or organisation.
 - (ii) The notice appointing the proxy shall be in the form prescribed by the administration regulations of the association.
 - (7) A proxy for a delegate member shall have the same rights of voting and privileges of taking part in any consideration, debate or discussions on any question or matter arising in any meeting of the association, as if the delegate member was present in person.
 - (8) In the case of an equality of votes on a question at a general meeting the chairperson of the meeting is entitled to exercise a second or casting vote.

PART V – MISCELLANEOUS

Insurance

- 33** (1) The association shall effect and maintain insurance pursuant to section 44 of the Act.
- (2) In addition to the insurance required under clause (1) the association may effect and maintain other insurance.

Funds Source

- 34** (1) The funds of the association shall be derived from registration fees, fines, Sponsorship, donations and investments and subject to any resolutions passed by the association in a general meeting, such other sources as the committee determines.
- (2) All monies received by the association shall be deposited as soon as practicable in any account opened in the association's name with a bank, building society or corporation, deposits in which have been prescribed as authorised securities pursuant to the Trustee Act, 1925.
- (3) The association shall, as soon as practicable after receiving any money, issue an appropriate receipt.

Funds Management

- 35** (1) Subject to any resolutions passed by the association in a general meeting, the funds of the association shall be used in pursuant of the objects of the association in such manner as the committee determines.
- (2) All accounts received shall be submitted to a committee meeting and if approved paid by an association cheque. All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments shall bear two (2) signatures. The only persons authorised to sign are the president, treasurer and the secretary unless otherwise directed by the committee.

Audit

- 36** The auditor appointed by the members of the association, shall, prior to the annual general meeting each year, audit the books, accounts and records of the association and the report of such audit shall be presented to the annual general meeting.

Alteration oif Objects and Rules

- 37** The statement of objects and these Rules may be altered only by special resolution of the association.

Common Seal

- 38** (1) The common seal of the association shall be kept in the custody of the secretary or otherwise as the committee shall determine.
- (2) The common seal shall not be affixed to any instrument except by the authority of the committee and the affixing of the common seal shall be attested by the signatures either of 2 members of the committee or of 1 member of the committee and the public officer or secretary.

Custody of Books etc.

- 39** Except as otherwise provided by these Rules, the public officer shall keep in his or her custody or under his or her control, all records, books and other documents relating to the association.

Inspection of Books etc.

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

Service of Notices

- 41** (1) For the purpose of these Rules, a notice may be served by or on behalf of the Association upon any member either personally or by sending it by post to members at the member's address shown in the register of members.
- (2) For the purpose of these Rules, a notice may be served by and on behalf of the association upon an affiliate member either personally on the secretary thereof, or sending it by post to the secretary of the affiliate at the address shown in the register of affiliates.
- (3) Where a document is sent to a person by properly addressing, prepaying and posting to the person a letter containing the document, the document shall, unless the contrary is proved be deemed for the purposes of these Rules to have served on the person at the time at which the letter would have been delivered in the ordinary course of post.

Administrative Regulations and the Race Rules and Clock Rules

- 42** (1) The Committee at its first meeting after the incorporation of the association shall Make the first race rules, clock rules and administrative regulations of the association.
- (2) Subject to the provisions of 42 (3) thereof, the first race rules and clock rules of the association shall be the same as those of the former association in force at the time of incorporation.
- (3) The administration regulations and rules of competition of the association shall have the same force and effect as these have by virtue of the Act PROVIDED THAT an administrative regulation or a rule of competition is of no effect if it is inconsistent with the Act or these Rules or it's contrary to law.

Surplus Property

- 43** (1) At the first general meeting of the club, the club shall pass a special resolution nominating an association as the association in which is to vest its surplus property pursuant to section 53 (3) of the act in the event of the winding up or the cancellation of the incorporation of the club.
- (2) The Association so nominated shall be one which fulfils the requirements specified in section 53 (2) (a) – (c) of the Act.

Matters Not Specifically Provided for and Interpretation of the Rules Of Competition of Association

- 44** (1) The committee is hereby empowered to deal as it may think fit with members, clubs or organisations or the members thereof, in respect of complaints and offences and any other matters or circumstances not otherwise specifically provided for or covered in these Rules or the rules of competition.
- (2) The committee shall be sole authority for the interpretation of these rules and the rules of competition and its decision upon any question for interpretation or upon any other matter affecting the association shall be final and binding upon members, clubs or organisations and the members thereof and the members of standing committees and all other persons affected by these Rules and the administrative regulations, race rules and clock rules.

Savings

- 45** The repeal of the constituent document of the former association effected by its

incorporation under the Act or by these rules shall not, unless otherwise expressly provided herein, affect any right accrued, or obligation incurred, or suspension imposed, or any action, proceeding or thing pending or uncompleted under the constituent document of the former association and every such action proceeding and thing may be carried on as if the constituent document had not been replaced by these rules, and all persons appointed or elected under the constituent documents of the former association and holding office at the time, shall be deemed to have been appointed or elected hereunder. The generality of this rule shall not limit any saving in the Interpretation Act, 1987.

The Administrative Regulations of the
NEWCASTLE & COALFIELDS RACING PIGEON FEDERATION INC.

PART A

STANDING ORDERS AT MEETINGS

- (a) At all meetings of the association the mode of voting, except where otherwise required by the rules, shall be on the voices or by a show of hands as required by the Chairperson or if called for in accordance with the Rules of the Association, by poll.
- (b) Except where the method of election is by preferential ballot, all ballot papers recording votes for a greater or less number of candidates than is required to fill the vacant offices shall be declared informal and of no effect.
- (c) The Chairperson shall have authority to decide any point of order, but any decision may be over-ruled and dissented from by a majority of those present.
- (d) Any member wishing to bring forward any motion (other than a formal motion) shall furnish particulars of the same to the Secretary five days prior to the date of the meeting at which he wishes such motion to be considered. The Secretary shall preserve such particulars available for the inspection of members until the motion has been finally decided.
- (e) Subject to the right of the association to exclude all but members, any person may attend the meetings, but shall not be allowed to speak without the leave of the meeting.
- (f) The notification of the appointment of a proxy to act for a delegate who is absent shall be handed to the Secretary prior to the commencement of each meeting at which such proxy is to act.
- (g) Should any meeting lapse or be adjourned for any cause whatsoever, any business which was on the business paper at such meeting so lapsed or adjourned, shall take precedence over other business at the next meeting.
- (h) Notwithstanding any provision herein to the contrary, business of which due notice has not been given may be brought forward at any meeting if a motion, which may be moved without notice to grant permission to bring it forward, be carried on by an absolute majority of all the members of the association or by seven- eighths of those present at the meeting, whichever the greater.
- (i) The Chairperson shall put all questions first in the affirmative and then in the negative, and may do so as often as may be necessary to enable him to determine the sense of meeting thereon, and thereupon he shall declare his decision, which shall be final unless a division or ballot is called for.
- (j) No motion shall be discussed until it is seconded and when seconded shall not be withdrawn without leave of the meeting.
- (k) No notice of motion which shall have been entered on the business paper shall be proceeded with in the absence of the member by whom such notice shall have been given, unless some other member produces a written authority for that purpose from such first- named member; then, and in such case such other member shall be allowed to move the motion.
- (l) When a motion or a recommendation of any committee shall have been moved or seconded, any member shall be at liberty to move an amendment thereon, which shall not be discussed until it is seconded. The Chairperson may require such amendment be submitted in writing.
- (m) No second amendment shall be taken into consideration until the previous amendment shall have been disposed of.

- (n) If an amendment be carried, the question as thereby amended shall become the question before the meeting, whereupon any other amendment upon it may be moved.
- (o) If any amendment either upon the original motion or upon any amended motion shall be negatived, then a further amendment (If not to the same effect as that already negatived) may be moved to the motion to which such first amendment was moved, and so on; provided that no more than one question and one proposed amendment thereof shall be before the meeting at one time.
- (p) Except by permission of the Chairperson, every question shall be in writing; and after the answer has been given by the Chairperson, no discussion shall be allowed except upon a motion, after due notice having reference to the subject matter of such question.
- (q) No member shall speak more than once on the same question unless in explanation and then only with the permission of the Chairperson. Provided always that any member having previously spoken on the original question shall be entitled to speak once on each amendment; and that the mover of the original question shall have the right of final reply.
- (r) No member shall upon any notice or amendment for a longer period than ten (10) minutes without the consent of the meeting.
- (s) No member shall make any offensive personal reflections upon or impute any improper motives to any other member or officer, and any member so offending shall immediately, upon being required by the Chairperson, withdraw the offensive expressions and retract such imputation of motive and make an apology satisfactory to the meeting. Any member refusing to apologise and to withdraw the offensive expressive or imputations shall not be allowed to further address the Chair at that or any subsequent meeting until he shall have complied with such direction nor shall his vote be recorded upon any questions.
- (t) The Chairperson shall preserve order and may at any time call to order any member whom he may deem to be out of order; and when two or more members rise to speak at thye same time he shall decide which member shall be first heard.
- (u) Any member may call the attention of the Chairperson to any other member being out of order or to any point of order.
- (v) Every point of order shall be taken into consideration immediately upon its arising, and decided by the Chairperson.
- (w) No motion for adjournment shall be proposed or seconded by a member who has spoken on the motion before the meeting, or has moved or seconded or spoken to any amendment thereto while any such motion or amendment is under discussion.
- (x) A resolution which has been passed by the association shall not be altered or rescinded except by a motion to that effect of which due notice has been duly given. Provided that where notice of motion to rescind a resolution is given at the meeting at which resolution is carried, such resolution shall not be given effect to until such motion of rescission has been dealt with.
- (y) Where motion to alter or rescind a resolution has been negatived or where a motion which has the same effect as a previously negatived motion is negatived, no similar motion shall be brought forward within three months thereafter and shall not be evaded by substituting any motion differently worded, but in principle the same.
- (z) Clauses (a) to (y) (inclusive) shall apply (mutatis mutandis) to all meetings of the general Committee.

PART B

PRESCRIBED FORMS

- (a) The prescribed forms for nominations for the committee is set forth in Schedule 1.
- (b) The prescribed forms for the appointment of a proxy for a general meeting of the association and the general committee are set forth in schedule 2 and 3 respectively.

Note (a): Rule 8 (1) amended by special resolution in November 1995. Chairperson, G. Blackmore, Secretary T. Whitely. Application ratified by the NSW Attorney General under delegation under section 10 of the Act in February 1996

The rules of NEWCASTLE & COALFIELDS RACING PIGEON FEDERATION INC. contained herein are in accordance with section 11 and contain those matters specified in Schedule 1 of the *Association Incorporation Act, 1984*.

