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PART 1 - CONSTITUTION

1. OBJECTS

The principal objects of the South East Racing Pigeon Combine Inc. (SERPC INC.) are;

1. At all times put **first** the health and welfare of our Racing Pigeons.
2. Foster, develop, encourage and promote the sport of pigeon racing.
3. Manage and conduct competition within the sport of pigeon racing.
4. Protection and advancement of the interests of its members in all matters connected with the sport of pigeon racing.
5. Be committed to creating a sustainable future for Pigeon Racing.
6. Encourage fair play and an open friendly environment for all Pigeon Flyers.
7. Support any other activities which the membership of the SERPC INC. (by vote) deems appropriate.

2. INTERPRETATION

1. Any interpretation of these rules in a matter of a dispute arising shall be made by the authorised financial membership of the SERPC INC. by a majority vote, the decision of which shall be final.
2. Should the dispute arising concern any matter that impacts on current or future racing of pigeons, racing schedule and the like then only current financial flying members shall be entitled to a vote.
3. The model constitution as provided for by the Department of Fair Trading NSW replaces the relevant sections in our existing constitution. Where there is a conflict

between this document and the Model Rules as provided for by the NSW Department of Fair Trading, the Model Rules will apply.

3. AFFILIATIONS

The SERPC INC. may enter into any arrangements for reciprocal concessions or affiliation with any Association or Federation like aims and objectives to it and for the benefits of its members.

4. OFFICE BEARERS

1. President
2. Vice President
3. Secretary
4. Treasurer
5. Race Secretary
6. Ring Secretary
7. Publicity Officer

Core Duties;

President;

1. Shall be Chairperson at all meetings.
2. Shall conduct all meetings in accordance with the Constitution.
3. Shall ensure all office bearers carry out their duties in accordance with the Constitution.
4. Generally oversee the management of the SERPC INC.

Vice President;

1. Perform the duties of the appointed President in that person's absence.

Secretary/Treasurer;

1. Attend to the general business of the SERPC INC.
2. Maintain minutes of all SERPC INC. meetings.
3. Publish minutes of meetings once reviewed at general meetings on the pigeon net site for the SERPC INC.
4. Attend to all correspondence.
5. Keep a record of all members, and keep a record of all attendances at meetings.
6. Receive all monies, give official receipts therefore, and deposit all monies with the Bank handling the SERPC INC. finances.
7. Have charge and maintain all proper books of account, cheque and receipt books and Bank accounts.
8. Pay all accounts properly incurred by the SERPC INC
9. Prepare a financial statement to be audited and presented at the AGM.
10. Maintain a register of the SERPC INC. assets.

Race Secretary;

1. Have organisational control of all competitions held on behalf of the SERPC INC.
2. Hold all books and papers, etc., pertaining to the race.

3. Maintain records needed to ensure the smooth management of the races and associated awards from year to year.

Ring Secretary;

1. Responsible for all matters pertaining to ring purchases and sales.
2. Conduct all communications necessary to purchase or sell rings, and keep records of all rings purchased and sold.
3. Ensure life rings for the coming breeding season are arranged and made available for members use by the 1st June each year.

Publicity Officer;

1. Responsible for the publicity and promotion of the activities of the SERPC INC..
2. Must always bear in mind the good name of the SERPC INC., remember the aims of the SERPC INC. and must not make comments that are prejudicial to the SERPC INC. in any way.
3. Has full editorial control over content, but remains responsible to the membership of the SERPC INC. for all items published.

5. MANAGEMENT & MEETINGS

1. The running of the SERPC INC. shall be vested in all its members.
2. Meetings for the South East Racing Pigeon Combine will be conducted on a needs basis where any matters that require the attention of the membership need to be dealt with.
3. The meetings of the SERPC INC. shall be deemed to be general meetings of the SERPC INC., unless resolved otherwise by the membership at the preceding meeting of the SERPC INC.

Annual General Meeting (AGM);

1. The AGM of the SERPC INC. shall be held by the end of April in each year.
2. At the AGM the Secretary shall ensure an Annual Report of the SERPC INC. activities and accounts for the preceding year is presented.
3. At the AGM all office bearers shall retire.

Election of Office Bearers;

1. A vote shall be held during the AGM to determine the elected officer bearers.
2. All office bearers shall be confirmed on the date of the AGM.
3. All office bearers must be financial members or a Life Member of the SERPC INC.
4. Only financial flying members of the SERPC INC. who intend to race at least the entire sprint series for the upcoming racing schedule/season shall be entitled to vote at the current AGM on any matter that impact the racing schedule of the current or any future racing season and all associated matters.
5. Any financial flying member who does not complete at least the entire sprint series for the upcoming racing schedule/season after exercising their entitlement to vote on any matter impacting the racing schedule of the current or any future racing season and all associated matters at the most recent AGM will have to forfeit a deposit of \$100 with this deposit to be paid in full before the start of the club's current AGM.

6. Determining if extraordinary circumstances exist will be a matter for the current financial membership to vote on with the majority deciding the matter.
7. Extraordinary will be taken to mean very unusual or remarkable.
8. Each member shall be entitled to have one vote only.
9. Flying members can vote on any matters.
10. Non flying members can only vote on matters pertaining to club issues and not racing issues.
11. New members cannot vote on Office Bearers positions until they have completed 12 continuous months of membership with the SERPC INC.

Casual Vacancies;

The SERPC INC. members (by majority vote) shall have the power to appoint members to fill any casual vacancies of any office, and those appointed shall hold that office until they resign or retire or until the next AGM.

Extraordinary General Meeting;

1. An Extraordinary General Meeting may be called at any time by the Secretary or upon requisition by not less than 3 non- related financial members of the SERPC INC.
2. At an Extraordinary General Meeting matters discussed shall be only those specified in the requisition.
3. In the event of an extra ordinary General Meeting being requisitioned, the Secretary shall notify all members of such meeting and a date for such a meeting with a minimum of two (2) weeks' notice.

Meeting Procedure;

1. Minutes of the proceedings of meetings shall be kept by the Secretary and shall be open for inspection by any member of the SERPC INC.
2. At least seven (7) days prior to each general meeting of the SERPC INC., the minutes of the immediate preceding general meeting will be published on the SERPC INC. internet site @ the information link.
3. The President or in his/her absence, a member elected (by majority) at that meeting will act as Chairperson.

Quorum;

1. The presence of at least **3** non related financial members shall form a quorum at any convened general meeting of the SERPC INC.
2. If a quorum is not present within half an hour of scheduled starting time, the meeting shall stand adjourned until the date of a new meeting is determined by the club's membership.

Voting;

1. Non flying but financial members of the SERPC INC. are entitled to vote, move and second motions and resolutions at any meeting on any matters **other than** those that impact in any way, directly or indirectly, actual racing for the current or any future racing season and/or racing schedule.

2. All matters that affect the current or any future racing season, racing schedule can only be moved, seconded and only be voted on by current financial flying members of the SERPC INC.
3. Voting on any matter by authorised financial members shall be on a majority rule basis at the AGM.
4. Voting at any other type of meeting held on any matter by authorised financial members shall be based on 100% vote.
5. All members are entitled to one (1) vote only on any given matter.
6. Should a vote be tied then the status quo will remain, that is, the changes being proposed are defeated and the current rule/s remains in place.
7. Due to the small size of the SERPC INC.'S membership the President **does not** have a casting vote (see Point 6 above) unless the issue raised and voted on is absolutely vital to the progress of the SERPC INC. business and where maintenance of the status quo would be detrimental to the ongoing viability of the SERPC INC

Resolutions;

1. Resolutions voted on at the AGM will be passed by a simple majority of those votes.
2. Resolutions voted on at any other meeting after the conduct of the last AGM will be passed only if ALL eligible current financial members vote in favour of the resolution unless the matter being voted on concerns the welfare of member's pigeons or the members themselves and in such situations any vote will be decided by way of majority.
3. Members of the SERPC INC. are entitled to move amendments to resolutions, but only if done so prior to any vote being conducted.

6. MEMBERSHIP

1. Membership of the SERPC INC. shall be open to any person flying to loft positions within the SERPC INC. boundaries.
2. All persons affiliating with the SERPC INC. shall pay an annual subscription to be determined from time to time by the members of the SERPC INC. at the AGM. Such fee shall be payable at the Annual Meeting or on admission of the Club to the SERPC INC.
3. A simple majority vote of the full membership is required to accept a person's application for membership after a nomination and seconder is obtained.
4. Any person after completing a racing season with the SERPC INC. then leaves to compete with another club whilst flying from a loft within the boundaries of the SERPC INC. will be entitled to re-join the SERPC INC. as a flying member at any time provided point 3 above is satisfied.
5. There shall be no refunds on membership subscriptions. All individual members of the SERPC INC. shall pay to the SERPC INC. a sum of fees which shall be set year to year at the AGM.
6. All current financial members of the SERPC INC. agree to abide by the Constitution and all Rules of the SERPC INC.
7. Any member withdrawing from or being expelled from the SERPC INC. shall cease to have an interest in or a claim against the assets of the SERPC INC. but shall be liable for any outstanding payments due to the SERPC INC. as at the date of withdrawing or expulsion.

8. If any member of the SERPC INC. is not financial that member is not entitled to the usual privileges that a financial member of the SERPC INC. would normally be entitled to.
9. New members will be provided with an induction information package which will contain the SERPC INC. current Constitution, racing schedule, Council requirements and the national code of conduct as provided for by the Australian National Racing Pigeon Board for the keeping and racing of pigeons in the Eurobodalla Local Government Area (LGA).

7. CODE OF CONDUCT

Purpose;

Defines the type of behaviour which the SERPC INC. is seeking to promote and encourage its members and supporters to adopt.

Governance;

The Code of Conduct shall govern the conduct of all persons associated with the SERPC INC., and in particular it shall apply to;

1. SERPC INC. members and affiliated club members.
2. Persons acting for and on behalf of the SERPC INC.
3. Persons participating in SERPC INC. organised events.

Key principles;

1. The SERPC INC. will operate in an environment where people show respect for others and their property. Respect is defined as consideration for another's physical and emotional wellbeing and possessions, to ensure no damage or deprivation is caused to either.
2. The SERPC INC. will operate in an environment that is free from harassment. Harassment is defined as any action directed at an individual or group that creates a hostile, intimidatory or offensive environment (refer to the Australian Sports Commission guidelines for Harassment- Free Sport).
3. The SERPC INC. will operate in a non- discriminatory environment.
4. Respect the rights dignity and worth of every human being- within the context of the activity. Treat everyone equally regardless of gender, Ethnic origin or religion.
5. Persons to whom this code applies acknowledge and agree to comply with the disciplinary procedures promulgated by the SERPC INC.
6. If any disciplinary action is taken persons directly affected shall be given the opportunity to participate in those proceedings and the right to appeal against any decision against them.
7. The Chair of any meeting conducted for the South East Racing Pigeon Combine has the authority to issue a warning without consulting its members when a member or visitor's behaviour during the conduct of any such meeting in the Chair's opinion warrants it.

Key Elements;

All persons who are bound by this code will;

1. Act in a manner which is compatible with the interests of the SERPC INC.

2. Accord people involved in the racing / showing of pigeons with the appropriate courtesy, respect and regard for their rights and obligations;
3. Treat people's property with respect and due consideration of its value;
4. Show a positive commitment to SERPC INC. policies rules, procedures guidelines and agreements.
5. Respect the law.
6. Respect the confidentiality of information which they receive in the course of fulfilling their duties.

Unacceptable Behaviour

This list provides examples of behaviour deemed to be unsuitable and not in the best interest of the sport of Pigeon Racing. The list is not finite and will be subject to a test of reasonableness to determine whether or not the behaviour is unacceptable (reasonableness means something a reasonable person would or would not do in any given circumstance).

1. Any form of harassment
2. Excessive use of alcohol acting a way that becomes a public nuisance and creating a public disturbance.
3. Damaging another person's property or depriving them of that property.
4. Statements which are deemed to denigrate the group or the individual.

8. DISCIPLINE

1. Any member of the SERPC INC. who have not acted in the best interest of the SERPC INC. and who has breached any provision of the rules of the SERPC INC. or dissents from a decision of the SERPC INC., may be called to appear before a general meeting of the SERPC INC. to show cause why they should not be suspended or expelled from the SERPC INC..
2. The membership of the SERPC INC. will consider any relevant material or evidence when determining if a breach has occurred and what sanctions are to be imposed if the breach is proved.
3. The standard of proof required in these matters is based on the civil standard (balance of probabilities)
4. If the members of the SERPC INC. decide a breach has occurred, it shall cite the member in to appear before it at the next available meeting, having given the member not less than fourteen (14) days' notice of the meeting.
5. At that meeting, consideration shall be given to all facts available from all parties, and thereafter a decision shall be passed by a simple majority of the SERPC INC. Membership present.
6. In the hearing the tenets of natural justice will be adhered to.
7. Any member found guilty on any matter shall have the right to lodge an appeal for a further hearing. The decision reached in that appeal is final on this matter.
8. In disciplining any member, the SERPC INC. may elect to suspend or disqualify any member from the SERPC INC. or from participating in its activities and/or fine such member in such sum as it may consider appropriate in the circumstances.
9. Any person or persons carrying on any fraudulent practice in any matter connected with the sport of pigeon racing may be fined and/or suspended and/or disqualified from the SERPC INC. for a period nominated by the SERPC INC.
10. Any fine imposed shall be paid within twenty eight (28) days of imposition thereof.

11. All privileges of a fined member will be suspended until payment of the fine has been paid in full.

9. FINANCIAL MANAGEMENT

1. The income and property of the SERPC INC. shall be applied solely towards the promotion of the SERPC INC.'S objectives and no portion thereof shall be paid or transferred directly or indirectly to the members of the SERPC INC., except where such member incurs an authorised expense on behalf of the SERPC INC.
2. A list of payment made by the SERPC INC. Secretary between each general meeting shall be endorsed by the members present at the next SERPC INC. general meeting.
3. All cheques issued by the SERPC INC. shall be signed by any two of the following: President, Secretary and Race Secretary
4. The Treasurer shall keep all books of account as may be determined by the Management Committee.
5. The books shall be subject to annual report by the Treasurer of the SERPC INC. at the AGM.
6. The financial year of the SERPC INC. shall begin on the 1st January of each year and end on the 31st December of the same year.

10. AMENDMENTS TO THE CONSTITUTION

1. All Constitution Rules of the SERPC INC. shall stand until the AGM of the next year.
2. Notices of motion of any alterations to the Constitution Rules to be brought up at the AGM shall be given to the Secretary no later than four (4) weeks prior to the conduct of the next AGM.
3. At the AGM amendments to the Constitution Rules shall be passed by a simple majority vote by those financial members who are entitled to vote.
4. Only in an extreme situation an Extraordinary General Meeting shall be called by the Management Committee to amend any of the Constitution Rules outside of the process outlined above.
5. To amend the Constitution Rules at an Extraordinary General Meeting a 100 percent vote of the SERPC INC. eligible financial members present at that meeting is required.

11. WINDING UP

1. The SERPC INC. may be dissolved and wound up at any time by way of a resolution to that effect passed at an Extraordinary General Meeting specifically called for that purpose. A simple majority vote is required.
2. If passed by a majority vote, the SERPC INC. shall be deemed to be dissolved and wound up.
3. At the meeting the members shall resolve as to how to distribute the assets and funds of the SERPC INC. (after making of provision for the payment of all debts).
4. Such assets and funds shall be distributed only to a non-profit organization having like or similar aims to the SERPC INC., and in no event are the funds to be distributed to the members of the SERPC INC.

12. SERPC INC. BOUNDARIES

1. No boundaries exist for the South East Racing Pigeon Combine Inc. and as such any person is eligible to compete in pigeon racing competition organised for and on behalf of the South East Racing Pigeon Combine Inc. and be included in any point scoring system/s or any awards or prizes allocated to a race regardless of where they may reside.

13. CONFIRMING SERPC INC. RACING & CLOCK RULES ETC

The SERPC INC. Racing, Clock, EBSS Rules and the Liberation Protocol shall be confirmed at each AGM of the SERPC INC.

14. INSURANCES

1. The SERPC INC. will have current public liability insurance in a sum not less than that prescribed by the Associations Incorporation Act and shall ensure that such insurance is maintained.
- 2.** The SERPC INC. will not be providing any Voluntary Workers Insurance cover for its members. If any member of the SERPC INC. requires that type of insurance they will have to provide their own at their own expense. Any membership of the SERPC INC. means members accept this condition of membership and have no claim against the SERPC INC., any of its office bearers or other members so far as lost income is concerned.