



GOLD COAST OUTRIGGER CANOE CLUB

CONSTITUTION & BY-LAWS

SECTION "A"
CONSTITUTIONAL RULES OF INCORPORATION

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1. NAME

The name of the Incorporated Club shall be **Gold Coast Outrigger Canoe Club Incorporated** (in these rules called “the Club”).

2. OBJECTS

The objects for which the Club are established are:-

- (a) To participate in the sport of Outrigger Canoe Racing in local, national and international events.
- (b) To promote the teaching, training, instruction and exposure of children, men and women to the ancient art, craft and history of Hawaiian Canoeing.

3. DEFINITIONS

The following definitions shall apply in these Rules of Incorporation and By-Laws:-

Gold Coast Outrigger Canoe Club shall hereinafter be called the “Club”.

Australian Outrigger Racing Association Incorporated shall hereinafter be called “AOCRA”.

The Management Committee of the Club hereafter called the “Committee”.

Management Committee Meeting hereafter called a “Meeting”.

4. POWERS

- (1) The Club may take over the funds and other assets and liabilities of the present unincorporated Club known as the “Gold Coast Outrigger Canoe Club”.
- (2) To subscribe to, become a member of and co-operate with any other association, club or organization, whether incorporated or not, whose objects are altogether or in part similar to those of the Club provided that the Club shall not subscribe to or support with its funds any Club, association or organization which does not prohibit the distribution of its income and property among its members to an extent at least as great as that imposed on the Association under or by virtue of Rule 32 (11).
- (3) In furtherance of the objects of the Club to buy, sell and deal in all kinds of articles, commodities and provisions, both liquid and solid, for the members of the Club or persons frequenting the Club’s premises.
- (4) To purchase, take on lease or in exchange, hire and otherwise acquire any lands, buildings, easements or property, real and personal, and any rights or privileges which may be requisite for the purposes of, or capable of being conveniently used in connection with, any of the objects of the Club provided that in case the Club shall take or hold any property which may be subject to any trusts the Club shall only deal with the same in such manner as is allowed by law having regard to such trusts.
- (5) To enter into any arrangements with any Government or authority that are incidental or conducive to the attainment of the objects and the exercise of the powers of the Club, to obtain from any such Government or authority any rights, privileges and concessions which the Club may think it desirable to obtain, to carry out, exercise and comply with any such arrangements, rights, privileges and concessions.
- (6) To appoint, employ, remove or suspend such managers, clerks, secretaries, servants, workmen and other persons as may be necessary or convenient for the purposes of the Club.
- (7) To remunerate any person or body corporate for services rendered, or to be rendered, and whether by way of brokerage or otherwise in placing or assisting to place or guaranteeing the placing of any unsecured notes, debentures or other securities of the incorporated Club, or in or about the incorporated association or promotion of the incorporated Club or in the furtherance of its objects.

- (8) To construct, improve, maintain, develop, work, manage, carry out, alter or control any houses, buildings, grounds, works or conveniences which may seem calculated directly or indirectly to advance the Club's interests, and to contribute to, subsidise or otherwise assist and take part in the construction, improvement, maintenance, development, working, management, carrying out, alteration or control thereof.
- (9) To invest and deal with the money of the Club not immediately required in such manner as may from time to time be thought fit.
- (10) To take, or otherwise acquire, and hold shares, debentures or other securities of any company or body corporate.
- (11) In furtherance of the objects of the Club to lend and advance money or give credit to any person or body corporate, to guarantee and give guarantees or indemnities for the payment of money or the performance of contracts or obligations by any person or body corporate, and otherwise to assist any person or body corporate.
- (12) To borrow or raise money either alone or jointly with any other person or legal entity in such manner as may be thought proper and whether upon fluctuating advance account or overdraft or otherwise to represent or secure any moneys and further advances borrowed or to be borrowed alone or with others as aforesaid by notes secured or unsecured, debentures or debenture stock perpetual or otherwise, or by mortgage, charge, lien or other security upon the whole or any part of the incorporated Club's property or assets present or future and to purchase, redeem or pay-off any such securities.
- (13) To draw, make, accept, endorse, discount, execute and issue promissory notes, bills of exchange, bills of lading and other negotiable or transferable instruments.
- (14) In furtherance of the objects of the Club to sell, improve, manage, develop, exchange, lease, dispose of, turn to account or otherwise deal with all or any part of the property and rights of the Club.
- (15) To take or hold mortgages, liens or charges, to secure payment of the purchase price, or any unpaid balance of the purchase price of any part of the Club's property of whatsoever kind sold by the Club, or any money due to the Club from purchasers and others.
- (16) To take any gift of property whether subject to any special trust or not, for any one or more of the objects of the Club but subject always to the proviso in sub-rule (4).
- (17) To take such steps by person or written appeals, public meetings or otherwise, as may from time to time be deemed expedient for the purpose of procuring contributions to the funds of the Club, in the shape of donations, annual subscriptions or otherwise.
- (18) To print and publish any newspapers, periodicals, books or leaflets that the Club may think desirable for the promotion of its objects.
- (19) In the furtherance of the objects of the Club to amalgamate with any one or more incorporated associations having objects altogether or in part similar to those of the Club and which shall prohibit the distribution of its or their income and property among its or their members to an extent at least as great as that imposed upon the Club under or by virtue of Rule 35 (2).
- (20) In furtherance of the objects of the Club to purchase or otherwise acquire and undertake all or any part of the property, assets, liabilities and engagements of any one or more of the incorporated associations with which the Club is authorized to amalgamate.
- (21) In furtherance of the objects of the Club to transfer all or any part of the property, assets, liabilities and engagements of the Club to any one or more of the incorporated associations with which the Club is authorized to amalgamate.
- (22) To make donations for patriotic, charitable or community purposes.
- (23) To transact any lawful business in aid of the Commonwealth of Australia in the prosecution of any war in which the Commonwealth of Australia is engaged.
- (24) To do all such other things as are incidental or conducive to the attainment of the objects and the exercise of the powers of the Club.

5. CLASSES OF MEMBERSHIP

- (1) The Membership of the Club shall consist of the following classes of Members:
 - (a) Ordinary Members.
 - (b) Junior Members.
 - (c) Life Members.
 - (d) Honorary Members.
 - (e) Associate Members.
- (2) The number of Ordinary, Junior, Life and Honorary Members shall be unlimited, the number of associate Members shall not comprise more than one-fifth (1/5) the total membership of the Club.

6. MEMBERSHIP

- (1) Every person who at the date of incorporation of the Club was a member of the unincorporated Club and who on or before **tenth** day of **December** 2013 agrees in writing to become a member of the Club shall be admitted by the Management Committee to the same class of Membership of the Club as that member held in the unincorporated Club.
- (2) Every member of the Club who previous to agreeing to become a member of the Club has paid the member's subscription or on before the **fifth** day of **January** 1998, as a member of the unincorporated Club, shall not be liable to pay any further sum by way of annual subscription to the Club for the period before the date fixed by the Management Committee as the date the next annual subscription becomes due.
- (3) Every applicant for any class of Membership of the Club (other than Life Members and the Members of the unincorporated Club referred to in sub-rule (1) shall be proposed by one member of the Club and seconded by another member.
- (4) The application for Membership shall be made in writing, signed by the applicant and the applicant's proposer and seconder and shall be in such form as the Management Committee from time to time prescribes.
- (5) Nominations for Life Membership may only be made at the meeting immediately preceding the Annual General Meeting and must be passed by a simple majority of Members present. The nomination shall then be voted upon at the Annual General Meeting and shall require a two-thirds (2/3) majority of Members present and voting.

7. MEMBERSHIP FEES

- (1) The Membership fees for each class of Membership shall be such sum as the Members shall from time to time at any General Meeting so determine.
- (2) The Membership fees for each class of Membership shall be payable at such time and in such manner as the Management Committee shall from time to time determine.

8. ADMISSION AND REJECTION OF MEMBERS

- (1) At the next meeting of the Management Committee after the receipt of any application and the fee applicable for any class of Membership, such application shall be considered by the Management Committee, who shall thereupon determine upon the admission or rejection of the applicant.
- (2) Any applicant who receives a majority of the votes of the Members of the Management Committee present at the meeting at which such application is being considered shall be accepted as a member to the class of membership applied for.
- (3) Upon the acceptance or rejection of an application for any class of Membership the Secretary shall forthwith give the applicant notice in writing of such acceptance or rejection.

9. **TERMINATION OF MEMBERSHIP**

- (1) A member may resign from the Club at any time by giving notice in writing to the Secretary.
- (2) Such resignation shall take effect at the time such notice is received by the Secretary unless a later date is specified in the notice when it shall take effect on that later date.
- (3) If a member:
 - (a) is convicted of an indictable offence; or
 - (b) fails to comply with any of the provisions of these rules; or
 - (c) has Membership fees in arrears for a period of 2 months or more; or
 - (d) conducts himself or herself in a manner considered to be injurious or prejudicial to the character or interests of the Club;

the Management Committee shall consider whether the member's Membership shall be terminated.

- (4) The member concerned shall be given a full and fair opportunity of presenting the member's case and if the Management Committee resolves to terminate the Membership it shall instruct the Secretary to advise the member in writing accordingly.

10. **APPEAL AGAINST REJECTION OR TERMINATION OF MEMBERSHIP**

- (1) A person whose application for Membership has been rejected or whose Membership has been terminated may within 1 month of receiving written notification thereof, lodge with the Secretary written notice of the person's intention to appeal against the decision of the Management Committee.
- (2) Upon receipt of a notification of intention to appeal against rejection or termination of Membership the Secretary shall convene, within 3 months of the date of receipt by the Secretary of such notice, a General Meeting to determine the appeal.
- (3) At any such meeting the applicant shall be given the opportunity to fully present the applicant's case and the Management Committee or those Members thereof who rejected the application for Membership or terminated the Membership subsequently shall likewise have the opportunity of presenting its or their case.
- (4) The appeal shall be determined by the vote of the Members present at such meeting.
- (5) Where a person whose application is rejected, does not appeal against the decision of the Management Committee within the time prescribed by these rules or so appeals but the appeal is unsuccessful, the Secretary shall forthwith refund the amount of any fee paid.

11. **REGISTER OR MEMBERS**

- (1) The Management Committee shall cause a register to be kept in which shall be entered the names and residential addresses of all persons admitted to Membership of the Club and the dates of their admission.
- (2) Particulars shall also be entered into the register of deaths, resignations, terminations and reinstatement of Membership and any further particulars as the Management Committee or the Members at any General Meeting may require from time to time.
- (3) The register shall be open for inspection at all reasonable times by any member who previously applies to the Secretary for such inspection.

12. **SECRETARY**

- (1) The Management Committee may appoint and remove the Secretary at any time.

13. MEMBERSHIP OF MANAGEMENT COMMITTEE

- (1) The Management Committee shall consist of the President, Deputy President, Secretary, Treasurer and a representative from each competition category, all of whom shall be Members of the Club, and such number of other Members as any General Meeting may from time to time appoint.
- (2) At the Annual General Meeting of the Club, all the Members of the Management Committee for the time being shall retire from office, but shall be eligible upon nomination for re-election.
- (3) The election of Officers and other Members of the Management Committee shall take place in the following manner:
 - (a) Any two (2) eligible Members of the Club shall be at liberty to nominate any other eligible member to serve as an officer or other member of the Management Committee.
 - (b) The nomination, which shall be in writing and signed by the member and the member's proposer and seconder, shall be lodged with the Secretary at least 14 days before the Annual General Meeting at which the election is to take place.
 - (c) A list of the candidates' names in alphabetical order, with the proposers' and seconders' names, shall be posted in a conspicuous place in the office or usual place of meeting of the Club for at least 7 days immediately preceding the Annual General Meeting.
 - (d) Balloting lists shall be prepared (9 necessary) containing the names of the candidates in alphabetical order, and each member present at the Annual General Meeting shall be entitled to vote for any number of such candidates not exceeding the number of vacancies.
 - (e) Should at the commencement of such meeting there be an insufficient number of candidates nominated, nominations may be taken from the floor of the meeting.

14. RESIGNATION OR REMOVAL FROM OFFICE OF MEMBER OF MANAGEMENT COMMITTEE

- (1) Any member of the Management Committee may resign from Membership of the Management Committee at any time by giving notice in writing to the Secretary but such resignation shall take effect at the time such notice is received by the Secretary unless a later date is specified in the notice when it shall take effect on that later date or such member may be removed from office at a General Meeting of the Club where that member shall be given the opportunity to fully present the member's case.
- (2) The question of removal shall be determined by the vote of the eligible Members present at such a General Meeting.
- (3) There is no right of appeal against a member's removal from office under this section.

15. VACANCIES ON MANAGEMENT COMMITTEE

- (1) The Management Committee shall have power at any time to appoint any member of the Club to fill any casual vacancy on the Management Committee until the next Annual General Meeting.
- (2) The continuing Members of the Management Committee may act notwithstanding any casual vacancy in the Management Committee, but if and so long as their number is reduced below the number fixed by or pursuant to these rules as the necessary quorum of the Management Committee, the continuing Member or Members may act for the purpose of increase the number of Members of the Management Committee to that number or of summoning a General Meeting of the Club, but for no other purpose.

16. FUNCTIONS OF THE MANAGEMENT COMMITTEE:

- (1) Except as otherwise provided by these Rules and subject to resolutions of the Members of the Club carried at any General Meeting the Management Committee:
 - (a) shall have the general control and management of the administration of the affairs, property and funds of the Club; and

- (b) shall have authority to interpret the meaning of these Rules and any matter relating to the Club on which these rules are silent;
 - (c) in the event of a tied vote at a General Meeting the President shall have a deciding vote.
- (2) The Management Committee may exercise all the powers of the Club:
- (a) to borrow or raise or secure the payment of money in such manner as the Members of the Club may think fit and secure the same or the payment or performance of any debt, liability, contract, guarantee or other engagement incurred or to be entered into by the Club in any way and in particular by the issue of debentures, perpetual or otherwise charged upon all or any of the Club's property, both present and future, and to purchase, redeem or pay off any such securities;
 - (b) to borrow amounts from Members and to pay interest on the amounts borrowed and to mortgage or charge its property or any part thereof and to issue debentures and other securities, whether outright or as security for any debt, liability or obligation of the Club, and to provide and pay off any such securities; and
 - (c) to invest in such manner as the Members of the Club may from time to time determine.
- (3) For Sub-section (2)(b) the rate of interest must not be more than the rate for the time being charged for overdrawn accounts for money lent (whatever the term of the loan) by:
- (a) the financial institution for the Club; or
 - (b) if there is more than one financial institution for the Club – the financial institution nominated by the Club.

17. **MEETINGS OF MANAGEMENT COMMITTEE**

- (1) The Management Committee shall meet at least once every calendar month to exercise its functions.
- (2) The Management Committee must decide how a meeting is to be called.
- (3) Notice of a meeting is to be given in the way decided by the Management Committee.
- (4) A special meeting of the Management Committee shall be convened by the Secretary on the requisition in writing signed by not less than one-third of the Members of the Management Committee which requisition shall clearly state the reasons why such special meeting is being convened and the nature of the business to be transacted thereat.
- (5) At every meeting of the Management Committee the number members required to constitute a quorum shall be any two (2) of the President, Vice President, Secretary and Treasurer plus three (3) Delegates plus one (1).
- (6) Subject as previously provided in this section, the Management Committee may meet together and regulate its proceedings as it thinks fit. Provided that questions arising at any meeting of the Management Committee shall be decided by a majority of votes and, in the case of equality of votes, the question shall be deemed to be decided in the negative.
- (7) A member of the Management Committee shall not vote in respect of any contract or proposed contract with the Club in which the member is interested, or any matter arising therefrom, and if the member does so vote shall not be counted.
- (8) Not less than fourteen (14) days notice shall be given by the Secretary to Members of the Management Committee of any Special Meeting of the Management Committee.
- (9) Such notice shall clearly state the nature of the business to be discussed thereat.
- (10) The President shall preside as chairperson at every meeting of the Management Committee, or if there is no President, or if at any meeting the President is not present within 10 minutes after the time appointed for holding the meeting the Vice-President shall be chairperson or if the Vice-President is not present at the meeting then the Members may choose one (1) of their number to be chairperson of the meeting.

- (11) If within half an hour from the time appointed for the commencement of a Management Committee meeting a quorum is not present, the meeting, if convened upon the requisition of Members of the Management Committee, shall lapse.
- (12) In any other case it shall stand adjourned to the same day in the next week at the same time and place, or to such other day and at such other time and place as the Management Committee may determine, and if at the adjourned Meeting a quorum is not present within half an hour from the time appointed for the Meeting, the Meeting shall lapse.

18. DELEGATION OF POWERS OF MANAGEMENT COMMITTEE

- (1) The Management Committee may delegate any of its powers to a subcommittee consisting of such Members of the Club as the Management Committee thinks fit.
- (2) Any subcommittee so formed shall in the exercise of the powers so delegated conform to any regulations that may be imposed on it by the Management Committee.
- (3) A subcommittee may elect a chairperson of its meetings.
- (4) If no such chairperson is elected, or if at any meeting the chairperson is not present within 10 minutes after the time appointed for holding the Meeting, the Members present may choose one of their number to be chairperson of the Meeting.
- (5) A subcommittee may meet and adjourn as it thinks proper.
- (6) Questions arising at any Meeting shall be determined by a majority of votes of the Members present and, in the case of an equality of votes, the question shall be deemed to be decided in the negative.

19. ACTS NOT AFFECTED BY DEFECTS OR DISQUALIFICATIONS

All acts done by any meeting of the Management Committee or of a subcommittee or by any person acting as a member of the Management Committee shall, notwithstanding that it is afterwards discovered that there was some defect in the appointment of any such member of the Management Committee or person acting as aforesaid, or that the Members of the Management Committee or any of them were disqualified, be as valid as if every such person had been duly appointed and was qualified to be a member of the Management Committee.

20. RESOLUTIONS OF MANAGEMENT COMMITTEE WITHOUT MEETING

- (1) A resolution in writing signed by all the Members of the Management Committee for the time being entitled to receive notice of a meeting of the Management Committee shall be as valid and effectual as if it had been passed at a meeting of the Management Committee duly convened and held.
- (2) Any such resolution may consist of several documents in like form, each signed by one or more Members of the Management Committee.

21. FIRST GENERAL MEETING

- (1) The first General Meeting must be held not less than 1 month, and not more than 3 months, after the day the Club is incorporated.
- (2) The Management Committee must decide where the meeting is to be held.
- (3) The business to be transacted at the first General Meeting must include the appointment of an auditor.

22. FIRST ANNUAL MEETING

The first Annual General Meeting must be held within 18 months after the day the Club is incorporated.

23. **SUBSEQUENT ANNUAL GENERAL MEETINGS**

Each subsequent Annual General Meeting must be held:

- (a) at least once each year; and
- (b) within three (3) months after the end of the Club's previous financial year;
- (c) only financial members may vote at Annual General Meetings.

24. **BUSINESS TO BE TRANSACTED AT ANNUAL GENERAL MEETING**

The following business must be transacted at every Annual General Meeting:

- (a) the receiving of the statement of income and expenditure, assets and liabilities and of mortgages, charges and securities affecting the property of the Club for the last financial year;
- (b) the receiving of the Auditor's report on the financial affairs of the Club for the last financial year;
- (c) the presenting of the audited statement to the meeting for adoption;
- (d) the election of Members of the Management Committee;
- (e) the appointment of an Auditor.

25. **SPECIAL GENERAL MEETING**

- (1) The Secretary shall convene a special General Meeting by sending out notice of the meeting within fourteen (14) days of:
 - (a) being directed to do so by the Management Committee; or
 - (b) being given a requisition in writing signed by not less than one-third (1/3) of the Members presently on the Management Committee or not less than the number of ordinary Members of the Club which equals double the number of Members presently on the Management Committee plus one;
 - (c) being given a notice in writing of an intention to appeal against the decision of the Management Committee to reject an application for Membership or to terminate the Membership of any person.
- (2) A requisition mentioned in subsection (1)(b) shall clearly state the reasons why such special General meeting is being convened and the nature of the business to be transacted thereat.

26. **QUORUM AT GENERAL MEETING**

- (1) At any General Meeting the number of Members required to constitute a quorum shall be any two (2) of the President, Vice President, Secretary, Treasurer plus three (3) delegates plus one (1).
- (2) No business shall be transacted at any General Meeting unless a quorum of Members is present at the time when the meeting proceeds to business.
- (3) For the purposes of this rule:

“member” includes a person attending as a proxy or as representing a corporation which is a member.
- (4) If within half an hour from the time appointed for the commencement of a General Meeting a quorum is not present, the meeting, if convened upon the requisition of Members of the Management Committee or the Club, shall lapse.
- (5) In any other case it shall stand adjourned to the same day in the next week at the same time and place, or to such other day and at such other time and place as the Management Committee may determine, and if at the adjourned meeting a quorum is not present within half an hour from the time appointed for the meeting, the Members present shall be a quorum.

- (6) The chairperson may, with the consent of any meeting at which a quorum is present (and shall if so directed by the meeting), adjourn the meeting from time to time and from place to place, but no business shall be transacted at any adjourned meeting other than the business left unfinished at the meeting from which the adjournment took place.
- (7) When a meeting is adjourned for thirty (30) days or more, notice of the adjourned meeting shall be given as in the case of an original meeting.
- (8) Save as aforesaid it shall not be necessary to give any notice of an adjournment or of the business to be transacted at an adjourned meeting.

27. NOTICE OF GENERAL MEETING

- (1) The Secretary shall convene all General Meetings of the Club by giving not less than fourteen (14) days notice of any such meeting to the Members of the Club.
- (2) The manner by which such notice shall be given shall be determined by the Management Committee.
- (3) However, a notice of any meeting convened for the purpose of hearing and determining the appeal of a member against the rejection or termination of his Membership by the Management Committee, shall be given in writing.
- (4) Notice of a General Meeting shall clearly state the nature of the business to be discussed thereat.

28. PROCEDURE AT GENERAL MEETING

- (1) Unless otherwise provided by these rules, at every General Meeting:
 - (a) the President shall preside as chairperson, or if there is no President, or if the President is not present within fifteen (15) minutes after the time appointed for the holding of the meeting or is unwilling to act, the Vice-President shall be the chairperson or if the Vice-President is not present or is unwilling to act then the Members present shall elect one (1) of their number to be chairperson of the meeting; and
 - (b) the chairperson shall maintain order and conduct the meeting in a proper and orderly manner; and
 - (c) every question, matter or resolution shall be decided by a majority of votes of the Members present; and
 - (d) every member present shall be entitled to one (1) vote and in the case of an equality of votes the chairperson shall have a second or casting vote; and
 - (e) however, no member shall be entitled to vote at any General Meeting if the member's annual subscription is more than one (1) month in arrears at the date of the meeting; and
 - (f) voting shall be by show of hands or a division of Members, unless not less than one-fifth of the Members present demand a ballot, in which event there shall be a secret ballot; and
 - (g) the chairperson shall appoint two (2) Members to conduct the secret ballot in such manner as the chairperson shall determine and the result of the ballot as declared by the chairperson shall be deemed to be the resolution of the meeting at which the ballot was demanded; and
 - (h) a member may vote in person or by proxy or by attorney and on a show of hands every person present who is a member or a representative of a member shall have one (1) vote and in a secret ballot every member present in person or by proxy or by attorney or other duly authorized representative shall have one (1) vote; and
 - (i) the instrument appointing a proxy shall be in writing, in the common or usual form under the hand of the appointor or of the appointor's attorney duly authorized in writing or, if the appointor is a corporation, either under seal or under the hand of an officer or attorney duly authorized; and
 - (j) a proxy may but need not be a member of the Club; and

- (k) the instrument appointing a proxy shall be deemed to confer authority to demand or join in demanding a secret ballot; and
- (l) where it is desired to afford Members an opportunity of voting for or against a resolution the instrument appointing a proxy shall be in the following form or a form as near thereto as circumstances permit:

Club:

I, _____ of _____, being a member of the abovementioned Club, hereby appoint _____ of _____, or failing the member, _____ of _____ as my proxy to vote for me on my behalf at the (Annual) General Meeting of the Club, to be held on the _____ day of _____, 19____, and at any adjournment thereof.

Signed this _____ day of _____, 19____.

Signature

This form is to be used *in favour of the
* against
resolution.

* Strike out whichever is not desired. (Unless otherwise instructed, the proxy may vote as the proxy thinks fit);

- (m) the instrument appointing a proxy shall be deposited with the Secretary prior to the commencement of any meeting or adjourned meeting at which the person named in the instrument proposes to vote; and
 - (n) the Secretary shall cause full and accurate minutes of all questions, matters, resolutions and other proceedings of every Management Committee meeting and General Meeting to be entered in a book to be open for inspection at all reasonable times by any financial member who previously applies to the Secretary for that inspection.
- (2) For the purposes of ensuring the accuracy of the recording of such minutes, the minutes of every Management Committee meeting shall be signed by the chairperson of that meeting or the chairperson of the next succeeding Management Committee meeting verifying their accuracy.
 - (3) Similarly, the minutes of every General Meeting shall be signed by the chairperson of that meeting or the chairperson of the next succeeding General Meeting.
 - (4) However, the minutes of any Annual General Meeting shall be signed by the chairperson of that meeting or the chairperson of the next succeeding General meeting or Annual General Meeting.

29. BY-LAWS

The Management Committee may from time to time make, amend or repeal by-laws, not inconsistent with these rules, for the internal management of the Club and any by-law may be set aside by a General Meeting of Members.

30. ALTERATION OF RULES

- (1) Subject to the provisions of the Clubs Incorporation Act 1981, these Rules may be amended, rescinded or added to from time to time by a special resolution carried at any General Meeting.
- (2) However an amendment, rescission or addition is valid only if it is registered by the chief executive.

31. COMMON SEAL

- (1) The Management Committee shall provide for a Common Seal and for its safe custody.
- (2) The Common Seal shall only be used by the authority of the Management Committee and every instrument to which the seal is affixed shall be signed by a member of the Management Committee and shall be countersigned by the Secretary or by a second member of the Management Committee or by some other person appointed by the Management Committee for the purpose.

32. FUNDS AND ACCOUNTS

- (1) The funds of the Club must be kept in the name of the Club in a financial institution decided by the Management Committee.
- (2) Proper books and accounts shall be kept and maintained either in written or printed form in the English language showing correctly the financial affairs of the Club and the particulars usually shown in books of a like nature.
- (3) All moneys shall be deposited as soon as practicable after receipt thereof.
- (4) All payments shall be made by cheque signed by any two (2) of the President, Secretary, Treasurer.
- (5) Cheque shall be crossed "not negotiable" except those in payment of wages, allowances or petty cash recoument which may be open.
- (6) The Management Committee shall determine the amount of petty cash which shall be kept on the imprest system.
- (7) All expenditure shall be approved or ratified at a Management Committee meeting.
- (8) As soon as practicable after the end of each financial year the Treasurer shall cause to be prepared a statement containing the particulars of:
 - (a) the income and expenditure for the financial year just ended; and
 - (b) the assets and liabilities and of all mortgages, charges and securities affecting the property of the Club at the close of that year.
- (9) If the Club is incorporated within three (3) months of the end of the Club's financial year, subsection (8) does not apply for the financial year the Club is incorporated.
- (10) The auditor must examine the statement prepared under subsection (8) and present a report on it to the Secretary before the next Annual General Meeting following the financial year for which the audit was made.
- (11) The income and property of the Club must be used solely in promoting the Club's objects and exercising the Club's powers as set out herein and no portion thereof shall be distributed, paid or transferred directly or indirectly by way of dividend, bonus or otherwise by way of profit to or amongst the Members of the Club provided that nothing herein contained shall prevent the payment in good faith of interest to any such member in respect of moneys advanced by him/her to the Club or otherwise owing by the Club to him/her or of remuneration to any Officers or servants of the Club or to any member of the Club or other person in return for any services actually rendered to the Club provided further that nothing herein contained shall be construed so as to prevent the payment or repayment to any member of out of pocket expenses, money lent, reasonable and proper charges for goods hired by the Club or reasonable and property rent for premises demised or let to the Club.

33. **DOCUMENTS**

The Management Committee shall provide for the safe custody of books, documents, instruments of title and securities of the Club.

34. **FINANCIAL YEAR**

The financial year of the Club shall close on 30th June in each year.

35. **DISTRIBUTION OF SURPLUS ASSETS TO ANOTHER PARTY**

If the Club shall be wound up in accordance with the provisions of the Associations Incorporation Act 1981, and there remains, after satisfaction of all its debts and liabilities, any property whatsoever, the same shall not be paid to or distributed among the members of Club, but shall be given or transferred to some other institution or institutions that have objects similar to the objects of the Club, and which shall prohibit the distribution of its or their income and property among its or their members to an extent at least as great as is imposed on the Club under or by virtue of Rule 32(11), such institution or institutions to be determined by the members of the Club.

SECTION "B"
BY-LAWS
JUDICIARY PROCEDURE
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JUDICIARY COMMITTEE

Rules of Procedure

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Appendix "B"

RULES OF DEBATE

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BY-LAWS

1. DISCIPLINARY PROVISIONS

(1) If a member:

- (a) fails to comply with any rule, by-law, resolution or direction of the Club; or
- (b) conducts himself/herself in a manner considered to be injurious or prejudicial to the character or interests of the Club;

the Management Committee shall consider whether such member shall be suspended for such period of time as is deemed proper in the circumstances from competing in any Governed or Sanctioned Regatta or from Membership of the Club.

- (2) This by-law shall apply equally to all Members in any Governed or Sanctioned Regatta regardless of whether such member is a current member or not.
- (3) The Management Committee of the Club may call upon any member to show cause why he/she should not be suspended for a period of time or why he/she should not have his/her Membership cancelled.
- (4) A member so called upon shall give a full and fair opportunity of presenting his/her case and if the Management Committee resolves to penalize or suspend the member it shall instruct the Secretary to advise the member in writing accordingly.
- (5) The member may within one month of receiving written notification thereof, lodge with the Secretary of AOCRA written notice of his/her intention to appeal to the Management Committee of AOCRA against the suspension or penalty imposed by the Club.
- (6) The Management Committee of AOCRA shall determine such appeal. The member and the Club shall be given the opportunity to fully present his/her or its case. The appeal shall be determined by the vote of the Members of the Management Committee of AOCRA present at such meeting. The Management Committee of AOCRA may uphold or set aside the suspension or penalty imposed by the Club.
- (7) The member and the Club shall accept and abide by the determination of the Management Committee of AOCRA which shall be final.

2. AFFILIATION

In accordance with Rule 4(2) the Club shall affiliate annually with the Australian Outrigger Canoe Racing Association Inc and all members of the Club over the age of 18 years as per AOCRA's age classification with Gold Coast Surf Lifesaving Club Inc.

3. CLUB COLOURS

The Club Colours shall be Navy, White, Green and Yellow, in whatever design is decided upon from time to time. However other colour combinations may be employed in racing uniforms, subject to Committee approval.

4. CLUB LOGO

The Club Logo shall consist of a paddler with a wave behind and outrigger canoe superimposed, surrounded by "Gold Coast Outriggers".

5. COACHES

The Management Committee may appoint from time to time Coaches to assist in development of the skills of Outrigger Paddling. Such persons shall possess a minimum of a "Level One Coaching Certificate" and shall be subject to the supervision and control of the Management Committee.

6. TEAM SELECTIONS

Teams shall be selected on ability, dedication and training attendance at sessions arranged by Section Coaches or the Management Committee. Any member shall have the right of appeal to the Club Selection Committee.

7. **CANOE ALLOCATIONS**

- (a) Canoes shall be allocated for regattas on the basis of the placings of teams at the competition immediately preceding the allocation. Highest placed team in each category shall have first choice, next placed team second choice, and so on. In the event of categories being combined in one event, allocation shall be on the basis of highest place in any category having first choice, next highest place in any category second choice, and so on.
- (b) Canoes shall be available on a rotation basis at training sessions. All teams attending shall take turns if desired with the canoe currently available. Should a dispute arise on allocation of canoes for whatever reason, the Canoe Captain or elected sectional representative if the Canoe Captain is not available shall have the power to decide on such allocation, this decision being final.
- (c) Canoe allocation for training purposes shall be made on a first choice basis to the teams training at their rostered session. Teams from other categories attending shall only use such canoes available after all rostered crews have chosen their craft, on a first-in first-served basis.

8. **TRANSPORT OF CANOES**

The Committee shall appoint a Transport Officer to arrange for the transport of canoes to Regattas. The Transport Officer shall establish a roster of members with suitable vehicles and shall arrange for each to transport the trailer and canoes to and from competitions in an equitable manner.

9. **LOADING, UNLOADING AND RIGGING OF CANOES**

All members shall, when called upon to do so, assist in loading, unloading and rigging of canoes both before and after competitions. Members shall endeavour to learn the art and techniques of rigging canoes for varying conditions and events.

10. **FUNDRAISING**

All members shall, when called upon to do so, assist in such fundraising ventures as arranged by the Committee from time to time. Members shall be subject to the direction of Committee Members or others empowered to conduct any such venture.

11. **SAFETY REQUIREMENTS**

- (a) All paddling members shall be required to undertake a swimming ability test prior to the first regatta of each season to the satisfaction of the Club Captain. Requirements of this test shall be as set by the Committee from time to time, or as set by AOCRA. In addition all paddlers are to undertake practice in rollover and righting of canoes prior to the commencement of ocean training.
- (b) Canoes are to carry a minimum of one white light when training at night or early morning.
- (c) Canoes are to carry a minimum of one bailer (calm water) or two bailers (rough water) and such other equipment required by AOCRA AND/OR Qld Transport when used for training.
- (d) The following requirements are to be adhered to when canoes are used for ocean training:
 - (1) Canoes are to paddle in company when outside the Gold Coast Seaway;
 - (2) Canoes are not to venture outside the Gold Coast Seaway without storm covers fitted;
 - (3) Whenever possible the Volunteer Rescue Group is to be advised of departure time and expected return time.
- (e) **Powered Craft:**

Club powered craft are to be used whenever practical as escort or accompaniment for Club canoes. Powered craft are to carry at least the minimum safety equipment required by Qld Transport. All operators of Club powered craft must hold the relevant licence required by Qld Transport to operate such craft. Use of powered craft is subject to the direction of the Club Captain.

DUTIES OF OFFICE BEARERS**(a) President**

- (i) Chair all Committee, General and Annual General Meetings with a casting vote only.
- (ii) Convene all Executive committee and Special Meetings.
- (iii) Supervise the duties of all Officers.
- (iv) Submit a written report to the Club Secretary 21 days prior to the Annual General Meeting.
- (v) Be available for official duties, regattas and functions of Gold Coast Outrigger Canoe Club Inc and liaise with Club Sponsors and Patrons.

(b) Vice President

- (i) Carry out the President's duties in his/her absence.
- (ii) Be available for official duties, regattas and functions of Gold Coast Outrigger Canoe Club Inc.

(c) Secretary

- (i) Attend all meetings of the Gold Coast Outrigger Canoe Club Inc.
- (ii) Cause full and accurate minutes of all questions, matters, resolutions and other of every Management Committee, General and Annual General Meeting to be entered into a book to be open for inspection at all reasonable times by any financial member who previously applies to the Secretary for that inspection. For the purposes of ensuring the accuracy of the recording of such minutes, the minutes of every Management Committee Meeting shall be signed by the chairperson of the meeting or the chairperson of the next succeeding Management Committee Meeting verifying their accuracy. Similarly, the minutes of every General and Annual General Meeting shall be signed by the chairperson of that meeting or the chairperson of the next succeeding General or Annual General Meeting, providing that the minutes of any annual General Meeting shall be signed by the chairperson of that meeting or the chairperson of the next succeeding General or Annual General Meeting.
- (iii) Carry out all directions as given at such meetings.
- (iv) Keep inward and outward correspondence.
- (v) Conduct the correspondence of the Gold Coast Outrigger Canoe Club Inc and keep in proper files as Gold Coast Outrigger Canoe Club Inc records and reports.
- (vi) A week prior to all General Meetings, distribute copies of previous General Meeting Minutes and Agenda of the forthcoming meeting to the Members and Management Committee.
- (vii) Forward additions and amendments to the By-Laws to all Management Committee and members at least 14 days prior to the General Meeting.
- (viii) Issue all notices of General Meetings and Agenda in accordance with the Constitution and By-Laws.
- (ix) Forward a list of all nominations for office bearers together with additions and amendments to the Constitution and By-Laws to all Management Committee and members at least 14 days prior to the Annual General Meeting.
- (x) Maintain and issue copies of the Constitution and By-Laws as prescribed by the Constitution.
- (xi) Keep a record of all members' names and addresses.
- (xii) Notify all Canoe Captains and Transport Officer of regatta dates.

(xiii) Submit a written report to the President 21 days prior to the Annual General Meeting.

(d) **Treasurer**

- (i) Keep all financial books, records and accounts of the Gold Coast Outrigger Canoe Club Inc.
- (ii) Prepare a statement of receipts and expenditure for presentation to General, Annual General and Management Committee Meetings.
- (iii) Receive and issue receipts for all incoming money and deposit intact into the Gold Coast Outrigger Canoe Club Inc account/s.
- (iv) Keep an accurate record of all receipts.
- (v) Present all accounts for payment to Committee or General Meetings for approval and/or ratification in accordance with the Constitution.
- (vi) Prepare estimated budget for the following year for discussion at last Management Committee Meeting before that year's Annual General Meeting.
- (vii) Prepare annual financial statements, including receipts, expenditure and balance sheet, for audit and presentation to the Annual General Meeting and for distribution to all members.
- (viii) Arrange for audit of the Gold Coast Outrigger Canoe Club Inc financial books and records.
- (ix) Submit a copy of the audited report to the Secretary 21 days prior to the Annual General Meeting.
- (x) Perform such other duties as may be required by the Constitution and By-Laws or as directed by the Gold Coast Outrigger Canoe Club Inc members and/or Management Committee from time to time.

(e) **Canoe Captain**

The Canoe Captain shall be responsible for all the club canoes, canoe accessories, power craft and safety gear. The Canoe Captain may direct other members of the Club to assist in fulfilling these tasks.

(f) **Registrar**

- (i) Prepare and keep all team registration cards.
- (ii) Sight and record proof of age as required in this Constitution and By-Laws.
- (iii) Receive and record consent forms as required in this Constitution and By-Laws.
- (iv) Keep an accurate record of all competition results, points, disqualifications.
- (v) Submit a written report to the Secretary for inclusion in his/her report at each Committee or General Meeting.

(g) **Transport Officer**

The Transport Officer shall establish a register of members with suitable vehicle to assist in transport of Club Trailers and canoes to and from competitions. He shall arrange a roster of these members to transport club craft in an equitable manner and may call upon other members to assist in loading and unloading of canoes.

13.

SUB-COMMITTEES

(1) **Judiciary Committee**

The Judiciary Committee shall be comprised of five (5) members elected at the Annual General Meeting. It shall determine disciplinary issues and impose such penalties or suspensions as it sees fit, after following the procedures set down in Appendix A. All members shall have the right of appeal against any such decision as set down in Rule 10 and By-Law 1.

(2) **Selection Committee**

The Selection Committee shall be comprised of the President, Elected Section Representative and Section Coach. In the event of an appeal by a Member on team selection, the Selection Committee shall assess the appeal and if deemed necessary arrange for a series of tests to determine the most effective composition of the team.

(3) **Social Committee**

The Social Committee shall be comprised of any five (5) members elected at the Annual General Meeting. The Social Committee shall arrange such social and/or fundraising ventures as approved by the Management Committee, and may call upon other members for assistance in such ventures.

(4) **Awards Committee**

The Awards Committee shall be comprised of the Executive Committee. It shall convene prior to the Annual Presentation Dinner to decide the allocation of awards for the preceding season. It may seek information from Coaches and/or other members in order to allocate these awards.

Sub-Committee may report to meetings on issues relevant to their section.

14. **MEETINGS**

The following Agenda shall be followed at Club Meetings:

(a) **Annual General Meeting**

- (1) Apologies.
- (2) Reading and confirmation of Minutes of previous Annual General Meeting.
- (3) Presentation of the Annual Report.
- (4) Election of Officers and Committees.
- (5) Appointment of an auditor.
- (6) Special Business.
- (7) Method of Management of ensuing year.
- (8) General Business.

(b) **General Meetings and Management Committee Meetings**

The following are guidelines for conduct of Meetings of the Club:

- (1) President's Opening Remarks.
- (2) Apologies.
- (3) Minutes of the previous meeting.
- (4) Business arising from the minutes.
- (5) Correspondence (inwards and outwards).
- (6) Reports:
 - (a) President's report.
 - (b) Treasurer's report.
 - (c) Canoe Captain's report.
 - (d) Transport Officer's report.
 - (e) Coaches report.
 - (f) Sub-Committee reports.
- (7) Adjourned business from previous meeting.
- (8) Special business.
- (9) General business.
- (10) Date of next meeting.
- (11) Close.

(c) **Voting**

Generally voting will be by a show of hands however when a secret ballot is required, the following procedure will be followed:

- (i) Blank ballot papers will be handed to each member at the meeting entitled to vote.
- (ii) Two scrutineers to count the votes will be appointed.
- (iii) Each member voting will mark her/his ballot paper in an appropriate manner as advised by the Chairperson and handed to the scrutineers.
- (iv) The scrutineers will report the results to the Chairperson.
- (v) Any member supported by not less than three others may call for a division, in which case members shall move to the right or left of the Chairman, as directed by him/her.
- (vi) In the event of a division any member declining to vote shall elect to retire behind the Chairman or have his/her vote counted in the negative.
- (vii) The Chairman may appoint tellers to assist him/her in counting a vote.

(d) **Method of Management of the Club**

The Club affairs shall be run by either a General Meeting or a Management Committee Meeting.

The Annual General Meeting shall determine the method of Management for the ensuing year.

15. **TEAM AND PADDLER REGISTRATIONS**

- (a) A completed team registration card must be in the hands of the Secretary by the date fixed by the Management Committee and shall be accompanied by the team's nomination fee.
- (b) All members in age divisions must produce proof of age which must be presented to the Registrar by the date set by the Management Committee. The following documents are accepted as proof of age.
- (c) Birth Certificate or extract therefrom.
Passport.

16. **FEES**

- (a) The following fees shall be levied by the Gold Coast Outrigger Canoe Club Inc:
 - (i) Club Membership Fee (Ordinary, Junior, Honorary members).
 - (ii) Associate Member fee.
- (b) Membership fees shall be payable at the Annual General Meeting for continuing members and upon joining for new members. Regatta fees shall be additional to all other fees and shall be payable separately according to regatta requirements.
- (c) Team nomination fees are payable in full prior to the commencement of relevant regatta.
- (d) The Management Committee shall set all fees referred to in 16(a) prior to the Annual General Meeting where they will be tabled.
- (e) Should any fees be levied separately during a seasonal fixture by any body with which Gold Coast Outrigger Canoe Club Inc is affiliated, then such levy shall be additional to those fees set by the Management Committee under By-Law 16(a).
- (f) Failure to pay fees to the date set down by the Management Committee shall render the member unfinancial and shall case the right of such member to the rights privileges and benefits conferred as a member of the Gold Coast Outrigger Canoe Club Inc. In the event of a team's fees not being paid by the

specified date said club team/teams shall be deemed unfinancial and will no longer be eligible to participate in relevant competition until fees are paid.

17. **ANNUAL PRESENTATIONS**

The Club shall present awards in the following categories at the Annual Presentation Dinner.

- (a) Most Improved Male Paddler.
- (b) Most Improved Female Paddler.
- (c) Most Improved Male Junior Paddler.
- (d) Most Improved Female Junior Paddler.
- (e) Best Rookie Female Paddler.
- (f) Best Rookie Male Paddler.
- (g) Most Improved Team.
- (h) Best Performance by a Male Team.
- (i) Best Performance by a Female Team.
- (j) Best Performance by a Junior Team.
- (k) Club Person of the Year.

Plus any other awards the Committee shall deem appropriate from time to time. Recipients of awards shall be determined by the Awards Committee, excepting that the Club Person of the Year shall be chosen by the President alone.

APPENDIX "A"
JUDICIARY COMMITTEE
Rules of Procedure

1. DEFINITIONS

In these Rules:

- 1.1 "The Committee" means the Judiciary Committee.
- 1.2 "Secretary" means the Secretary for the time being of the Judiciary Committee.
- 1.3 "Member" means a member of the Club subject to the jurisdiction of the club by which the Committee shall have been appointed.
- 1.4 "Reference" includes any complaint against a member of the Club brought by any person and any dispute under this Constitution.

2. JURISDICTION

- 2.1 Any interested party may submit a reference to the Executive upon any matter touching the affairs of the Club and its members.
- 2.2 Every reference shall be in writing setting out clearly the matter sought to be investigated by the Executive, and the Executive shall then decide where such reference shall be directed.
- 2.3 Every reference directed to the Judiciary Committee shall be dealt with by that Committee in terms of Rule 3 set out below.
- 2.4 Every person bringing a reference shall have a right to be heard by the Committee provided that:
 - (a) he/she has an interest in the subject matter of the reference;
 - (b) his/her reference is in clear and unambiguous terms.

3. PROCEDURE

The following procedures shall be followed by the Committee having conduct of a reference under Rule 2 hereof.

- 3.1 Upon receipt of a reference, the Chairman of the Committee or his Delegate may appoint an independent person to act as investigator under the reference. Such appointment shall be in writing enclosing a copy of the reference and instructing the investigator to make all relevant enquiries and prepare to assist the Committee within fourteen (14) days.
- 3.2 The investigator, if appointed, shall make all relevant enquiries and shall appear at the time and place appointed for the hearing by the Secretary of the Committee.
- 3.3 Upon receipt of a reference the Secretary shall forthwith appoint the time and place for the hearing suitable to the members of the Committee. He/she shall give at least seven (7) days notice of the hearing to all interested parties and such notice shall be in or to the effect of the following form:

GOLD COAST OUTRIGGER CANOE CLUB INCORPORATED

To:.....

Dear Sir

You are hereby notified that a meeting of the Judiciary Committee of this Club will be held aton19....at.....am/pm to enquire into the following matter, referred to the Committee by the Club.

You are required to be (present) (represented) at that time and place together with such witnesses as you desire to call.

(Mr/Ms.....has been appointed pursuant to the Club Constitution as an independent investigator to make all relevant enquiries and to appear to assist the Committee at the hearing) – Optional.

The Secretary will, upon receipt of your request in writing at least five (5) days before the date appointed for the investigation setting out the names and addresses of the members of the Association who you desire to call as witnesses, require such members to be present at the investigation. If the time and place appointed are not suitable to you, you may apply for adjournment by application in writing, to be in my hands at least three (3) days before the time appointed.

You are not entitled to legal representative as of right but you may apply at the commencement of the enquiry for such representation, and the Committee may grant or refuse such application as it thinks fit. The same provisions shall apply where representation other than legal representation is required.

Yours faithfully

Secretary
Judiciary Committee

- 3.4 The Committee shall have power to require the attendance of any member at any hearing by the Committee. The Secretary shall give reasonable notice to a member informing him of the time and place of the hearing, and that he/she is required to attend.
- 3.5 In the case of a complaint against a member of the Club who has been suspended, he/she shall remain under suspension until the decision of the Committee, unless the Chairman of the Committee decides otherwise.
- 3.6 The independent investigator if appointed by the Chairman of the Committee shall make enquiries within a reasonable time.
- 3.7 The Committee shall likewise conduct the enquiry within a reasonable time, subject to any reasonable application for an adjournment in writing and received by the Secretary at least three days before the time fixed for the enquiry.
- 3.8 No interested party shall be entitled to legal representation as of right at the Committee hearing provided always that an application may be made at the commencement of the hearing for such representation. The Committee may grant or refuse such an application as it sees fit. The same provisions shall apply where an application is made for representation other than legal representation, provided that where a minor (U18) member is charged it shall be mandatory for a parent/s or guardian to be invited to attend at all material times, and every effort shall be made to encourage these persons to be in attendance in the interests of the minor (U18) member.
- 3.9 Any notice by the Rules to be given by the Secretary shall be given in writing delivered personally or sent by prepaid post addressed to the member concerned. A notice given by post shall be deemed to have been given on the day following that on which it shall be posted.
- 3.10 Any member who fails without reasonable excuse to comply with the requirements of any notice addressed to him/her by the Secretary shall be subject to such action as the Executive of the Club shall on the report of the Committee think fit.

4. **AT THE HEARING**

4.1 All interested parties shall be present at the hearing.

4.2 A quorum of the Committee shall be three (3) members.

4.3 In the case of a complaint against a member, all witnesses other than the member concerned must remain out of the hearing until called upon to give evidence.

4.4 The independent investigator, if appointed, shall be present to assist the Committee.

4.5 The reference to the Committee shall be read by the Chairman.

4.6 The independent investigator, if appointed, shall present relevant evidence, including the calling of witnesses. Any submissions by the investigator, or documentary evidence submitted by him/her, shall be given whatever weight the Committee thinks fit, subject always to the consideration that oral evidence from a witness may be of more weight than other forms of evidence.

If the independent investigator is not appointed, the Committee itself shall receive the evidence relevant to the reference.

4.7 The person, the subject of the reference shall then present relevant evidence on his/her own behalf.

4.8 In all cases, witnesses called shall be examined by the party (if any) on whose behalf he/she is called, and then cross-examined by the other interested parties to the reference. The party calling the witness shall have the right to re-examine the witness. The Committee members may ask questions of the witness, but no other examination or cross-examination of that witness shall be allowed except by leave of the Chairman.

4.9 The Committee may, in its discretion, refuse to admit evidence which is irrelevant or of so little weight as to be properly excluded.

4.10 At the conclusion of all the evidence, each interested party and the investigator, if appointed, may make submissions to the Committee in such speaking order as the Chairman may direct. Right of reply by any party shall be at the discretion of the Chairman.

5. **AT THE CONCLUSION OF THE HEARING**

5.1 The Committee shall meet in camera after the hearing has been completed and if the reference is found to be proved may deliberate upon an appropriate order or penalty.

5.2 The findings of the Committee and the order or penalty agreed upon may be by the majority, with the Chairman having a casting vote in the event of a tied decision. The minority may furnish separate findings, but the majority findings and order or penalty shall be deemed to be the decision of the Committee.

5.3 The Secretary of the Committee shall forthwith give notice of the decision of the Committee to all interested parties, together with notice of any made order or penalty imposed, which upon being confirmed by the appointing authority shall become effective forthwith.

5.4 The Committee shall furnish its report at the first meeting of the appointing authority after the hearing is completed. That authority shall either confirm the decision of the Committee or proceed according to the next succeeding paragraph.

5.5 The decision of the Committee cannot be altered by the appointing authority, but a two-thirds majority of those present and voting at the meeting may return the reference to the Committee for further consideration of the hearing of additional evidence. The grounds of such return of the reference shall be clearly stated.

5.6 A person exonerated by the Committee may start under protest at any Regatta or AOCRA event held before the meeting of the appointing authority at which the Committee's decision is presented for confirmation or return as the case may be.

6. **APPEALS**

Any person aggrieved by a decision of the Committee may appeal to the Management Committee of AOCRA as set down in By-Law 1(5), (6) and (7).

**APPENDIX “B”
RULES OF DEBATE**

1. GENERAL

1.1 The undermentioned rules shall apply to the conduct of all meetings of the Club and Committees.

1.2 For the purposes of these Rules, the word “member” shall refer to members of the Club.

2. CHAIRMAN’S AUTHORITY

2.1 Whenever the Chairman rises during debate, the member then speaking shall be silent and resume his/her seat.

2.2 In the case of any remark considered by the Chairman to be offensive or imputing improper motives, the Chairman may call upon a speaker to withdraw and apologise.

2.3 The Chairman may call a member to order. If such member persists in being disorderly, he/she may call upon such member to withdraw from the meeting.

2.4 It shall not be permissible to dispute the Chairman’s rulings, or move a motion of dissent from his/her ruling, on matter of procedure and points of order.

3. DEBATE

3.1 Any member desiring to speak shall stand up and address the Chairman.

3.2 If two or more members rise to speak at the one time, the Chairman shall decide which is entitled to priority.

3.3 The meeting may decide that a particular person shall or shall not be heard, provided that a motion of this nature shall not be debated.

3.4 No member shall interrupt another while speaking except to raise to a point of order.

3.5 No speaker shall digress from the subject under discussion.

3.6 No member shall use offensive or unbecoming words.

3.7 During the debate, a member may raise a point of order whereupon the member then speaking shall resume his/her seat until the point of order has been decided.

3.8 It shall be competent for any member to move a motion of dissent from the Chairman’s ruling other than on matters of procedure and points of order. The mover of a motion of dissent shall concisely state his point. The seconder and Chairman only may then speak to the motion.

(a) At any time during the debate, a member may move “that the question be now put” provided the Chairman is satisfied that reasonable time for debate of the original motion has been allowed. The motion shall be put without debate – it need not be seconded. This motion may be applied to an amendment, in which case it is the amendment which is immediately put to the vote. It shall not be competent for the mover, seconder or any person who has spoken to the original motion or amendment to move “that the question be now put”.

(b) A member may move the adjournment of the debate to a subsequent meeting. If the motion for adjournment is lost, the mover therefore shall not be allowed to speak again on the question under debate. If carried, the mover shall have the right of resuming the debate at the ensuing meeting and the mover of the original motion shall have the right of reply.

4. MOTIONS AND AMENDMENTS

- 4.1 Any member proposing a motion or an amendment shall state its nature before addressing the meeting thereon.
- 4.2 The mover of a motion shall not occupy more than ten minutes nor any other speaker more than five minutes provided that the meeting may, by resolution, without debate, grant an extension of time to any speaker.
- 4.3 No member may speak more than once to a motion except with the Chairman's permission, in explanation or reply, or to ask a question provided that he/she may speak again on any amendment to the motion.
- 4.4 The mover of a motion's right of reply shall be exercisable at the end of the debate.
- 4.5 The mover of an original motion must get the consent of his/her seconder and the approval of the meeting, before making any alteration to the wording of his/her motion.
- 4.6 Any member (other than as provided in Rule 4.7 herein) may move an amendment to a motion, provided it is not a direct negative of the motion proposed.
- 4.7 The mover or seconder of a motion may not move or second an amendment to it but may speak on any such amendment and vote in favour of it.
- 4.8 A particular member may move or second one amendment only to each motion, but may speak on amendments moved by others.
- 4.9 An amendment having moved, it shall not be competent to move any further amendment, provided that notice may be given of intention to move a further amendment when the previous amendment has been determined. Only one member can be considered at the one time.
- 4.10 If there is an indication of more than one amendment to be brought forward, the mover of the original motion may elect to reply at the end of the debate on the first amendment.
- 4.11 The mover of an amendment has no right of reply.
- 4.12 A member who formally seconds a motion or amendment without speaking may speak in support at a subsequent stage of the debate.
- 4.13 Amendments shall be put to the meeting before the motion is put and shall be committed to the meeting in the order in which they are received.
- 4.14 When no amendment is carried the motion as amended becomes the motion before the meeting.
- 4.15 Motions and amendments can be withdrawn only when a majority of those present at the meeting consent. A motion for withdrawal is open to debate, which however must be confined to the matter of withdrawal.
- 4.16 If, after a motion has been determined, it is considered in the general interest that the matter should be re-opened for discussion before the termination of the same meeting, the meeting may, by unanimous vote, order its recommittal.