

**CONSTITUTION  
HOBART DOG WALKING ASSOCIATION  
(As at 25 October 2017)**

**1.0 Name "HOBART DOG WALKING ASSOCIATION"**

The name of the Association is the "HOBART DOG WALKING ASSOCIATION" (Inc), hereinafter referred to as the "Association".

**2.0 Objects**

The objects of the Association are to:

- 2.1 Lobby for the retention and enhancement of suitable dog walking areas in the municipality of Hobart and neighbouring municipalities not currently serviced by another Association.
- 2.2 Encourage members to have their dogs under "Effective Control" at all times.
- 2.3 Encourage the formation of other "Dog Walking" associations within the state.
- 2.4 Enhance the image of well- controlled dogs as a benefit to society.
- 2.5 Liaise with appropriate bodies associated with all dog exercise areas within the municipality and neighbouring municipalities.
- 2.6 Encourage members to assist with the enhancement of these areas.
- 2.7 Monitor implementation of Tasmanian dog control legislation and recommend or oppose changes as appropriate.
- 2.8 Cooperate with other organisations, as appropriate, in promoting overall dog welfare.

**3. Powers of the Association**

- 3.1 To acquire, hold, deal with, and dispose of any real or personal property.
- 3.2 To open and operate a bank account.
- 3.3 To invest its money –
  - I. In any security in which trust moneys may be invested : or
  - II. In any manner authorised by the rules of the Association.

**4. Membership**

- 4.1 Membership shall be open to any person who wishes to further the interests of the Association.
- 4.2 Any person seeking membership shall make application to the Management Committee, and the Management Committee shall determine whether the application is successful or not. Applications denied membership shall be advised in writing.

4.3 Each person admitted to membership shall be :

4.3.1 bound by the Constitution and By-Laws of the Association

4.3.2 come liable for such fees and subscriptions as may be fixed by the Association.

4.3.3 entitled to all advantages and privileges of membership.

**4.4 Membership categories :**

**4.4.1 Ordinary Member**

Any person who is a financial member of the Association is entitled to hold any office and enjoy the privileges of the Association.

**4.4.2 Junior Member**

Any person under the age of 18 years may become a Junior Member. Such shall have no voting rights nor be entitled to hold any office.

**4.4.3 Life Membership**

Any member who has given outstanding service to the Association, may be elected by the Management Committee as a Life Member. Any member may nominate a person to the Management Committee for consideration for Life Membership.

**4.4.4 Patron**

The Association may, at its discretion elect a patron/s or vice patron/s of the Association for such period as may be deemed necessary. Such patron/s or vice patron/s shall not be eligible to vote unless they are current members of the Association under another category of membership.

**4.4.5 Affiliated Clubs**

A club desirous of becoming an affiliated club must make application in accordance with the By-Laws of the Association. Such application must be lodged with the Association Secretary on or before a date as determined by the Management Committee of the Association. Each affiliated club shall appoint or elect a delegate as their representative to meetings of the Management Committee.

4.5 The Management Committee shall appoint a member of the Management Committee to maintain an up to date register of the members of the Association.

4.6 A member may at any reasonable time inspect the records and documents of the Association.

**5. Termination of Membership**

5.1 Any person's membership may be terminated by the following events :

5.1.1 Resignation

5.1.2 False or inaccurate statements made in the members application for membership of the Association, breach of any rule, regulation or By-Law of the Association or commit any act detrimental to the Association.

5.1.3 Being unfinancial for over 3 months

- 5.2 The Management Committee shall have the power to suspend or expel any member of the Association for any of the events in Item 5.1 above.
- 5.3 Any member who is expelled, suspended or has their membership terminated shall have the right of appeal against their suspension or expulsion by presenting their case to a general meeting called for such purpose, and the decision of the General Meeting shall be final.

## **6. Management Committee**

- 6.1 Management of the Association shall be vested in the Management Committee elected by the members at the Annual General Meeting and consisting of :
  - 6.1.1 President
  - 6.1.2 Vice President
  - 6.1.3 Secretary
  - 6.1.4 Treasurer
  - 6.1.5 Up to 5 Committee Members
  - 6.1.6 Public Officer (which will be one of the above committee members)
- 6.2 No person shall hold more than one position on the Management Committee at any one time. A person shall cease to be a member of the Management Committee at the conclusion of the Annual General meeting next following his / her election and he will be eligible for re-election.
- 6.3 A quorum of the Management Committee shall be 4 (four).
- 6.4 If the President or Vice President is unable to attend, then the chairperson nominated by the meeting shall chair that meeting.
- 6.5 A member of the Management Committee may lose their seat on the committee for either of the following:
  - 6.5.1 Absence from three or more meetings without leave of absence.
  - 6.5.2 Found not to be a financial member.

## **7. Power of the Management Committee**

- 7.1 The Management Committee shall carry out the day to day running of the Association and shall have the power to:
  - 7.1.1 administer finances, appoint banker, and direct the opening of banking accounts for specific purposes and to transfer funds from one account to another, and to close any such account.
  - 7.1.2 Fix the manner in which such banking accounts shall be operated upon, providing all payments are passed by the Management Committee.
  - 7.1.3 Fix fees and subscriptions payable by the members and decide such levies, fines and charges as is deemed necessary and advisable, and to enforce payment thereof.

- 7.1.4 Adjudicate on all matters brought before it which in any way affect the Association.
- 7.1.5 Cause minutes to be made of all proceedings at meetings of the Committee and General Meetings of members.
- 7.1.6 Make, amend and rescind rulings and By-Laws.
- 7.1.7 Have the power to form and appoint any sub committee/s as required for specific purposes.
- 7.1.8 May, at their discretion, employ a person or persons to carry out certain duties required by the Association at salaries or remunerations for such a period of time, as may be deemed necessary.
- 7.1.9 Should a vacancy occur on the Management Committee during the season, the Management Committee shall appoint a successor until the next Annual General Meeting.
- 7.1.10 Appoint an officer/s or agent of the Management Committee to have custody of the Association's records, documents and securities.

## **8. Auditor**

- 8.1 The Annual General Meeting shall elect or appoint an Auditor or Auditors.
- 8.2 The Auditor/s shall examine and audit all the books and accounts of the Association annually, and have the power to call for all books, papers accounts, receipts etc of the Association, and report thereon to the Annual General Meeting.

## **9. General Meetings**

- 9.1 Annual General Meeting
  - 9.1.1 The Annual General Meeting of the Association must be held within four months of the end of the clubs financial year (refer 11.6).
  - 9.1.2 The Secretary shall give at least fourteen (14) days notice of the date of the Annual General Meeting to members.
  - 9.1.3 All financial members may attend the Annual General Meeting.
  - 9.1.4 The quorum at the Annual General Meeting, shall be a minimum of 10 members excluding proxies. If at the end of 30 minutes after the time appointed in the notice for the opening of the meeting, there be no quorum, the meeting shall stand and adjourn for one week. If at such meeting there is no quorum those members present shall be competent to discharge the business of the meeting.
  - 9.1.5 The agenda for the Annual General Meeting shall be:
    - Opening of meeting
    - Apologies
    - Confirmation of minutes of previous Annual General Meeting
    - Presentation of Annual Report
    - Adoption of Annual Report

- Presentation of Treasurer's statement
- Election of new executive and appointment of Auditor
- Vote of thanks to out going executive
- Notice/s of motion
- Urgent general business
- Closure

## 9.2 Special General Meetings

- 9.2.1 Special General Meetings may be called by the Management Committee, or at the request of the President and Secretary or on the written request of 5 members or 20% of members, which ever is the greater, of the current financial members of the Association.
- 9.2.2 The Secretary shall give at least seven (7) days notice, in writing, of the date of the Special General Meeting to the members. Notice of the Special General Meetings shall set out clearly business for which the meeting has been called. No other business shall be dealt with at that Special General Meeting.

## 10. Voting

### 10.1 Voting powers at the Annual General Meeting and Special General Meetings

- 10.1.1 The President shall be entitled to a deliberative vote and in the event of a tied vote, the president shall exercise a casting vote.
- 10.1.2 Each individual financial member present shall have one (1) vote.

### 10.2 Voting powers at Management Committee meetings

- 10.2.1 The President shall be entitled to a deliberative vote and in the event of a tied vote, the President shall exercise a casting vote.
- 10.2.2 Each individual financial member present shall have one (1) vote.

## 11. Finance

- 11.1 All funds of the Association shall be deposited into the Associations accounts at such bank or recognised financial institution as the Management Committee may determine.
- 11.2 All accounts due by the Association shall be paid by cheque after having been passed for payment at the Management Committee Meeting and when immediate payment is necessary, accounts shall be paid and the action endorsed at the next Management Committee Meeting.
- 11.3 The Secretary shall not spend more than a set amount of petty cash without the consent of the Management Committee and shall keep a record of such expenditure in a petty cash book.
- 11.4 A statement showing the financial position of the Association shall be tabled at each Management Committee meeting by the Treasurer.
- 11.5 A statement of Income and Expenditure and Assets and Liabilities shall be submitted to the Annual General Meeting. The auditors report shall be attached to such financial report.
- 11.6 The financial year of the Association shall commence on the 1<sup>st</sup> day of July each year. The accounts, books and all financial records of the Association shall be audited each year.

- 11.7 The signatories to the Association's account/s will be any two (2) from the following:
- President
  - Treasurer
  - Secretary
- 11.8 All property and income of the Association will apply solely to the promotion of the objectives of the Association and no part of that property or income shall be paid or otherwise distributed, directly, or indirectly to members, except in good faith in the promotion of these objectives.

## **12.0 Common Seal**

(A rubber stamp on which is engraved the Associations name)

The common seal of the Association shall be kept in the care of the Secretary. The seal shall only be used or affixed to any deed or other document pursuant to a resolution of the Management Committee and in the presence of at least the President and two members of the committee, both of whom shall subscribe their names as witnesses.

## **13.0 Alterations to the Constitution and By-Laws**

- 13.1 No alteration, repeal or addition, shall be made to the Constitution, except at the Annual General Meeting or Special General Meeting called for that purpose and notice of all motions to alter, repeal, or add to the Constitution shall be given to members fourteen (14) days prior to the Annual General Meeting, or seven (7) days prior to a General Meeting as well.
- 13.2 The Secretary shall forward such notices of motion to Management Committee members at least fourteen (14) days prior to the Annual General Meeting, or seven (7) days prior to a General Meeting.
- 13.3 Alterations to the By-Laws can only be made at Management Committee meetings provided the notice of the proposed alteration/s has been duly notified to Committee Members.
- 13.4 Such motions or any part thereof shall be of no affect unless passed by a seventy five (75%) majority (special resolution) of those present and entitled to vote at the Annual General Meeting, Special General Meeting or Management Committee meeting, as the case may be.
- 13.5 Proxy votes may be accepted in writing to any committee member from any financial member prior to the start of that meeting.

## **14. Dissolution**

If, on the winding up of the Association, any property of the Association remains after satisfaction of the debts and Liabilities of the Association and the cost, charges and expenses of that winding up, that property shall be distributed

- To another incorporated association having objects similar to those of the Association, or
- For charitable or benevolent purposes, which incorporated association or purposes, as the case requires, shall be determined by the resolution of the members.