

**CONSTITUTION of**  
**THE BIRMAN CAT CLUB of AUSTRALIA INCORPORATED**

**NAME**

1. The name of the Club shall be "THE BIRMAN CAT CLUB OF AUSTRALIA INCORPORATED"

**INTERPRETATION**

2. In this Constitution unless there be something in the subject matter and context inconsistent therewith:

- (a) "The Club" means The Birman Cat Club of Australia Incorporated.
- (b) "The Committee" means those persons appointed to administer the activities of the Club.
- (c) Words or expressions contained in this Constitution shall be interpreted in accordance with the provisions of the Interpretation Act 1897.

**OBJECTS**

3. The objects of the Club shall be:

- (a) To promote and improve the breeding of Birman cats.
- (b) To maintain the supervision of the official Standard of points by breeders and judges.
- (c) To foster and assist co-operation in the breeding of Birman cats.
- (d) To hold shows and exhibitions of Birman cats and support other clubs in the showing of Birman cats,
- (e) To provide facilities for the training of judges to judge Birman cats by the ruling standard.
- (f) To collate and circulate information on Birman cats,
- (g) To aid and support all activities for the benefit of all cats.

**COLOURS**

4. The Club's colours shall be burgundy and champagne.

**REGISTERED OFFICE**

5. The registered office of the Club shall be at: 46 Moray St Winmalee 2777. or such other place as may be determined by the committee from time to time.

**MEMBERSHIP**

6. The membership of the Club shall consist of:

(a) Ordinary Members:

Ordinary members shall comprise those persons over the age of 16 years who are interested in Birman cats.

(b) Honorary Members:

The club may admit a person as an Honorary Member only.

(c) Junior Members:

Junior members shall comprise those persons who are under the age of 16 years but who would otherwise be entitled under sub-clause

(a) hereof to make application to become an ordinary member .

(d) Life Members:

The club may elect a Life Member, but such honour shall only be conferred at an Annual General Meeting.

(e) Members joining the Club after six months or more has lapsed of the current financial year shall pay half of the current membership fee for that year.

Only Ordinary financial members shall be entitled to participate in the business affairs of the Club, except for Life Members or Honorary Members who shall have the same rights and privileges of an Ordinary Member.

7. Foundation members of the club shall be those persons recorded as members of the club as at the date of the adoption of this Constitution.

8. (a) Application for membership shall be made in writing signed by the applicant, and shall be in such form and contain such requirements as the Committee may from time to time prescribe.

(b) As soon as practicable after the receipt by the secretary of an application for membership it shall be considered by the Committee who shall, thereupon determine upon the admission or rejection of the applicant. In no case shall the Committee be required to give any reason for the rejection of an applicant.

(c) A Register of Members shall be kept showing in respect of each member his/her name, address, date of commencement of membership and class of membership.

### **MEMBERSHIP FEES**

9. Ordinary members shall be required to pay a joining fee as set by the members at an Annual General Meeting and thereafter an annual fee as set by the members at an Annual General Meeting. In the case where both husband and wife are members the joining fee and annual fee for both the husband and wife shall be as set by the members at an Annual General Meeting. No fees shall be required from honorary members. Junior members shall be required to pay a reduced joining fee and annual fee as set by the members at an Annual General Meeting. Fees may be varied from time to time but only by resolution of an Annual General Meeting.

### **EXPULSION OF MEMBERS**

10. 1) A member (Life member, Honorary member, Ordinary member) may be expelled from membership of the club by the Committee if in the opinion of such Committee, after affording such member an opportunity of offering the Committee an explanation of his/her conduct either verbally or in writing as the Committee may decide, the conduct of the member is such as to be detrimental to the best interests of the Club, See clause 10(2), provided that:

(a) Such expulsion shall not be effective unless it is confirmed by a two thirds majority of members present and eligible to vote at a Special General Meeting of members convened to consider the expulsion:

(b) Such Special General Meeting is held within a period of one month from the date of the decision of the Committee to expel the member;

(c) At such Special General Meeting the member whose expulsion is under consideration shall be allowed to offer an explanation of his/her conduct verbally or in writing at the option of such member;

(d) The voting at such Special General Meeting shall be by ballot if not less than five members present.

(e) It shall be in the power of the Committee to exclude such member from participation in the affairs of the Club until such Special General Meeting shall be held.

(f) Notwithstanding the foregoing, any person expelled shall have the right of appeal to the N.S.W.C.F.A. The N.S.W.C.F.A shall be notified of any expulsions and given all the relevant details.

2) Expulsion of a member (Life member, Honorary member, Ordinary member), any member of the Birman Cat Club of Australia Incorporated may have their membership revoked at a Specially convened meeting. Expulsion may only be exercise for:

- (a) Any member who acts in a way as to cause cruelty or ill treatment of a Cat;
- (b) Acts in a way which would cause action to be taken against either the Birman Cat Club or a member by the N.S.W.C.F.A, Welfare League or the R.S.P.C.A.;
- (c) By a breach of the constitution which is deemed serious enough misconduct by the members to vote for such expulsion. Expulsion may only occur when two thirds of the members present at such Special Meeting vote in favour of such expulsion and not by a simple majority;
- (d) By the mating of unregistered Birmans (male or female) to any registered Birman.

### **ANNUAL GENERAL MEETING**

11. An Annual General Meeting of the members of the Club shall be held in August of each year as far as practicable but not later than 31 December, when the following business shall be transacted, namely:

- (a) Confirmation of Minutes of the previous Annual General Meeting,
- (b) Annual Reports.
- (c) Presentation of audited accounts.
- (d) Election of officers.
- (e) Election of Auditor.
- (f) Election of Patron, if required.
- (g) Determination of membership fees for the ensuing year.
- (h) Any other business pertaining to the Annual General Meeting.

Election of Officers shall be made at; the Annual General Meeting.

Nominations can be accepted only from the body of the meeting, unless the nominated member has signified in writing their willingness to accept such nomination.

Election of Office Bearers: Any member nomination for a position of Executive- (President, Vice President, Secretary or Treasurer) of the Club must have been a Financial member for not less than 12 months.

Any member may be elected to the committee of the Club.

### **MANAGEMENT OF CLUB**

12. The management of the Club, shall be vested in the Committee. No member of the Committee shall be appointed to any salaried office of the Club or any office of the Club paid by fees and no remuneration or other benefit in money or money's worth shall be given by the Club to any member of the Committee except repayment of out-of-pocket expenses, interest at a rate not exceeding the overdraft rate charged by bankers in Sydney for money lent to the Club and/or reasonable and proper rent for any premises let to the Club.

### **OFFICERS OF THE CLUB**

13. The office bearers of the Club shall consist of :

- (a) Patrons as required.

(b) President.

(c) Vice-President.

(d) Honorary Secretary.

(e) Honorary Treasurer.

(f) Publicity Officer.

(g) Three (3) other committee members.

(h) Three (3) Trustees elected from the above officers of the club who shall (subject to the provisions of Clause 14 hereof) each be elected for a term of one year at the Annual General Meeting. The position of Treasurer may be combined with the Secretary should the need arise.

The above officers shall comprise the Committee excepting that/those person/s if any as/is are elected as the Club's Patron/s.

Any casual vacancy occurring among the officers of the Club may be filled by the Committee and the person so appointed to fill such vacancy shall hold office for the unexpired term of the member so replaced.

Any office bearer who fails to attend three consecutive meetings without leave of absence (not an apology) shall be deemed to have vacated such position and that position shall be filled according to Clause 13 paragraph 3 of the Constitution.

It is agreed that the following positions will be able to obtain access to the bank account - President, Vice President, Secretary and Treasurer. Access to the account will cease when the individual no longer holds one of the nominated positions.

14. The first office bearers and Committee shall comprise: (a) to (h) inclusive

### **ORDINARY GENERAL MEETINGS**

15. A general meeting of the Club shall be held BI-MONTHLY on the last Wednesday of that month. These meetings are held up to three months prior to the annual show date whence they shall be monthly at such place as shall be arranged by the President and Secretary provided always that the aforesaid date on which monthly meetings are to be held may be varied from time to time, or an individual monthly meeting cancelled, by resolution of a General Meeting. The business to be concluded at such Meetings shall be determined by the President and Secretary and shall include such business as members may wish to have included on the Agenda provided that at least 14 days previous notice in writing of such business shall have been given by such member to the Secretary.

### **QUORUM**

16. At Annual General Meetings of members of a quorum shall consist of at least 5 members but at other General Meetings the quorum shall be at least 5 members. A quorum for Committee Meetings shall be 3 members. Should within half an hour of the time set down for a meeting to commence a quorum be not present then the meeting shall be adjourned to the same time and place seven days later or to a place and to a time within one month of the date of such meeting to be determined thereat. If at such adjourned meeting a quorum be not present, then those members attending shall be deemed to be a quorum provided the number of such members is not less than three.

### **NOTICE OF MEETINGS**

17. The Secretary shall give at least 7 days notice in writing of all General Meetings to the members of the Club specifying the place, the day and the hour of the meeting and the general nature of the business to be dealt with at the meeting.

### **PROCEEDINGS AT GENERAL MEETINGS**

18. (a) The president shall preside as chairperson at every general meeting of the Club but if he/she is not present within fifteen minutes after the time appointed for the holding of the meeting or is unwilling to act then the members present shall elect one of their number to be chairperson of the meeting.

(b) The Chairperson may with the consent 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. When a meeting is adjourned for thirty days or more notice of the adjourned meeting shall be given as in the case of an original meeting. Save as aforesaid it shall not be necessary to give any notice of any adjournment or of the business to be transacted at an adjourned meeting.

(c) At any general meeting a resolution put to the vote of a meeting shall be decided on a show of hands unless a poll is (before or on the declaration of the result of the show of hands) demanded by the Chairperson or by at least three members present. Unless a poll is so demanded a declaration by the chairperson that: a resolution has on a show of hands been carried or carried unanimously, or by a particular majority or lost and an entry to that effect in the book containing the minutes of the proceedings of the Club shall each be conclusive evidence or the fact without proof of the number or proportion of votes recorded in favour of or against the resolution. The demand for a poll may be withdrawn.

(d) If a poll is duly demanded it shall be taken in such manner and either at once or after an interval or adjournment or otherwise as the Chairperson directs and the result of the poll shall be the resolution of the meeting at which the poll was demanded but a poll demanded on the election of a Chairperson or on a question of adjournment shall be taken forthwith.

(e) In the case of an equality of votes whether on a show of hands or on a poll the Chairperson of the meeting at which the show of hands takes place or at which a poll is demanded shall be entitled to a second or casting vote.

(f) Each member present and voting at a general meeting of the Club shall have one vote.

#### **PROCEEDINGS OF THE COMMITTEE**

19. (a) A Committee may meet together for the dispatch of business, adjourn and otherwise appoint and regulate its meetings as it thinks fit. The President may at any time and the Secretary on the requisition of any two members of the Committee summon a meeting of the Committee.

(7)

(b) Questions arising at any meeting of the Committee shall be decided by a majority of votes of those Present and a determination by a majority of the members the Committee present shall for all purposes be a determination of the committee. In case of an equality of votes the Chairperson of the meeting shall have a second or casting vote.

(c) The continuing members of the Committee may act notwithstanding any vacancy in the committee, but if and so long as their number is reduced below the number fixed by or pursuant to this Constitution as the necessary quorum, the continuing member or members may act for the purpose of increasing the number of members of the Committee and which they are hereby empowered to do or of summoning a general meeting of the Club but for no other purpose.

#### **VACATION OF OFFICE**

20. The office of a member of the Committee or of a trustee shall inso facto become vacant:

(a) Upon his/her decease.

(b) If he/she becomes bankrupt or makes any arrangement or composition with his/her creditors generally.

- (c) If he/she becomes mentally ill or a person whose person or estate is liable to be dealt with in any way under the law relating to mental health.
- (d) If he/she resigns his/her office by notice in writing to the Club.
- (e) If he/she is absent for more than six months without leave of the Committee from meetings of the Committee held during that period.
- (f) If he/she ceases to be a member of the Club.
- (g) Upon a resolution being passed by a two thirds majority of members present at a properly constituted general meeting specifically called for the purpose, to remove him/her from office.
- (h) If he/she holds any Office of Profit under the Club:
- (i) If he/she is directly or indirectly interested in any contract or proposed contract with the Club.

### **FINANCIAL YEAR**

21 (a) The Clubs financial year shall commence on the 1st day of July and conclude the 30th day of June each year.

(b) Any membership which has not been renewed within twenty one (21) days of the 30th June of each year shall be deemed as lapsed and a new application for membership must be submitted.

### **AUDIT**

22. (a) An auditor or auditors shall be elected at the Annual General Meeting. They shall examine all accounts, vouchers, receipts, books, etc., and furnish a report thereon to the members at the Annual Meeting. Audits shall be conducted at regular intervals of not more than twelve months unless specifically directed.

(b) An auditor shall not be a member or closely related to a member of the Committee.

(c) Subject to paragraph (d) hereof notice of the intention to nominate an auditor to replace the current auditor shall be given to the Secretary at Least twenty one (21) days before the Annual General Meeting. The Secretary shall send a copy of the nomination to the current auditor at least seven (7) days before the Annual General Meeting. The current auditor shall be entitled to attend the Annual General Meeting and if he/she so wishes be heard at such Annual General Meeting.

(d) Where the current auditor submits his/her resignation, or notifies the secretary of his/her intention not to seek re-election as auditor, paragraph (c) hereof shall not apply.

### **ACCOUNTS**

23. All accounts shall be presented to and passed for payment by the Committee and the Committee shall report on all such accounts so passed to the next General Meeting of the Club. The Treasurer shall be responsible for all of the Club's accounts and cheques shall be signed by any two of the President, Secretary and Treasurer or such other person or persons as may be nominated by the Club in General Meeting from time to time.

### **MINUTES**

24. The Committee shall cause minutes to be made:

- (a) of all appointments of office-bearers and members of the Committee,
- (b) of the names of members of the Committee present at all meetings of the Club and of the Committee,
- (c) of all proceedings to all meetings of the Club and of the Committee.

Such Minutes shall be signed by the Chairperson of the meeting at which the proceedings were held or by the Chairperson of the next succeeding meeting.

## **TRUSTEES**

25. (a) Three (3) Trustees shall be elected at the Annual General Meeting,

(b) All property of whatever kind belonging to the Club shall be vested in the Trustees and they shall have the custody of all deeds and documents of title relating to the property of the Club and shall be responsible for the same and shall deal with and dispose of all the property of the Club whether real or personal for the time being vested in them and the income thereof in accordance with the directions of the Committee provided that: such directions are not in violation of the Trusts upon which the property is held.

## **JUDGES AND STEWARDS**

26. Judges and Stewards for all shows shall be elected by members at a General Meeting, but the President and Secretary may act in case of emergency.

## **AFFILIATION WITH THE N.S.W CAT FANCIERS ASSOCIATION INC.**

27. The Club shall seek affiliation with the New South Wales Cat Fanciers Association Inc. and be bound to comply with that Club's rules and regulations.

## **DISSOLUTION**

28. (a) The Club shall be dissolved in the event of membership less than five (5) persons or upon the vote of a three-fourths majority of members present at a General Meeting convened to consider such question.

(b) Upon a resolution being passed in accordance with paragraph (a) of this rule, all assets and funds of the Club on hand shall after the payment of all expenses and liabilities be handed over to such registered or exempted charity or charities as a simple majority of the members at the General Meeting so convened, or at a subsequent General Meeting may decide.

## **AMENDMENT OF CONSTITUTION**

29. This Constitution may be amended by a resolution passed by a two-thirds majority of members present at an Annual General Meeting or at a specially convened meeting. Any proposed amendments must be in writing, duly signed and seconded and in the hands of the Secretary fourteen (14) days prior to the notice calling such meeting.

## **NOTICES**

30. A Notice may be given to any member either personally or by sending it by post to him/her at his/her address registered with the Club or if he/she has no registered address to the place of abode of a member last known to the Committee. Where a notice shall be deemed to be effected by properly addressing, prepaying and posting a letter or an envelope containing the notice and to have been effected. in the case of the notice of the meeting, on the day after the date of its posting and in any other case the time at which the letter would be delivered in the ordinary course of post.

31. In all circumstances, in the case of dispute, the N.S.W.C.F.A Regulations are paramount.