

# **CONSTITUTION**

## **THE WEST AUSTRALIAN WORKING SHEEP DOG ASSOCIATION INCORPORATED.**

Lodged in the office of the  
Commissioner for  
Consumer Protection on the  
18th August 2022

## **Terms used:**

In these rules, unless the contrary intention appears —

**Act** means the *Associations Incorporation Act 2015*

**Affiliated member** of WAWSDA means a club established for the purpose of conducting sheep dog trials and meeting the objects of the Association

**Associate members** are clubs or organisations who's objectives are similar to WAWSDA members (clubs) and have the rights referred to in rule 4. i.e. Royal Agricultural Society's or Working Sheep Dog Clubs from the Eastern States

**Association** means the incorporated association to which these rules apply

**Books**, of the Association, includes the following —

- (a) a register
- (b) financial records, financial statements or financial reports, however compiled, recorded or stored
- (c) a document
- (d) any other record of information

**By laws** means by-laws made by the Association

**Capitated Member** means relating to, participating in a fee which WAWSDA sets at an AGM.

Capitated member of any club for voting purposes shall be a working member for which their club membership (affiliation fee) has been paid for the current financial year. A member of multiple clubs (more than one (1) club) has voting rights for one club.

It will also include a life member not withstanding his club has not paid the necessary membership fee to the Association. Rule 4(e)

**Chairperson** means the Committee member holding office as the chairperson of the Association

**Club/Member** means any club affiliated with WAWSDA. Words importing the singular number include the plural number and words importing the plural number include the singular. Words importing the masculine gender include the feminine gender.

**Committee** means the management committee of the Association

**Committee meeting** means a meeting of the committee (delegates)

**Committee member** means a member of the committee, a club's delegate

**Financial records** includes —

- (a) invoices, receipts, orders for the payment of money, bills of exchange, cheques, promissory notes and vouchers; and
- (b) documents of prime entry; and
- (c) working papers and other documents needed to explain —
  - (i) the methods by which financial statements are prepared; and
  - (ii) adjustments to be made in preparing financial statements

**Financial year**, of the Association, has the meaning given in rule 22

**General meeting** of the Association, means a meeting of the Association that all club members are entitled to receive notice of and attend

**Member** (of WAWSDA) means an affiliated club e.g. Northern Districts Working Sheep Dog Club (including a body corporate) who is a member or an associate member of the Association

**Newsletter recipient** means a person who pays an annual fee to receive a newsletter. They are not an associate member.

**Register of members** means the register of members referred to in section 53 of the Act

**Rules** means these rules (Constitution) of the Association, as in force for the time being

**Secretary** means the committee member holding office as the secretary of the Association

**Special general meeting** means a general meeting of the Association other than the annual general meeting

**Special resolution** means a resolution passed by the members at a general meeting in accordance with section 51 of the Act

**Standing Orders** is in the rules (Constitution) as required by Corporate Affairs

**Subcommittee** means a subcommittee appointed by the committee

**Treasurer** means the committee member holding office as the treasurer of the Association.

**WAWSDA** means The West Australian Working Sheep Dog Association  
Incorporated

**1. NAME:**

The name of the Association is ***THE WEST AUSTRALIAN WORKING SHEEP DOG ASSOCIATION INCORPORATED*** (hereinafter called the Association)

**2. OBJECTS:**

The objects of the Association are

- (a) To encourage amongst sheep breeders, dog workers and the general public a wider interest in the working sheep dog and his work.
- (b) To improve the standard of working sheep dogs
- (c) To promote, encourage and assist all working sheep dog trials
- (d) To promote modern industry welfare stock/dog handling standards
- (e) To establish and maintain a sheep dog register.
- (f) To enter into any arrangement for joint working or co-operation with any society or body of persons, whether incorporated or not, carrying on work or having objects similar to the work and objects of the Association, especially of all kindred organisations in States and Territories of the Commonwealth and to assist and support, by pecuniary contributions or otherwise, the operations of any such society or body, and to take over upon such terms as deemed appropriate for the good of the Association all or any of the property, undertaking and liabilities of any such society or body.
- (g) To produce, publish and to distribute gratuitously or otherwise such rules, regulations, code of conduct and other literature calculated to promote the objects of the Association.
- (h) To grant and pay such salaries, gratuities or other sums in recognition of service to any person or Association as may from time to time be approved by the Committee in accordance with the terms of Clause 21 hereof.

**3. POWERS**

- (a) To purchase, take on, lease, exchange, hire or acquire and maintain any real or personal property of the Association, any rights or privileges.
- (b) To erect, add to, improve, repair, pull down and rebuild buildings and other structures which are acquired by or invested in the Association.
- (c) To sell, exchange, lease, mortgage, hire, dispose of, or turn to account or otherwise deal with all or any part of the real or personal property of the Association.
- (d) To borrow or raise or secure the payment of money in such manner as the Association thinks fit with power to issue debentures, grant of mortgage, charges or other security upon or charge all or any of the property real or personal both present and future of the Association and to redeem or pay off any existing or future security.
- (e) To invest and deal with moneys for the Association not immediately required for the purpose of the Association in such manner as may from time to time be determined.
- (f) To receive and accept donations, subscriptions and endowments consisting of money or of any form of property.

- (g) To do all such other things as are incidental or conducive to the attainment of its objectives.

#### **4. THE ASSOCIATION**

The Association shall consist of Working Sheep Dog Clubs and Associate Members provided that any club forming part of the Association must consist of at least six (6) members with full voting rights, who are actively participating within the objects of the Association, and the Club must be incorporated.

Persons can be a member of multiple clubs however only be a capitated member of one (1) affiliated club for voting purposes.

- (a) Any club wishing to join the Association shall with its application forward to the President and Secretary a list of members, a copy of its Constitution, rules or other relevant objectives.
- (b) That each affiliated club shall by the first day (1<sup>st</sup>) of March shall submit a list of their full Financial Members for that year.
- (c) Annual subscriptions from the clubs, shall be due and payable on the first day of March of each year.
- (d) A fee for each Capitated club member shall be fixed at the Annual General Meeting (AGM) by the members and be paid by each affiliated club to the Association.
- (e) The Association may grant honorary life membership to any members of any club comprising the association who have rendered outstanding or special service, and this shall entitle them to all privileges of the Association. Nominations for life membership should be signed by two current financial members and forwarded to the Secretary at least two months before the date of the AGM. The secretary will conduct a secret ballot at the AGM. Successful candidates will need approval of seventy-five (75) percent of the returned ballot votes.
- (f) Any Capitated member of an affiliated club is a member of the Association for voting purposes at any General Meeting and is entitled to vote. An Associate member is not entitled to vote at any Association meeting but is entitled to all privileges of the Association subject to paragraph (i).
- (g) Any club which is not financial by the first day of March in each year shall automatically cease to be affiliated with the Association and its members cease to be members of the Association.
- (h) The Association may grant Associate membership on the payment of the prescribed fee to the Secretary to any Club who makes application. Such Associate Member will not have voting rights at an Association meeting.
- (i) Any Member who is a financial member of a recognised State Association affiliated with the Australian Sheep Dog Workers Inc, working a dog in a Western Australian official trial will be recognised as a fully Capitated Member of the WAWSDA.

## 5. **AFFILIATION**

Any club, Agriculture Society or any other bona fide body established for the purpose of inter alia conducting sheep dog trials may apply for affiliation with the Association.

- (a) Such applications shall be made to the Secretary and the Committee may grant or withhold affiliation.
- (b) The Committee may at its discretion cancel or suspend the affiliation of any affiliated body.
- (c) Affiliated clubs shall hold their trials **only** in accordance with the trial rules of the Association and all affiliated clubs shall observe and be bound by the decisions, directions, rules and constitutions of the Association unless prior approval has been given by the Association.

## 6. **OFFICE BEARERS**

The Office Bearers of the Association shall comprise:

- (a) President.
- (b) Vice President.
- (c) Secretary and or
- (d) Treasurer
- (e) Committee, comprising of two members (delegates) nominated by each club. The Secretary, Treasurer and Registrar shall not be entitled to vote at committee meetings unless they are one (or both) of their clubs nominated delegates.
- (f) Registrar

## 7. **ELECTION OF PRESIDENT, SECRETARY, TREASURER AND REGISTRAR.**

Nomination of each candidate as an office bearer namely as President, Secretary, Treasurer and Registrar shall be proposed and seconded respectively by two members of any club at the AGM Contested offices shall be subject to secret ballot at the AGM of the members of the clubs present and voting thereon.

Position of Secretary and Treasurer can be nominated to be a separate or a combined position.

No person shall be eligible for election unless he is a financial member of the Association.

The election of the President, Secretary, Treasurer and Registrar shall be by a vote of the club members present and voting there on held at the Annual General Meeting. No vote shall be required when only one candidate is nominated for each office, and they shall be declared duly elected.

- (a) Where there is a change of office bearers this will take effect as from the Annual General Meeting.
- (b) The President and Vice President retire annually but shall be eligible for re-election provided that no person shall be eligible to hold the office of President for more than three years (3) in succession.

- (c) The Secretary and or Treasurer shall retire annually but shall be eligible for re-election provided that no person shall be eligible to hold office of Secretary and or Treasurer for more than seven (7) years in succession.
- (d) Patrons as shall from time to time be elected but will not be an office bearer in the committee.

**8. COMMITTEE:**

There shall be a committee consisting of two representatives nominated by each affiliated club as well as the President, Secretary, Treasurer and Registrar of the Association. Where a club is represented by two members as well as the Secretary, Treasurer and Registrar these office bearers have no voting rights. The Vice President shall be elected from and by the committee.

- (a) The Committee shall hold office for one (1) year but those retiring shall be eligible for re-election or re-appointment.
- (b) Notwithstanding anything herein contained a Committee member shall cease to hold office if he:
  - (i) in the opinion of the Committee becomes unfit to hold office
  - (ii) resigns his office
  - (iii) absents himself for three (3) or more consecutive meetings of the Committee without leave of absence from the committee
- (c) Items arising at any Meeting of the Association or Committee shall be decided by a majority of votes of those present at such meeting. In the case of equality of votes, the president shall have a casting vote only.
- (d) In the case of the Vice President or other members of the Committee taking the Chair, he shall have two votes, his own as a club delegate and a casting vote.
- (e) The business and affairs of the Association shall be under the management and control of the Committee. The Committee shall have power to make, amend or revoke such by-laws, register rules and trial rules as they deem necessary for effectively carrying out the objects of the Association.
- (f) The Committee shall hold periodic meetings for the dispatch of business and meet generally and otherwise regulate its meetings as it sees fit.
- (g) The quorum of all Committee meetings shall be at least 50% of the committee.
- (h) Aside from the office bearers nominated in Section 6 (e) who are respective affiliated clubs' responsibilities, should any vacancy occur in the office bearers during their term of office such vacancy may be filled by the Committee and the substitute office bearers so elected shall hold office for the unexpired period of his predecessor's term of office.
- (i) All Club delegates must support the majority rule of WAWSDA decisions.
- (j) A subcommittee can be formed at the discretion of the committee.

**9. GENERAL MEETING**

- (1) The committee must determine the date, time and place of the Annual General Meeting (AGM). It must be within 6 months of the end of financial year for the Association.

- a) The business of the Annual General Meeting shall be to receive and consider the Annual report of the President, the Financial Statements, to appoint an auditor and Secretary and Office Bearers and such general business as it is competent for the Annual General Meeting to deal with.
- b) Twenty-one (21) days' notice of every General Meeting setting forth the purpose for which it is convened and time and place at which it is held shall be forwarded to office bearers and financial members of affiliated clubs.
- c) The President or in the absence of the President, the Vice President shall take the Chair at every meeting. If neither the President nor the Vice President are present within fifteen (15) minutes after the time appointed for such meeting the members present shall choose one of their number to take the Chair.
- d) Every item submitted to a meeting shall be decided by a show of hands or secret ballot and every club working member for which club has paid a capitation fee for the current financial year personally present shall have one (1) vote. Provided that in case of an even vote, the Chairman shall have a casting vote.
- e) The President of the Meeting with the consent of the Meeting may adjourn it from time to time and from place to place and it shall not be necessary to send any notice of any adjourned meeting to any member.

The Secretary shall convene a Special General Meeting upon request made to them by the President or any office Bearer.

- f) 75% of the committee (delegates) may convene a special general meeting.
- g) The committee must convene a special general meeting if at least 20% of the members require a special general meeting to be convened.
- h) The members requiring a special general meeting to be convened must-
  - make the requirement by written notice given to the secretary; and
  - state in the notice the business to be considered at the meeting; and
 each sign the notice.
- i) The special general meeting must be convened within 28 days after notice is given.
- j) If the committee does not convene a special general meeting within that 28-day period, the members making the requirement (or any of them) may convene the special general meeting.
- k) A special general meeting convened by members —
  - must be held within 3 months after the date the original requirement was made; and
  - may only consider the business stated in the notice by which the requirement was made.
- l) The Association must reimburse any reasonable expenses incurred by the members convening a special general meeting.
- m) At all general meetings, a minimum of 20% of members shall form a quorum.



- n) The presence of a committee member at a committee meeting need not be by attendance in person but may be by that committee member and each other committee member at the meeting being simultaneously in contact by telephone or other means of instantaneous communication.
- o) A member who participates in a committee meeting as allowed under subrule (9n) is taken to be present at the meeting and, if the member votes at the meeting, the member is taken to have voted in person.

## **10. BALLOT**

In the event of a ballot being necessary to decide any items at any meeting, a Returning Officer and a Scrutineer shall be appointed to conduct the ballot. A candidate for an office for which the ballot is taken shall not be appointed the Returning Officer or Scrutineer. In the case of equality of votes, the Returning Officer shall have a casting vote.

## **11. DUTIES OF SECRETARY AND TREASURER.**

The Secretary has the following duties —

- (a) dealing with the Association's correspondence;
- (b) consulting with the President regarding the business to be conducted at each committee meeting and general meeting;
- (c) preparing the notices required for meetings and for the business to be conducted at meetings;
- (d) unless another member is authorised by the committee to do so, maintaining on behalf of the Association the register of members, and recording in the register any changes in the membership, as required under section 53(1) of the Act;
- (e) maintaining on behalf of the Association an up-to-date copy of these rules, as required under section 35(1) of the Act;
- (f) unless another member is authorised by the committee to do so, maintaining on behalf of the Association a record of committee members and other persons authorised to act on behalf of the Association, as required under section 58(2) of the Act;
- (g) ensuring the safe custody of the books of the Association, other than the financial records, financial statements and financial reports, as applicable to the Association;
- (h) maintaining full and accurate minutes of committee meetings and general meetings;
- (i) carrying out any other duty given to the secretary under these rules or by the committee.

The treasurer has the following duties —

- (a) ensuring that any amounts payable to the Association are collected and issuing receipts for those amounts in the Association's name;
- (b) ensuring that any amounts paid to the Association are credited to the appropriate account of the Association, as directed by the committee;
- (c) ensuring that any payments to be made by the Association that have been authorised by the committee or at a general meeting are made on time;
- (d) ensuring that the Association complies with the relevant requirements of Part 5 of the Act;
- (e) ensuring the safe custody of the Association's financial records, financial statements and financial reports, as applicable to the Association;

- (f) coordinating the preparation of the Association's financial report before its submission to the Association's annual general meeting;
- (g) providing any assistance required by an auditor or reviewer conducting an audit or review of the Association's financial statements or financial report under Part 5 Division 5 of the Act;
- (h) carrying out any other duty given to the treasurer under these rules or by the committee.

**12. DUTIES OF REGISTRAR**

The Registrar shall receive all applications for Registration of dogs within the Association and shall keep and maintain the register of stud names and the Dog Register in accordance with these rules and regulations from time to time laid down by the Committee.

**13. TRUSTEE AND SEALHOLDER**

The President, Vice President, Secretary and Treasurer shall be the Trustees of the Association.

The Association may execute a document with any two (2) of the above person's signature.

The Trustees shall be authorised to exercise the powers conferred upon them by the Associations Incorporation Act and all such rights, powers and authorities as may from time to time be conferred upon them by the Association.

The property of the Association shall, subject to the directions of the Committee of the Association, be vested in the Trustees of the Associations of the time being.

**14. SUSPENSION OR EXPULSION**

- (1) The committee may decide to suspend a member's membership or to expel a member from the Association if —
  - (a) the member contravenes any of these rules; or
  - (b) the member acts detrimentally to the interests of the Association.
- (2) The secretary must give the member written notice of the proposed suspension or expulsion at least 28 days before the committee meeting at which the proposal is to be considered by the committee.
- (3) The notice given to the member must state —
  - (a) when and where the committee meeting is to be held; and
  - (b) the grounds on which the proposed suspension or expulsion is based; and
  - (c) that the member, may attend the meeting and will be given a reasonable opportunity to make written or oral (or both written and oral) submissions to the committee about the proposed suspension or expulsion.
- (4) At the committee meeting, the committee must —
  - (a) give the member, a reasonable opportunity to make written or oral (or both written and oral) submissions to the committee about the proposed suspension or expulsion; and
  - (b) give due consideration to any submissions so made; and
  - (c) decide —
    - (i) whether or not to suspend the member's membership and, if the decision is to suspend the membership, the period of suspension;
    - or

- (ii) whether or not to expel the member from the Association.
- (5) A decision of the committee to suspend the member's membership or to expel the member from the Association takes immediate effect.
- (6) The committee must give the member written notice of the committee's decision, and the reasons for the decision, within 7 days after the committee meeting at which the decision is made.
- (7) A member whose membership is suspended or who is expelled from the Association may, within 14 days after receiving notice of the Committee's decision, give written notice to the Secretary requesting an appeal.
- (8) If a member decides to appeal the decision, they must request the committee to meet again in seven (7) days, after which the Committee must meet within 14 days to hear members again. At this second meeting the Committee's decision is final

## **15. CONSEQUENCES OF SUSPENSION OR DISQUALIFICATION FROM THE ASSOCIATION**

- (1) During the period a member's membership is suspended, the member —
  - (a) loses any rights (including voting rights) arising as a result of membership; and
  - (b) is not entitled to a refund, rebate, relief or credit for membership fees paid, or payable, to the Association
  - (c) is suspended from sheep dog trialling in Western Australia
- (2) When a member's membership is suspended, the secretary must record in the register of members —
  - (a) that the member's membership is suspended; and
  - (b) the date on which the suspension takes effect; and
  - (c) the period of the suspension.
- (3) When the period of the suspension ends, the secretary must record in the register of members that the member's membership is no longer suspended.

## **16. RESOLVING DISPUTES**

Until an affiliated club can prove they have attempted to resolve a club-based complaint and or dispute, WAWSDA will not be responsible or attempt to resolve any complaint and or dispute.

How grievance procedure is started

- (1) If the parties to a dispute are unable to resolve the dispute between themselves within the time required by rule 14, any party to the dispute may start the grievance procedure by giving written notice to the secretary of —
  - (a) the parties to the dispute; and
  - (b) the matters that are the subject of the dispute.
- (2) Within 28 days after the Secretary is given the notice, a committee meeting must be convened to consider and resolve the dispute.
- (3) The secretary must give each party to the dispute written notice of the committee meeting at which the dispute is to be considered and determined at least 7 days before the meeting is held.
- (4) The notice given to each party to the dispute must state —
  - (a) when and where the committee meeting is to be held; and
  - (b) that the party, may attend the meeting and will be given a reasonable opportunity to make written or oral (or both written and oral) submissions to the committee about the dispute.

- (5) If —
- (a) the dispute is between one or more members and the Association; and
  - (b) any party to the dispute gives written notice to the secretary stating that the party
    - (i) does not agree to the dispute being determined by the committee; and
    - (ii) requests the appointment of a mediator under rule 20,
- the committee must not determine the dispute.

#### **17. RESOLUTION OF DISPUTE BY COMMITTEE**

- (1) At the committee meeting at which a dispute is to be considered and resolved, the committee must —
- (a) give each party to the dispute, a reasonable opportunity to make written or oral (or both written and oral) submissions to the committee about the dispute; and
  - (b) give due consideration to any submissions so made; and
  - (c) resolve the dispute.
- (2) The committee must give each party to the dispute written notice of the committee's resolution, and the reasons for the resolution, within 7 days after the committee meeting at which the resolution is made.
- (3) A party to the dispute may, within 14 days after receiving notice of the committee's resolution under subrule (1)(c), give written notice to the secretary requesting the appointment of a mediator under rule 20.
- (4) If notice is given under subrule (3), each party to the dispute is a party to the mediation.

#### **18. APPOINTMENT OF MEDIATOR**

- (1) The mediator must be a person chosen —
- (a) if the appointment of a mediator was requested by a member — by agreement between the Member and the committee; or
  - (b) if the appointment of a mediator was requested by a party to a dispute under rule 17(3) or 18(3) — by agreement between the parties to the dispute.
- (2) If there is no agreement for the purposes of subrule (1)(a) or (b), then, subject to subrules (3) and (4), the committee must appoint the mediator.
- (3) The person appointed as mediator by the committee must be a person who acts as a mediator for another not-for-profit body, such as a community legal centre, if the appointment of a mediator was requested by —
- (a) a member or
  - (b) a party to a dispute under rule 17(3) or
  - (c) a party to a dispute under rule 18(3) and the dispute is between one or more members and the Association.
- (4) The person appointed as mediator by the committee may be a member or former member of the Association but must not —
- (a) have a personal interest in the matter that is the subject of the mediation; or
  - (b) be biased in favour of or against any party to the mediation.

#### **19. MEDIATION PROCESS**

- (1) The parties to the mediation must attempt in good faith to settle the matter that is the subject of the mediation.

- (2) Each party to the mediation must give the mediator a written statement of the issues that need to be considered at the mediation at least 5 days before the mediation takes place.
- (3) In conducting the mediation, the mediator must —
  - (a) give each party to the mediation every opportunity to be heard; and
  - (b) allow each party to the mediation to give due consideration to any written statement given by another party; and
  - (c) ensure that natural justice is given to the parties to the mediation throughout the mediation process.
- (4) The mediator cannot determine the matter that is the subject of the mediation.
- (5) The mediation must be confidential, and any information given at the mediation cannot be used in any other proceedings that take place in relation to the matter that is the subject of the mediation.
- (6) The costs of the mediation are to be paid by the party or parties to the mediation that requested the appointment of the mediator.

**Note for this rule:**

Section 182(1) of the Act provides that an application may be made to the State Administrative Tribunal to have a dispute determined if the dispute has not been resolved under the procedure provided for in the incorporated association's rules.

**20. IF MEDIATION RESULTS IN DECISION TO SUSPEND OR EXPEL BEING REVOKED**

If —

- (a) mediation takes place because a member whose membership is suspended or who is expelled from the Association gives notice under rule 15(7); and
- (b) as the result of the mediation, the decision to suspend the member's membership or expel the member is revoked,

that revocation does not affect the validity of any decision made at a committee meeting or general meetings during the period of suspension or expulsion.

**21. FINANCE**

The Associations financial year shall commence on the first (1<sup>st</sup>) day of January in each year and end on the thirty first (31<sup>st</sup>) day of December in each year to which day the accounts of the Association shall be balanced.

**22. NOTICES**

A notice or other document that is to be given to a member is taken not to have been given to the member unless —

- a) delivered by hand to the recorded address of the member; or
- b) sent by prepaid post to the recorded postal address of the member; or
- c) sent by registered post to the recorded postal address of the member; OR
- d) sent by electronic transmission (e-mail) to an appropriate recorded number or recorded electronic address of the member.

Any notice sent by post shall be deemed to have been served on the seventh (7<sup>th</sup>) day following that on which it was posted. Where a number of days' notice is required to be given the day of service shall, unless otherwise provided, be counted in such number of days.

**23. CODE OF CONDUCT**

All members should at all times behave in a courteous and respectful manner to any member of the Association, staff, volunteers and members of the public.

A member shall abide by the Animal Welfare Act and not cause distress or pain to any animal.

A member shall conduct themselves in a sportsman like manner.

A member shall comply with all policies, procedures, and rules of the Association.

A member shall behave in a manner that supports the Association's pursuit and fulfilment of its objectives.

The WAWSDA President or their delegated nominee has the authority to speak on behalf of the Association.

**24. ALTERATION TO CONSTITUTION**

No new rule alteration, addition or amendment to this Constitution shall be passed or made unless carried by a 75% majority of those members present and entitled to vote at an Annual General or Special General Meeting for that purpose, nor unless a copy of the proposed addition alteration or amendment shall have been supplied by the Secretary to every member residing in the State at least twenty-one days (21) prior to the date of the meeting called for that purpose.

**25. INCOME AND PROPERTY**

The income and property of the Association shall be applied solely to the promotion of its objects and no part thereof shall be paid or transferred directly or indirectly by way of dividend, bonus or otherwise than by way of remuneration provided in good faith to officer bearers and members of the Association or to other persons in return for services rendered to the Association.

**26. DISTRIBUTION OF SURPLUS PROPERTY ON CANCELLATION OF INCORPORATION OR WINDING UP**

The Association may be dissolved or wound up at any time if a resolution to that effect be carried by not less than seventy-five (75) per cent of the members of the Association present at a special general meeting called for the purposes of dissolution.

(1) In this rule —

**surplus property**, in relation to the Association, means property remaining after satisfaction of —

- (a) the debts and liabilities of the Association; and
- (b) the costs, charges and expenses of winding up or cancelling the incorporation of the Association,

but does not include books relating to the management of the Association.

(2) On the cancellation of the incorporation or the winding up of the Association, its surplus property must be distributed as determined by special resolution by reference to the persons mentioned in section 24(1) of the Act.

## **27. STANDING ORDERS**

These orders shall be applicable to all WAWSDA general and committee meetings.

For all meetings, the following order of business shall be strictly adhered to: -

Order of Business.

1. Welcome
2. Apologies
3. Disclosure of Interest
  - *Conflicted member must not be present while the matter is being considered at the meeting; and*
  - *must not vote on the matter*
4. Confirmation of previous minutes.
5. Business arising from the minutes.
6. Correspondence.
7. Finance
8. Reports.
9. The business to be considered at the meeting, including the full text of all motions or resolutions that will be put to members at the meeting.
10. General Business.
11. Late items (at Presidents discretion)
12. Date, place, and time of next meeting.

### **Amendments.**

1. One amendment only shall be considered at a time.
2. One person shall move only one amendment, and may speak only once, and shall have no right of reply on that amendment.
3. An amendment must be relevant to the main motion. It cannot be a simple negation of the main motion.

### **Chairman.**

1. It is the duty of the Chairman to preserve order so that the business of the meeting may be heard with due form and propriety. He shall have the right of debate on any question under discussion but must first leave the chair and not resume it until the question has been resolved.
2. It is the duty of the Chairman to call to order any speaker who violates any rule of debate. When more than one member speaks at the same time the Chairman shall decide in what order they shall be heard.
3. The Chairman may direct a member indulging in irrelevance or tedious repetition to discontinue his speech.

4. Any member may raise a point of order against a speaker during debate, and the speaker must cease speaking and the Chairman without further discussion shall give his ruling.
5. In the case of disorder, the Chairman shall have the power to adjourn the meeting to a time he shall fix, and his leaving the chair terminates the business.
6. These Standing Orders may be suspended by a majority of those present.
7. Notice of motion shall only be required for the purpose of rescinding or altering the rules or a previous resolution of the association.
8. All motions must be seconded.
9. A motion may be deferred to a stated time. It may be withdrawn or amended. It may lie on the table.
10. Any motion or amendment not seconded shall not be debated.
11. A member shall have the right to speak only once on any motion (with the exception of the mover who has the right of reply), unless given the express permission by the meeting to speak again.
12. No member shall speak on any motion after it has been put by the chair.

**29. COMMON SEAL**

The Association does not have a Common Seal