



Mountain Devils Bushwalking and Social Club Inc

## CONSTITUTION

March 2015 Edition

### 1. Club Name

The name of the club shall be the Mountain Devils Bushwalking and Social Club Inc. hereafter referred to as the "Club".

### 2. Objectives

The objectives of the Club shall be:

- a. To walk and participate in other activities for fun and fitness, gain new friends and a greater appreciation of our natural environment;
- b. To cooperate with other clubs or groups or individuals in the pursuit of the objective set out in (a) above.

### 3. Connections and Affiliations

#### 3.1. Bushwalking NSW

The Club shall maintain an affiliation with Bushwalking NSW to

- a. Support the aims and objectives of Bushwalking NSW and take advantage of the specialised insurance coverage and benefits that are provided - particularly for more adventurous club sanctioned activities such as off-track walking
- b. Take advantage of Bushwalking NSW's affiliation with Bushwalking Australia.

#### 3.2. Campbelltown Catholic Club

The club is affiliated with the Campbelltown Catholic Club (CCC). A list of all committee members shall be given to the CCC and two committee members shall attend the internal clubs meeting bi-annually.

#### 3.3. Charitable and Political Affiliations

The Club shall have no charitable or political party affiliations unless the matter directly involves the Club's bushwalking and related activities.

#### 3.4. Government Regulations

The Club shall be registered with the Department of Fair Trading as an incorporated club and shall lodge audited financial reports and pay an annual fee.

### 4.0 General Policy

The general policy of the Club shall be that no public statement may be made, no direction may be taken, nor any activity engaged in which conflicts with the explicit policy of the Club and/or the CCC.

## 5. Club Management

### 5.1. General

Subject to any directions of an Annual General Meeting (AGM) or an Extraordinary General Meeting of members of the Club, the management of the Club shall be vested in a Committee.

The committee members to be elected at the AGM will be for the positions of:

President

Vice President

Secretary

Treasurer

Publicity Officer

Safety Officer

Welfare Officer

Equipment Officer

Membership Officer

Walks Coordinator

Other positions may be created or removed upon demand by a 75% majority vote at an AGM, General Meeting or Extraordinary General Meeting.

The Committee may co-opt other members who will not have the power to vote at committee meetings.

It is also empowered to establish sub-committees to which it may delegate responsibilities of functions. Such sub-committees shall normally be chaired by a committee member. Members on sub-committees will have the power to vote at sub-committee meetings but not committee meetings.

### 5.2 Committee

The Committee shall have the right to refuse membership, discipline a member (see Clause 8.0) and to exercise all other powers reasonable required to manage the Club subject to the provisions of this Constitution. No member of the Committee shall receive any remuneration in respect of his/her work as a committee member, but nothing in this sub-clause shall prevent the Club paying the reasonable expenses of any committee member when acting on behalf of the Club. Any such payment shall be recorded in the minutes of Club meetings.

## 6. Annual Subscription

Each member shall pay an annual subscription, the amount of which shall be determined by the Committee each year. It shall comprise of the

Club's membership fee based on the annual budget prepared by the Treasurer and will include our insurance coverage as arranged by Bushwalking NSW

## 7.0 Member's Liability

The total liability of a Club member to contribute towards the payment of the debts and liabilities of the Club, or the cost, charges and expenses of the winding up of the Club are limited to the amount, if any, unpaid by the member in respect of membership of the Club as required by Clause 6.0.

## 8. Disciplining of Members

Where the Committee is of the opinion that a member of the Club

- a. Has persistently refused or neglected to comply with the provision or provisions of the Constitution; or
- b. Has persistently and wilfully acted in a manner prejudicial to the Club,

The committee may, by resolution

- c. Expel the member from the Club, or
- d. Suspend the member from membership of the Club for a specified period.

A notice will be sent in writing to the member concerned advising he/she faces disciplinary action.

The notice shall give details of the proposed disciplinary action and the reasons for it and shall invite the member to respond within 14 days either in writing or by personal appearance at a Committee meeting held not less than 17 days from the date of despatch of the notice.

The member may appeal against the disciplinary action. The appeal must be in writing and be received by the Secretary of the Club not less than 21 days after the Committee meeting. A Committee meeting shall be convened no later than 4 weeks after receipt of the appeal.

Following a review of the reasons for the proposed disciplinary action and the member's response, the meeting shall vote. If the proposed disciplinary action is upheld by 75% of those present and voting it shall be effective immediately.

## 9. Insurance

The Club shall effect personal and public liability insurance of members and of non- members who are in accord with the rules of the Club present at Club activities, against the same risks and under the same conditions as are contained in policies of the same type entered into by Bushwalking NSW and with insurers chosen on behalf of the Club.

## 10. Meetings

### 10.1. Annual General Meeting

The Annual General Meeting (AGM) of the Club shall be held no later than the end of July each year and all financial members shall be entitled to attend.

The date, time and place of such meeting shall be determined by the Committee and included in the Club's program available on the Club's webpage.

Matters not specified on the AGM agenda can be introduced by a vote supported by at least a 75% vote of members present and voting at the meeting.

A quorum shall be not less than ten (10) financial members present and voting at the meeting.

#### 10.2. General Meetings

General Meetings shall be held monthly except for January.

#### 10.3. Committee Meetings

The Committee shall meet at least four times a year. A quorum shall be at least one third ( $\frac{1}{3}$ ) of selected Committee members.

Any urgent matters shall be dealt with by the President, Secretary and Treasurer (to be known as the Executive Committee) or in their absence, by three other Committee members.

#### 10.4. Extraordinary General Meeting

The Committee is empowered to convene an Extraordinary General Meeting (EGM) and must do so within thirty (30) days when requested by one quarter of the Club's members.

At least fourteen (14) days' notice shall be given to each member through the Club's program or an email. Such notice shall state the date, time, place and purpose of the meeting.

A quorum shall be not less than 10 per cent (10%) present and voting at the meeting.

Matters not specified on the EGM agenda can be introduced by a vote supported by at least 75% of the members present and voting at the meeting.

#### 11. Term of Office of the Executive Committee

No person shall hold the offices of President, Vice President, Secretary or Treasurer for more than three consecutive years but persons completing three successive years as a member of the Executive Committee may stand again for office with the approval of 75% of the members present and voting at an AGM.

#### 12. Elections

Officers and members of the Committee shall be elected at the AGM and are eligible for re-election subject to clause 11.

Any financial member may nominate for any position.

No person shall hold more than two positions concurrently. The method of voting and the manner in which nominations shall be called shall be determined by the Committee or at the AGM.

Any vacancies occurring in any of these positions during the year shall be advertised in the Club's program and filled at the next Committee meeting.

#### 13. Finance

The financial year of the Club shall be from 1 July to 30 June. The annual financial statement of the Club, after adoption at an AGM of the Club, shall be submitted to the CCC not later than two months after the AGM.

The Club shall maintain a Bank Account into which all monies not currently required shall be deposited. The signatories shall be any two of: the President, the Secretary and the Treasurer.

#### 14. Amendments to the Constitution.

No alteration to this Constitution shall be made except by resolution at an AGM or an EGM.

A notice of a motion to alter the Constitution shall be in the hands of the Secretary and President of the Club not less than twenty-eight days prior to the AGM or EGM at which it will be discussed and not less than fourteen days' notice of such motion shall be given to Club members.

#### 15. Honorary and Life Memberships

An Honorary Membership shall be awarded to either an ex-member or a non-member in recognition for commendable contributions to the club.

A Life Membership shall be awarded to a member in recognition for outstanding and extraordinary contributions to the Club.

The Committee shall consider an application for Honorary or Life Membership when requested to do so and its recommendations shall be referred to an AGM, General Meeting or EGM. Requests should be presented in writing, signed by at least two members and contain as much evidence as possible to support the application.

#### 16. Winding Up

The Club may only be wound up at an AGM or Special Wind Up Meeting of the Club.

On winding up, the funds and equipment of the club shall not be distributed to members, but shall be donated to a charitable or non-profit organisation.