



Western Australian Sleddog Sports Association Inc.

Constitution

Effective as at 17 March 2019

Part 1 - General Provisions

1. Name

The name of the association is the Western Australian Sleddog Sports Association Inc. (WASSA).

2. Definitions

Unless the context otherwise requires, the terms specified here-under shall have the meaning defined:

- 2.1. **'association' or 'club'** means WASSA;
- 2.2. The **'Act'** means the *Associations Incorporation Act 2015 (WA)*;
- 2.3. **'the Executive Committee'** means the duly elected President, Vice President, Secretary and Treasurer;
- 2.4. **'Committee member'** means the duly elected members of the Committee of the club and may include an immediate past President who shall be ex-officio;
- 2.5. **'member'** means a financial member of the club;
- 2.6. References to a person include the legal representatives, successors, and assigns of that person;
- 2.7. **'special resolution'** has the meaning given by section 51 of the Act - a resolution is a special resolution if it is passed by a majority of not less than 75% of the members of the association voting in person or by proxy at a general meeting, of which notice specifying the intention to propose the special resolution was given at least 14 days in advance.
- 2.8. **'country Committee member'** means the duly elected members of the Committee of the club whose place of residence is outside of 100 km radius from the Perth GPO Western Australia;
- 2.9. **'junior member'** means any member under the age of 18 years of age.

3. Objects

The objects of the association are:

- 3.1.** To welcome all types of dogs and their owners who are interested in participating in club activities with their dog/s, as appropriate to the individual dog;
- 3.2.** To promote and encourage positive relationships and sporting behaviour amongst club members;
- 3.3.** To advocate the responsible breeding of all dogs and to encourage all breeders to strive towards continuous improvement in their breeding programs;
- 3.4.** To promote public interest, knowledge and understanding of sleddog sports and the club; and
- 3.5.** To promote education and awareness of health, breeding and any other pertinent issues regarding all dogs.

4. Property of the association

The association must apply all property and income of the association towards the promotion of the objects or purposes of the association. No part of that property or income to be paid or otherwise distributed, directly or indirectly, to members of the association, except in good faith in the promotion of those objects or purposes.

5. Powers of the association

The association may do all things necessary or convenient for carrying out its aims objects and purposes, and in particular may act:

- 5.1.** To acquire, hold, deal with, and dispose of any real or personal property;
- 5.2.** To open and operate bank accounts;
- 5.3.** To invest its money:
 - 5.3.1.** in any security in which trust moneys may be invested as trust funds may be invested under the *Trustees Act 1962* Part III; or
 - 5.3.2.** in any other manner authorised by the rules of the association;
- 5.4.** To borrow money upon such terms and conditions as the association thinks fit;
- 5.5.** To give such security for the discharge of liabilities incurred by the association as the association thinks fit;
- 5.6.** To appoint agents and employees to transact any business of the association on its behalf for reward or otherwise;
- 5.7.** To build, construct, erect, maintain, alter and repair any premises building or other structure of any kind and to furnish equip and improve the same for use by the association;
- 5.8.** Accept donations and gifts in accordance with the objects of the association;

- 5.9. Print and publish any information by any media including newsletters, newspapers, articles or leaflets for promotion of the association;
- 5.10. Provide gifts and prizes in accordance with the objects of the association;
- 5.11. Organise social events for members and the promotion of the association; and
- 5.12. To enter into any other contract the association considers necessary or desirable.

Part 2 - Members

6. Membership

- 6.1. Membership shall be open to any person who wishes to further the interests of the association.
- 6.2. Any person seeking membership shall make application to the Committee, and the Committee shall determine whether the application is successful or not. Any unsuccessful applicant has the right to appeal in person to the full Committee.
- 6.3. Each person admitted to membership shall be:
- 6.3.1. Bound by the constitution and by-laws of the association;
 - 6.3.2. Liable for such fees and subscriptions as may be fixed by the association; and
 - 6.3.3. Entitled to all advantages and privileges of membership.
- 6.4. Membership is not transferable.
- 6.5. Membership categories:

6.5.1. Ordinary member

Any person who is a financial member of the association is entitled to enjoy the privileges of the association.

6.5.2. Honorary member

The Committee of the club, by special resolution of the Committee, may confer honorary membership on any person considered worthy thereof, for a period not exceeding one year. An honorary member shall be entitled to all privileges of membership, excluding the right to be elected to the Committee.

6.5.3. Junior member

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

6.5.4. Life member

The club may, by special resolution passed at an Annual General Meeting (AGM) of the club, appoint an ordinary member as a life member of the club, in recognition of services rendered to the club consistent with and directed to attaining and furthering the objects for which the club was established. Any such resolution must be carried by at least 75% of the members present. A life member shall be entitled to all privileges of membership.

6.5.5. Patron

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

6.6. The Committee shall maintain an up to date register of members of the association.

6.7. Some form of club membership recognition is to be provided to members. A receipt for membership with the name of the club enfacd thereon shall be deemed sufficient.

7. Subscriptions

7.1. Membership subscriptions must be paid on or by 1st February of each year for a person to be deemed a financial member. Any person whose subscriptions are unpaid from the 1st February shall be deemed an un-financial member and shall not be entitled to any privileges of membership.

7.1.2. If membership subscriptions are not paid at least 90 days prior to that year's AGM, the member will not have voting rights at that year's AGM.

7.1.3. The date from which the payment is received by the association shall be the date the person commences being a financial member.

7.2. The annual subscription as proposed by the Committee (as per 17.3) shall be put to a properly constituted general meeting, and shall continue to be payable until altered by any subsequent general meeting. Notice to change the subscription shall appear on the notice paper convening the meeting.

8. Rights of members

8.1. These rules bind every member and the association to the same extent, as if every member and the association had signed and sealed these rules and agreed to be bound by all their provisions.

8.2. A member may at any reasonable time inspect without charge the books, documents, records and securities of the association. The member may make a copy of or take an extract a scan or photograph of from said records, but shall have no right to remove the register for that purpose.

9. Termination of membership

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

9.1.1. Resignation;

9.1.2. Suspension;

9.1.3. Expulsion; and/or

9.1.4. A member's annual membership fee remains unpaid after 1st August.

9.2. The Committee shall have the power to suspend or expel any member of the association, after having undertaken due inquiry, for:

9.2.1. False or inaccurate statements made in the member's application for membership of the association;

9.2.2. Breach of any rule, regulation or by-law of the association; and/or

9.2.3. Any act detrimental to the association.

9.3. The Committee must advise the relevant person of the decision to suspend or expel their membership, in writing, within 14 days of the decision being made.

9.4. Any member who is expelled, suspended or has their membership terminated, shall have the right to appeal against their suspension or expulsion by presenting their case to a general meeting called for such purpose. The decision of the general meeting shall be final.

10. Complaints

10.1. Complaints can be made by a member against another member or a non-member relating to a breach or breaches of a club rule, policy and the like. However, complaints which relate to competitors during a race heat shall be raised with the Race Marshall in line with race rules and shall not be governed by this process.

10.2. A complaint may be made in writing to any Executive Committee member.

10.3. The Committee will form a Complaints Sub-committee, consisting of at least 5 members, to consider and investigate the complaint.

10.4. The Complaints Sub-committee may take all reasonable steps to investigate the complaint.

10.5. If a Committee member is in a position of actual or potential bias or conflict of interest relating to a complaint, they are ineligible to take part in any dealings related to the complaint and cannot serve on the Complaints Sub-committee. The majority of the Committee, minus the person who has an alleged actual or potential bias or conflict of interest, shall have final say on whether or not a person is ineligible.

10.6. The Complaints Sub-committee shall consider the complaint and try to resolve the issue as soon as is reasonably practical.

10.7. The Complaints Sub-committee may choose to dismiss a complaint without instituting investigations in cases where:

10.7.1. The issue that gave rise to the complaint took place more than 3 months prior to the complaint being lodged.

10.7.2. The issue that gave rise to the complaint has already led to an investigation and/or sanctions under club or affiliate rules.

10.7.3. Club rules dictate a different process should occur, other than the complaints process.

10.7.4. The Complaints Sub-committee consider the matter is of an interpersonal nature and should be dealt with separate to the complaints process.

10.8. If the complaint (if proven) may lead to sanctions, the respondent will be served notice of the complaint. The notice will include the particulars of the complaint and will invite the respondent to provide information relevant to the complaint, either in writing or in person to the Complaints Sub-Committee with no less than 14 days' notice. Any response received must be genuinely considered by the Complaints Sub-committee before a decision is made.

10.9. The decision about the complaint shall be made by the Complaints Sub-committee, on the balance of probabilities. The Complaints Sub-committee must decide whether or not the complaint is substantiated; and what sanction, if any, they will impose. Any sanction imposed must be in line with the relevant rule, policy, guideline, by law, and the like of the club.

10.10. The respondent shall be notified in writing of the Complaints Sub-committee determination; any sanction imposed and the appeal process.

11. Procedure for dealing with interpersonal conflicts and disputes

11.1. Interpersonal conflict and disputes or grievances arise when a member has not breached a club rule, policy, guideline, by-law, or the like, but where disagreement or dispute exists between members. This process may also apply if the matter could be the subject of a complaint, but the complainant chooses this option to manage the issue.

11.2. Wherever possible, interpersonal conflict and grievances should be discussed between members and attempted to be resolved between themselves.

11.3. Interpersonal conflict and grievances that cannot be sorted out or discussed between the members may be taken to the Committee, with a request in writing.

11.4. Following this request in writing, both members shall be invited to participate in mediation, informally mediated by an Executive Committee member to resolve and come up with a plan on moving forward.

11.5. Following mediation, if a member is not satisfied with the outcome, they have the right to appeal in writing within 14 days of the mediation. The matter may be further investigated detailing steps to reconciliation.

11.6. If the matter would be more appropriately categorised as a complaint, the Executive Committee can decide to handle the matter under the complaints process, without the need for a complaint to be specifically lodged.

11.7. If the matter is found to be unwarranted, the involved members will be notified and the matter will be dismissed.

12. Appeal

12.1. Any member subject to a sanction under any club rule, or the like, may appeal the decision within 14 days of receipt of that decision. The appeal must be in writing, to the President of the club, and must set out the reasons an appeal is being sought.

12.2 When an appeal is received, the President must call a full Committee meeting to hear and decide the appeal. The hearing shall be between 14 -28 days after the receipt of the appeal, where

possible but may be extended at the discretion of the Committee if further investigations are warranted.

12.3. The appellant must be given at least 7 days' notice of the appeal hearing date and location. As much as possible, the appeal must be at a mutually convenient time and location and the appellant should be allowed to present their appeal in person, via telephone or similar technology, and/or in writing.

12.4. The appeal must be genuinely considered by the Committee before any decision is made to affirm, revoke, change or modify the sanction(s).

12.5. The appeal decision must be communicated in writing to the appellant within 14 days of it being decided and is final.

Division 3 – Meetings and committee

13. General meetings

13.1. AGM

13.1.1. The AGM of the Association must be held within 6 months of the end of the club's financial year.

13.1.2. The Secretary shall give at least 21 days' notice of the date of the AGM to members.

13.1.3. All financial members may attend the AGM.

13.1.4. The quorum at the AGM shall be the greater of 20, or 20% of members residing within 100 km of Perth GPO. 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 up to four weeks. If at such meeting there is no quorum those members present shall be competent to discharge the business of the meeting.

13.2. Special General Meetings (SGM)

13.2.1. SGMs may be called by the Committee, or at the request of the President and Secretary, or on the written request of at least 33% of the members of the association.

13.2.2. The Secretary shall give at least 14 days' notice, in writing, of the date of the SGM to the members. Notice of SGMs shall set out clearly the business for which the meeting has been called. No other business shall be dealt with at that SGM.

13.2.3. The quorum at the general meeting shall be as per point 13.1.4.

13.2.4. If a requested SGM is not convened within 28 days, the members who made the request may themselves convene the meeting as if they were the Committee.

14. Voting

14.1. Voting powers at all general meetings:

14.1.1. The President shall be entitled to a deliberate vote and, in the event of a tied vote, the President can exercise a casting vote.

14.1.2. Each individual member present shall have one vote, if they are a financial member, and have been a financial member for at least 90 days immediately prior to the general meeting.

14.1.3. Any member may appoint a proxy to attend and vote on their behalf, this proxy to be given in writing to the committee prior to the voting.

14.2. Voting powers at Committee meetings:

14.2.1. The President shall be entitled to a deliberate vote, and, in the event of a tied vote, the President can exercise a casting vote.

14.2.2. Each individual committee member present shall have one vote.

15. Elections

15.1. A financial member, including a Committee or Executive Committee member will be eligible for election to membership of the Committee where any financial member has nominated them for election in writing, not less than 7 calendar days before the date of the AGM.

15.2. If the number of persons nominated for election to any position does not exceed the number of vacancies in that position, then those persons will be declared duly elected.

15.3. If vacancies remain after such declaration, additional nominations may be accepted from the floor.

15.4. If these nominations do not exceed the number of vacancies, then those persons will be declared duly elected. Otherwise elections will be conducted for the available positions.

15.5. If a vacancy still remains, or in the case of a casual vacancy occurring within the Committee, the Committee may appoint a member to fill that vacancy, and said member will hold office until the following election.

16. The Committee

16.1. Management of the association shall be vested in the Committee elected by the members at the AGM and consisting of:

16.1.1. 4 Office bearers: President, Vice President, Secretary and Treasurer (the Executive Committee);

16.1.2. Up to 8 general Committee members; and

16.1.3. Up to two country Committee members.

16.2. All Committee members must be financial members of the association.

- 16.3.** No person, shall hold more than one position on the Committee at any one time unless inadequate numbers deem it necessary until the next AGM.
- 16.4.** No person shall be elected to an office bearing position without having been a member of the club for at least one year.
- 16.5.** No person shall be elected to any other committee position without having been a member of the club for at least six months.
- 16.6.** Length of service on the Committee
- 16.6.1.** Executive members are elected to a position for a term of 2 years. President and Treasurer change alternate years to the Secretary and Vice President.
 - 16.6.2.** General Committee members for 1 year.
- 16.7.** Office bearers are eligible to be re-elected to the same position each year.
- 16.8.** A quorum of the Committee shall be half of its members plus one.
- 16.9.** A member of the Committee will lose their position on the Committee for either of the following reasons:
- 16.9.1.** Absence from three or more meetings without leave of absence;
 - 16.9.2.** Found not to be a financial member; or
 - 16.9.3.** Resignation.
- 16.10.** All Committee and Executive Committee positions are unpaid volunteer positions.

17. Powers of the Committee

The Committee shall carry out the day-to-day running of the association and have the power to:

- 17.1.** Administer the finances, appoint bankers, and direct the opening of bank accounts for specific purposes and to transfer funds from one account to another, and to close any such account.
- 17.2.** Fix the manner in which such bank-accounts shall be operated, providing the Committee passes all payments.
- 17.3.** Propose fees and subscriptions payable by members and decide such levies, fines and charges as is deemed necessary and advisable, and to enforce payment thereof.
- 17.4.** Adjudicate on all matters brought before it which in any way affect the association.
- 17.5.** Cause minutes to be made of all proceedings at meetings of the Committee and general meetings of members.
- 17.6.** Make, amend and rescind rules and by-laws.
- 17.7.** Have the power to form and appoint any sub-committee/s as required for specific purposes.
- 17.8.** May at their discretion employ a person or persons to carry out certain duties required by the association, at salaries or remuneration for such period of time, as may be deemed necessary.

17.9. Should a vacancy occur on the Committee during the season, the Committee shall:

17.9.1. Advise the membership of the vacancy and, after at least 7 days,

17.9.2. Where that vacancy is an executive role, request nominations from the membership for the vacancy.

17.9.3. An election shall be held to fill the office for the remainder of the unexpired term. The election procedure for filling the unexpired term of a vacant office shall be the same as for the normal procedure for elections.

17.9.4. Where the vacancy is for general or country positions the committee shall at their discretion appoint a successor until the next AGM if required;

17.10. Appoint an officer/s or agent of the Committee to have custody of the association's records, documents and securities.

Division 4 – Finance and administration

18. Finance

18.1. All funds of the association shall be deposited into the association's accounts at such bank or recognised financial institution as the Committee may determine.

18.2. All accounts due by the association shall be paid after having being passed for payment at the Committee meeting and when immediate payment is necessary, account/s shall be paid and the action endorsed at the next Committee meeting.

18.3. No Committee member shall spend more than a set amount without the consent of the Committee, and shall keep a record and present a receipt of such expenditure.

18.4. A statement showing the financial position of the association shall be tabled at each Committee meeting by the Treasurer.

18.5. A statement of income and expenditure, assets and liabilities shall be submitted to the AGM. Any auditor's report shall be attached to such financial report.

18.6. The financial year of the association shall commence on the 1st October each year. The accounts, books and all financial records of the association may be audited from time to time, in accordance with the Act.

18.7. The signatories to the association's account/s will be the Treasurer and any one from the following; President, Vice President, or Secretary.

19. Sponsorship

19.1. All sponsorship deals and/or donations must be coordinated through the Committee.

19.2. The Committee shall have the right to veto any proposal for donations or sponsorship.

20. Common Seal, custody of books and securities of the association

20.1. The common seal, books and securities of the association shall be kept in the care or control of the Secretary.

20.2. The seal shall not be used or affixed to any deed or document except pursuant to a resolution of the Committee and in the presence of at least the President and two members of the Committee, both of whom shall subscribe their names as witness.

20.3. Financial records and, as applicable, the financial statements or financial reports of the association, must be kept in the Treasurer's custody or under the Treasurer's control

20.4. The books of the association must be retained for at least 7 years.

21. Alterations to the constitution and by-Laws

21.1. No alteration, repeal or addition shall be made to the constitution except as allowed by the Act or at an AGM, or SGM called for that purpose, and notice to all motions to alter, repeal or add to the constitution shall be given to members at least 21 days prior to the AGM, or at least 14 days prior to a SGM called for such purpose.

21.2. Alterations to the by-laws can be made only at Committee meetings, provided notice of the proposed alteration/s has been duly notified to all members, in writing, including email, at least 7 days previously;

21.3. Such motions, or any part thereof, shall be of no effect unless passed by a 75% majority (special resolution) of those present and entitled to vote at the AGM, SGM or Committee meeting.

21.4. Within one month of the passing of a special resolution, the Secretary shall notify the relevant Commissioner of the amendment.

22. 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 costs, charges and expenses of that winding up, that property shall be distributed:

22.1. To another incorporated association having objects similar to those of the association; or

22.2. For charitable purposes, which incorporated association or purposes, as the case requires, shall be determined by resolution of the members.