

Constitution and Rules



**Arms & Militaria Collectors'
Association of NSW Inc**

August 2024

Constitution and Rules.

1. The Name of the Organisation shall be:
THE ARMS AND MILITARIA COLLECTORS' ASSOCIATION OF NEW SOUTH WALES.
2. The objects of the Organisation are set out hereunder:
 - a. To encourage the study of the development of Military and Sporting Arms of all types as permitted by legislation in the State of New South Wales, especially those having cultural or historical significance to Australia.
 - b. To encourage the collection and preservation of the arms and militaria in Australia.
 - c. To acquire either by purchase, donation or otherwise and preserve for the benefit of future generations any of the aforementioned items including arms, uniforms, badges, medals, documents and other militaria.
 - d. To promote dissemination of information amongst members of the association by lectures, discussions and exhibitions of arms and militaria.
 - e. To print, publish and circulate journals, periodicals, newsletters and other undertakings as may seem conducive to any of the objects of the society.
 - f. To affiliate and exchange information with other bodies having similar interests.
 - g. To promote social functions for the benefits of members.
 - h. To do all such other things as are conducive or incidental to the attainment of the foregoing objects or any of them.
3. Membership:
 - 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 Management Committee from time to time prescribes.
 - b. As soon as practicable after the receipt of an application for membership, it shall be considered by the Management 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 their name, address and date of commencement of membership.
4. Management:

The Management of the Organisation shall be vested in a Management Committee of the office bearers and at least two other members. No member of the Management Committee shall be appointed to any salaried office of the Organisation or paid by fees and no remuneration or other benefit in money or money's worth shall be given by the Organisation to any member of the management Committee except repayment of out-of-pocket expenses, interest at a rate not exceeding interest as the rate for the time being charged by Bankers in Sydney for money lent to the Organisation and reasonable and proper rent for premises let to the Organisation.
5. Office-Bearers:

The office-bearers shall consist of a President, Secretary, Treasurer and such other officers as shall be decided by the members of the Organisation at the Annual General Meeting. The office-bearers and the other members of the Management Committee shall be elected annually at the Annual General Meeting. Any casual vacancy occurring among the office-bearers may be filled by the Committee and the person so appointed to fill such vacancy shall hold the position for the unexpired term of the member so replaced.
6. Proceedings of the Management Committee:
 - a. The Management 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.
 - 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 of the Committee present shall for all purposes be a determination of the Committee. In case of an equality of votes the Chairman 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 by or pursuant to these rules as the necessary

quorum, the continuing member or members may act for the purposes of increasing the number of members of the Committee from amongst the members, which they are hereby empowered to do, or of summoning a general meeting of the Organisation, but for no other purpose.

7. Vacation from Office:

The office of a member of the Management Committee or of a Trustee shall become vacant:

- a. Upon their decease.
- b. If the member becomes bankrupt or makes any arrangement or composition with their creditors generally.
- c. If the member 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 the member resigns their office by notice in writing to the Organisation.
- e. If the member is absent for more than six months without leave of the Committee from meetings of the Committee held during that period.
- f. If the member ceases to be a member of the Organisation.
- g. Upon a resolution being passed by two thirds majority of members present at a properly constituted general meeting specifically called for the purpose, to remove the member from office.
- h. If the member holds any office of profit under the Organisation.
- i. If the member is directly or indirectly interested in any contract or proposed contract with the Organisation.

8. Financial Year:

The Financial Year shall conclude on 30th June each year.

9. Annual General Meeting:

As far as practical the Annual General Meeting shall be held within three calendar months of the end of the club's financial year.

10. Special General Meeting:

Any three (3) members of the Management Committee may at any time convene a Special General Meeting of the Organisation. Special General Meetings shall also be convened by the Secretary upon the written request of the members of the Organisation and shall be held within a period of one month from the date of the request.

11. Quorum:

At meetings of members a quorum shall consist of 5 members or 1/6th of the financial membership whichever is the smaller and at a Management Meeting shall consist of at least 3 members. Members attendance at a meeting may be either physical or remotely by electronic communication. If remotely, the method of electronic communication must permit them to follow the progress of the meeting and to communicate to the chairman. 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 shall 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.

12. Proceedings at General Meetings:

- a. The President shall preside as Chairman at every general meeting of the Organisation, but if the President is not present within 15 minutes after the time appointed for the holding of the meeting or is unwilling to act, then the members shall elect one of their number to be a Chairman of the meeting, a simple majority sufficing.
- b. The Chairman may, with the consent of 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 an appointment 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 Chairman or by at least three members present. Unless a poll is so demanded a declaration by the Chairman 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 into the book containing the minutes of the proceedings of the Organisation shall each be conclusive evidence of 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 a manner and either at once or after an interval or adjournment or otherwise as the Chairman directs and the result of shall be the resolution of the meeting at which the poll demanded on the election of a Chairman 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 Chairman 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 Organisation shall have one vote.

13. Notice of Meetings:

The Secretary shall give at least seven days notice in writing of all general meetings to the members of the Organisation, specify the place, the day and the hour of meeting and the general nature of the business to be dealt with at the meeting. If a member has elected to receive notifications or the newsletter electronically then notice may be by electronic message. The method of electronic messaging may include email, SMS message, meta messenger, what's app or other technology that the member has nominated.

14. Funds:

- a. All moneys received by the Organisation shall be deposited intact at the earliest possible date to the credit of the Organisation's bank account. Receipts for moneys received shall also be issued promptly if requested.
- b. All payments in excess of \$200 made by the Organisation shall be paid by cheque signed by any two of the President, Secretary and Treasurer, or by direct bank deposit transfer made by either the Treasurer or the President.
- c. The Treasurer and President will each hold cards issued by the bank managing the associations accounts and may use these cards for the management of the accounts.

15. Authorization of Accounts:

All accounts shall be presented to and be passed for payment at a Management Committee Meeting and full details of all such approvals shall be entered into the minute book.

16. Audit:

- a. The Auditor or Auditors shall be appointed by the Management Committee. They shall examine all accounts, vouchers, receipts, books etc, and furnish a report thereon to the members at the Annual General Meeting. Audits shall be conducted at regular intervals of not more than twelve months.
- b. An Auditor shall not be a member or closely related to a member of the Management Committee.

17. Minutes:

The Management Committee shall cause minutes to be made:

- a. of all appointments of office bearers and members of the Committee.
- b. of the names and members of the Committee present at all meetings of the Organisation and of the Committee.
- c. of all proceedings at all meetings of the Organisation and of the Committee.

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

18. Expulsion of Members:

A member may be expelled from the membership of the Organisation by the Management Committee, if in the opinion of such Committee, after affording such member an opportunity of offering the Committee an explanation of their 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 interest of the Organisation, provided that:

- a. such expulsion shall not be effective unless it is confirmed by a majority of members present 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 Management Committee to expel that member.
- c. at such a Special General Meeting the member whose expulsion is under consideration shall be allowed to offer an explanation of their conduct verbally or in writing at the option of such member.
- d. The voting of such Special General Meeting shall be by ballot if not less than five members present there at shall so demand.
- e. It shall be in the power of the Committee to exclude such member from participation in the affairs of the Organisation until such Special General Meeting shall be held.

19. Trustees:

- a. Three Trustees shall be elected at a properly constituted general meeting.
- b. Unless there is an objection from the floor at a general meeting, the President, Secretary and Treasurer will automatically be elected as the Trustees. If an objection is raised, the Trustee positions will be declared open, and Trustees shall be elected.
- c. All property of whatever kind belonging to the Organisation 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 Organisation and shall be responsible for the same and shall deal with them and then dispose of all the property of the Organisation whether real or personal for the time being vested in them and the income thereof in accordance with the directions of the Management Committee provided that such directions are not in violation of the trusts upon which the property is held.

20. Dissolution:

- a. The Organisation shall be dissolved in the event of membership less than three (3) persons or upon the vote or upon the vote of three-fourths majority of members present at a Special General Meeting convened to consider such question.
- b. Upon the resolution being passed in accordance with paragraph (a) of this rule, all assets and funds of the Organisation 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 Special General Meeting may decide, noting that funds held in the account for tax deductible gifts to the Association must be transferred to a Charity registered with the Australian Tax Office to receive Tax Deductible Gifts.

21. Amendment of Rules:

These rules may be amended by a resolution passed by a three-quarters (3/4) majority of members present at any Annual General Meeting at which notice of the proposed amendment shall have been given or at a Special General Meeting convened for such purpose. Provided that the Minister of the Crown for the time being administering the Charitable Collections Act, 1934, as amended, shall not be effective unless the Minister has signified their approval to such amendment being made.

22. Notices:

A notice may be given to any member either personally, electronically or by sending it by post to the member at their physical or electronic address registered with the Organisation or if the member has no registered address to the place of abode of the member last known to the Management Committee. Where a notice is sent by post, service of the notice shall be deemed to be effected by properly addressing, pre-paying and posting a letter or an envelope containing the notice and to have been effected. In the case of the notice of a 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.

The Arms and Militaria Collectors Association of New South Wales is an approved collecting Club (Approval No. 406697506) under the Firearms Act 1996, and an approved collecting club for prohibited weapons (Approval No 1001) under the Weapons Prohibition Act 1998.