

RULES OF THE AUSTRALIAN TARANTULA ASSOCIATION

Confirmed & adopted by the management committee on 20th November, 2005.

NAME

1. The name of the association is The Australian Tarantula Association, hereinafter referred to as 'the Association'.

OBJECTIVES

2. The objectives of the association are –
 - (1) To raise the public awareness of native Australian tarantulas.
 - (2) To circulate up to date and correct information about Australian tarantulas (including; identification, captive care, and basic ecology) in order to eliminate common misconceptions.
 - (3) To encourage the breeding and sale of captive-bred tarantulas as opposed to wild-harvested tarantulas.
 - (4) To provide a focal point for the sharing of information, knowledge and experiences between breeders and keepers of Australian tarantulas.
 - (5) To support and work in conjunction with professional arachnologists and academic institutions.

CLASSES OF MEMBERS

3. (1) Membership of the association shall consist of ordinary members, and any of the following classes of members –
 - (a) associate members;
 - (b) life members;
 - (c) honorary members.
- (2) The number of ordinary members is unlimited.

APPLICATION FOR MEMBERSHIP

4. (1) Any person may apply for membership of the association. Granting of membership to the association is decided by the management committee.
- (2) An application for membership must be –
 - (a) in writing; and
 - (b) signed by the applicant; and
 - (c) in the form decided by the management committee.

MEMBERSHIP FEES

5. (1) The membership fee for each class of membership –
- (a) is the amount decided by the management committee from time to time at a general meeting; and
 - (b) is payable when, and in the way, the management committee decides.

ADMISSION AND REJECTION OF MEMBERS

6. (1) The management committee must consider an application for membership at the next meeting of the committee held after it receives –
- (a) the application; and
 - (b) the appropriate membership fee for the application.
- (2) The management committee must decide at the meeting whether to accept or reject the application.
- (3) If a majority of the management committee members present at the meeting vote to accept the applicant as a member, the applicant must be accepted as a member to the class of membership applied for.
- (4) The secretary of the association must, as soon as practicable after the management committee decides to accept or reject an application, give the applicant a written notice of the decision.

WHEN MEMBERSHIP ENDS

7. (1) A member may resign from the association by giving a written notice of resignation to the secretary.
- (2) The resignation takes effect on –
- (a) the day and at the time the notice is received by the secretary; or
 - (b) if a later day is stated in the notice - the later day.
- (3) The management committee may terminate a member's membership if the member –
- (a) has membership fees in arrears for at least 2 months; or
 - (b) does not comply with any of the provisions of these rules; or
 - (c) conducts himself or herself in a way considered to be injurious or prejudicial to the character or interests of the association.
- (4) Before the management committee terminates a member's membership, the committee must give the member a full and fair opportunity to show why the membership should not be terminated.
- (5) If, after considering all representations made by the member, the management committee decides to terminate the membership, the secretary of the committee must give the member a written notice of the decision.

APPEAL AGAINST REJECTION OR TERMINATION OF MEMBERSHIP

8. (1) A person whose application for membership has been rejected, or whose membership has been terminated, may give the secretary written notice of the person's intention to appeal against the decision.
- (2) A notice of intention to appeal must be given to the secretary within 1 month after the person receives written notice of the decision.
- (3) If the secretary receives a notice of intention to appeal, the secretary must, within 3 months after the day of receipt, call a general meeting to decide the appeal.
- (4) At the meeting, the applicant must be given a full and fair opportunity to show why the application should not be rejected or the membership should not be terminated.
- (5) Also, the management committee and the committee members who rejected the application or terminated the membership must be given an opportunity to show why the application should be rejected or the membership should be terminated.
- (6) An appeal must be decided by a vote of the committee members present at the meeting, with the President as deciding vote if necessary.
- (7) If a person whose application has been rejected does not appeal against the decision within 1 month after receiving written notice of the decision, or the person appeals but the appeal is unsuccessful, the secretary must, as soon as practicable, refund the application fee paid by the person.

REGISTER OF MEMBERS

9. (1) The management committee must keep a register of members.
- (2) The register of members must include the following particulars for each member –
- (a) the full name and residential address of the member;
 - (b) the date of admission as a member;
 - (c) the date of death or resignation of the member;
 - (d) details about the termination or reinstatement of membership;
 - (e) any other particulars the management committee or the members at a general meeting decide.

SECRETARY

10. (1) The secretary must be a resident of Australia who is –
- (a) a member of the association elected by the management committee as secretary; or
 - (b) any of the following persons appointed by the management committee –
 - (i) a member of the association's management committee;
 - (ii) a member of the association;
- (2) The management committee may appoint and remove the association's secretary at any time.

TREASURER

11. (1) The treasurer must be a resident of Australia who is –
- (a) a member of the association, and;
 - (b) a member of the management committee elected as treasurer.
- (2) It is the duty of the treasurer of the association to ensure –
- (a) that all money due to the association is collected and received and that all payments authorised by the association are made, and;
 - (b) that correct books and accounts are kept showing the financial affairs of the association, including full details of all receipts and expenditure connected with the activities of the association.
- (3) The management committee may appoint or remove the association's treasurer by procedures outlined in Sections (13) and (14) of the association rules.

MEMBERSHIP OF MANAGEMENT COMMITTEE

12. (1) The management committee of the association consists of a president, vice-president, treasurer, secretary, and webmaster, and any other members the association members elect or appoint at a general meeting.
- (2) A member of the management committee must be a member of the association.

ELECTING THE MANAGEMENT COMMITTEE

13. (1) A member of the management committee may only be elected as follows –
- (a) any 2 members of the association may nominate another member (the **candidate**) to serve as a member of the management committee;
 - (b) the nomination must be –
 - (i) in writing; and
 - (ii) signed by the candidate and the members who nominated him or her; and
 - (iii) given to the secretary at least 14 days before the annual general meeting at which the election is to be held;
 - (c) the nomination will be voted on by the incumbent management committee officers, with the President as deciding vote if required.
- (2) A list of the candidates' names in alphabetical order, with the names of the members who nominated each candidate, must be posted in a conspicuous place in the office or usual place of meeting of the association for at least 7 days immediately preceding the annual general meeting.
- (3) A member of the management committee may hold more than one position, but no more than two.

RESIGNATION OR REMOVAL FROM OFFICE OF MANAGEMENT COMMITTEE MEMBER

14. (1) A management committee member may resign from the committee by giving written notice of resignation to the secretary.
- (2) The resignation takes effect on –
- (a) the day and at the time the notice is received by the secretary; or
- (b) if a later day is stated in the notice - the later day.
- (3) A member may be removed from office at a general meeting of the association if a unanimous vote in favour of removing the member is made by the remaining committee members present at the meeting.
- (4) Before a vote of committee members is taken about removing the member from office, the member must be given a full and fair opportunity to show cause why he or she should not be removed from office.
- (5) A member has no right of appeal against the member's removal from office under this section.

VACANCIES ON MANAGEMENT COMMITTEE

15. (1) If a casual vacancy happens on the management committee, the continuing members of the committee may appoint another member of the association to fill the vacancy. Applications for appointment to the management can be sought from ordinary members at this time.
- (2) The continuing members of the management committee may act despite a casual vacancy on the management committee.

FUNCTIONS OF MANAGEMENT COMMITTEE

16. (1) Subject to these rules the management committee –
- (a) has the general control and management of the administration of the affairs and funds of the association; and
- (b) has authority to interpret the meaning of these rules and any matter relating to the association on which the rules are silent.
- (2) The management committee may exercise the powers of the association –
- (a) to raise or secure the payment of amounts in a way the association members decide.
- (3) The management committee must ensure funds raised through, or on behalf of the association, are used solely for association purposes, in a non-profit manner, and not for individual use. No members shall benefit personally from association funds, except for the reimbursement of debts incurred.

PUBLIC COMMENT

17. (1) Public comment where opinion or statement is sought on behalf of the association is to be made strictly by the President only, or if the president is unavailable or unable to make comment, the vice-president or another member of the management committee. No ordinary, honorary, or associate members are to make public comment on or under the name of the association.

- (2) When a request for comment or a statement of opinion is sought from the association, the President, or any other committee member, must;
 - (a) discuss and confirm an agreed position of the association with the management committee prior to making any statement.
- (3) Instances where ordinary, honorary, or associate members make public comment under the name of the association will result in –
 - (a) immediate retraction of the comment by the member; and
 - (b) a statement by the committee confirming any comments made by the member are not to be considered the opinion of the association or the management committee.
- (4) Ordinary, honorary, or associate members making comment on or under the name of the association will have –
 - (a) their membership suspended and any rights and privileges of the association suspended; and
 - (b) their membership reviewed by the management committee.
- (5) If the breach of this rule is of such serious nature as to warrant termination of membership to the association, the member may appeal the termination under the standard appeal procedures listed in section (8).

MEETINGS OF MANAGEMENT COMMITTEE

18. (1) Subject to subsections (2) to (15), the management committee may meet and conduct its proceedings as it considers appropriate.
- (2) The management committee must meet at least once every 6 months to exercise its functions.
- (3) The committee must decide how a meeting is to be called.
- (4) Notice of a meeting is to be given in the way decided by the committee.
- (5) If the secretary receives a written request signed by at least 33% of the management committee members, the secretary must call a special meeting of the committee.
- (6) A request for a special meeting must state –
 - (a) why the special meeting is being called; and
 - (b) the business to be conducted at the meeting.
- (7) At a management committee meeting, more than 50% of the members elected or appointed to the committee as at the close of the last general meeting of the members form a quorum.
- (8) A question arising at a committee meeting is to be decided by a majority vote of committee members present at the meeting and, if the votes are equal, the question is decided by the President.
- (9) The secretary must give each management committee member at least 14 days notice of a special meeting of the committee.
- (10) A notice of a special meeting must state –

- (a) the day, time and place of the meeting; and
 - (b) the business to be conducted at the meeting.
- (11) The President or, if there is no president or if the president is not present within 20 minutes after the time fixed for a management committee meeting, the vice-president is to preside as chairperson at the meeting.
- (12) If the president and the vice-president are absent from a management committee meeting, the members may choose 1 of their number to preside as chairperson at the meeting.
- (13) If a quorum is not present within 30 minutes after the time fixed for a management committee meeting called on the request of committee members, the meeting lapses.
- (14) If a quorum is not present within 30 minutes after the time fixed for a management committee meeting called other than on the request of committee members, the meeting is to be adjourned to –
- (a) the same day, time and place in the next week; or
 - (b) a day, time and place decided by the committee.
- (15) If, at the adjourned meeting mentioned in subsection (14), a quorum is not present within 30 minutes after the time fixed for the meeting, the meeting lapses.

RESOLUTIONS OF MANAGEMENT COMMITTEE WITHOUT MEETING

19. (1) A written resolution signed by each member of the management committee for the time being entitled to receive notice of a committee meeting is as valid and effectual as if it had been passed at a committee meeting that was properly called and held.
- (2) A resolution mentioned in subsection (1) may consist of several documents in like form, each signed by 1 or more members of the committee.

ANNUAL GENERAL MEETINGS

20. Annual general meeting must be held –
- (1) at least once each year; and
 - (2) within 6 months after the end of the association's previous financial year.

BUSINESS TO BE CONDUCTED AT ANNUAL GENERAL MEETING

21. The following business must be conducted at each annual general meeting –
- (1) receiving the statement of income and expenditure, liabilities, and charges affecting of the association for the last financial year;
 - (2) electing members to any outstanding or vacant positions of the management committee.

SPECIAL GENERAL MEETING

22. (1) The secretary may only call a special general meeting by giving each member notice of the meeting within 14 days after –
- (a) being directed to call the meeting by the management committee; or
 - (b) being given a written request signed by –
 - (i) at least 33% of the members of the association presently on the management committee; or
 - (ii) at least the number of ordinary members of the association equal to double the number of members of the association presently on the management committee plus 1; or
 - (c) being given a written notice of an intention to appeal against the decision of the management committee –
 - (i) to reject an application for membership; or
 - (ii) to terminate a person's membership.
- (2) A request mentioned in subsection (1) (b) must state –
- (a) why the special general meeting is being called; and
 - (b) the business to be conducted at the meeting.

NOTICE OF GENERAL MEETING

23. (1) The secretary may call a general meeting of the association.
- (2) The secretary must give at least 14 days notice of the meeting to each association member.
- (3) The management committee may decide the way in which the notice must be given.
- (4) However, notice of the following meetings must be given in writing –
- (a) a meeting called to hear and decide the appeal of a member against the rejection or termination of the member's membership by the management committee; or
 - (b) a meeting called to hear and decide a proposed special resolution of the association.
- (5) A notice of a general meeting must state the business to be conducted at the meeting.

QUORUM FOR, AND ADJOURNMENT OF, GENERAL MEETING

24. (1) Subject to subsection (5), at a general meeting the number of members equal to double the number of members of the association presently on the management committee plus 1 form a quorum.
- (2) No business may be conducted at a general meeting unless a quorum of members is present when the meeting proceeds to business.

- (3) If a quorum is not present within 30 minutes after the time fixed for a general meeting called on the request of members of the management committee or the association, the meeting lapses.
- (4) If a quorum is not present within 30 minutes after the time fixed for a general meeting called other than on the request of members of the management committee or the association, the meeting is to be adjourned to –
 - (a) the same day, time and place in the next week; or
 - (b) a day, time and place decided by the management committee.
- (5) If at an adjourned meeting, a quorum under subsection (1) is not present within 30 minutes after the time fixed for the meeting, the members present form a quorum.
- (6) The chairperson may, with the consent of any meeting at which a quorum is present, and must if directed by the meeting, adjourn the meeting from time to time and from place to place.
- (7) If a meeting is adjourned under subsection (6), only the business left unfinished at the meeting from which the adjournment took place may be conducted at the adjourned meeting.
- (8) The secretary is not required to give the members notice of an adjournment or of the business to be conducted at an adjourned meeting unless a meeting is adjourned for at least 30 days.
- (9) If a meeting is adjourned for at least 30 days, notice of the adjourned meeting must be given in the same way notice is given for an original meeting.

PROCEDURE AT GENERAL MEETING

- 25. (1) Subject to these rules, at each general meeting –
 - (a) the president or, if there is no president or if the president is not present within 15 minutes after the time fixed for the meeting or is unwilling to act, the vice-president is to preside as chairperson; and
 - (b) if the vice-president is absent or unwilling to act as chairperson, the committee members present must elect 1 of their number to be chairperson of the meeting; and
 - (c) the chairperson must conduct the meeting in a proper and orderly way; and
 - (d) each question, matter or resolution must be decided by a majority of votes of the members present and confirmed by majority vote of the management committee; and
 - (e) each member present and entitled to vote is entitled to 1 vote only and, if the votes are equal, the chairperson has a casting vote as well as a primary vote; and
 - (f) a member is not entitled to vote at a general meeting if the member's annual subscription is in arrears at the date of the meeting; and
 - (g) voting may be by a show of hands or a division of members
 - (h) a member may only vote in person and –
 - (i) on a show of hands, each person present has 1 vote; and

- (ii) in a secret ballot, each member present in person has 1 vote.
 - (i) the secretary must ensure full and accurate minutes of all questions, matters, resolutions and other proceedings of each management committee meeting and general meeting are entered in a minute book; and
 - (j) the secretary must ensure the minute book for each general meeting is open for inspection at all reasonable times by any financial member who previously applies to the secretary for the inspection.
- (2) To ensure the accuracy of the minutes recorded under subsection (1)(i) –
- (a) the minutes of each management committee meeting must be signed by the chairperson of the meeting, or the chairperson of the next management committee meeting, verifying their accuracy; and
 - (b) the minutes of each general meeting must be signed by the chairperson of the meeting, or the chairperson of the next general meeting, verifying their accuracy; and
 - (c) the minutes of each annual general meeting must be signed by the chairperson of the meeting, or the chairperson of the next meeting of the association that is a general meeting or annual general meeting, verifying their accuracy.

BY-LAWS

26. (1) The management committee may make, amend or repeal by-laws, not inconsistent with these rules, for the internal management of the association.
- (2) A by-law may be set aside by a vote of committee members at a general meeting of the association.

ALTERATION OF RULES

27. (1) These rules may be amended, repealed or added to by the management committee at a general meeting.

FUNDS AND ACCOUNTS

28. (1) The funds of the association must be kept in an account in the name of the association in a financial institution decided by the management committee.
- (2) Records and accounts must be kept in the English language showing full and accurate particulars of the financial affairs of the association.
- (3) All amounts must be deposited in the financial institution account as soon as practicable after receipt.
- (4) If an amount of \$100 or more is paid by cheque, the cheque must be signed by any 2 of the following –
- (a) the president;
 - (b) the secretary;
 - (c) the treasurer;
 - (d) another member authorised by the management committee for the purpose.

- (5) Cheques, other than cheques for wages, allowances or petty cash recoupment, must be crossed 'not negotiable'.
- (6) All expenditure must be approved or ratified at a management committee meeting.
- (7) The treasurer must, as soon as practicable after the end of each financial year, ensure a statement containing the following particulars is prepared -
 - (a) the income and expenditure for the financial year just ended;
 - (b) the association's assets and liabilities at the close of the year.
- (8) The income and assets of the association must be used solely in promoting the association's objects and exercising the association's powers.

DOCUMENTS

- 29. The management committee must ensure the safe custody of books and documents of the association.

FINANCIAL YEAR

- 30. The financial year of the association closes on 30th June in each year.

DISTRIBUTION OF SURPLUS ASSETS TO ANOTHER ENTITY

- 31. (1) This section applies if the association -
 - (a) is dissolved; and
 - (b) it has surplus assets.
- (2) The surplus assets must not be distributed among the association members.
- (3) The surplus assets must be given to another entity -
 - (a) having objects similar to the association's objects; and
 - (b) the rules of which prohibit the distribution of the entity's income and assets to its members.