

CONSTITUTION

(2014) (revised 2018)

1. Interpretation

1) *In these rules –*

- (a) Act means the Associations Incorporation Act 1981.
- (b) A word or expression that is not defined in these model rules, but is defined in the Act has, if the context permits, the meaning given by the Act.

2. Name

- 1) The Society shall be known as the “Cavy Owners and Breeders Society of Queensland Inc”.

3. Definitions

1) *The following terms are defined for use in the Constitution.*

- (a) The Society: Cavy Owners and Breeders Society of Queensland.
- (b) The Committee: the Management Committee consisting of all Society office bearers.
- (c) The Executive: the Executive Committee consisting of President, Secretary, Treasurer and Show Manager.
- (d) Member: an individual or family who holds some form of membership with COBS.
- (e) Committee Member: an officer bearer of the Society.
- (f) By-laws: the rules and regulations by which the Society operates.
- (g) Exhibitor: someone who exhibits a Cavy at any COBS show or activity.
- (h) Breeder: someone who has a registered prefix with the Australian National Cavy Council Inc.
- (i) District-Branch: a branch of the Society that may hold shows; meetings; and other events in other areas of Queensland.
- (j) Sub-Committee: a group of Members operating under the auspices of the Committee.
- (k) Specialist Group: a group of Members with a specific interest in some aspect of the cavy fancy.
- (l) The Financial year shall run from January 1 to December 31.
- (m) ANCC - The Australian National Cavy Council Inc.
- (n) QCC - The Queensland Cavy Council

4. Objectives

1) *The Objectives of the Society are:*

- (a) To promote and encourage the improvement of Standard Breed cavies and the fancy in general.
- (b) To represent the interests of members who are breeders and exhibitors.
- (c) To support the establishment of District Branches, Sub Committees and Specialist Groups and to act as a co-ordinating body for such groups.
- (d) To exchange knowledge gained and foster friendship and goodwill between cavy fanciers.

- (e) To hold periodical meetings and shows, for the exhibition of Standard Breed cavies and deliver lectures/discussions/displays of interest to the cavy fancy/general public.
- (f) To offer prizes such as ribbons, trophies, certificates and the like to encourage participation in shows.
- (g) To levy membership fees and other fees to enable the operation of the Society and ensure all such monies collected are put to use in the best interests of the Society.
- (h) To keep a register of Members for the efficient running of the Society.
- (i) To act as a vehicle for the resolution of disputes relating only to the Society.
- (j) To be affiliated with the Australian National Cavy Council through the appropriate Queensland body.

5. Powers

- 1) The Society has the powers of an individual.
- 2) The Society may, for example—
 - (a) Enter into contracts; and
 - (b) Acquire, hold, deal with and dispose of property; and
 - (c) Make charges for services and facilities it supplies; and
 - (d) Do other things necessary or convenient to be done in carrying out its affairs.
- 3) The Society may take over the funds and other assets and liabilities of the present unincorporated Society known as the Cavy Owners & Breeders Society of Queensland.
- 4) The Society may also issue secured and unsecured notes, debentures and debenture stock for the Society.

6. Classes of Membership

- 1) The membership of the Society consists of ordinary members, and any of the following classes of members
 - (a) Full Adult Membership
 - Open to anyone aged 18 years and over with an interest in cavies or the Society.
 - One vote per membership at AGM and general & special meetings.
 - May hold Management Committee positions.
 - The number of full adult memberships is unlimited.
 - (b) Full Family Membership
 - Open to families with an interest in cavies of the Society, maximum of two adults (adults must live at same address), and no limit on number of children under 18 years. Children are not required to live at the same address.
 - One vote per adult to maximum of two votes at AGM or general & special meetings.
 - Adults may hold Management Committee positions.
 - Children vote at Junior Committee meetings only and may hold Junior Committee positions.
 - The number of Full family memberships is unlimited.
 - (c) Full Junior Membership
 - Open to children aged one day under 18 with an interest in cavies or the Society.

- No voting privileges at AGM or general & special meetings.
- Voting at Junior Committee meetings only.
- May not hold Management Committee positions.
- May hold Junior Committee position.
- The number of full junior memberships is unlimited.

(d) Life Membership

- Membership awarded to an individual who has in the opinion of the Committee, contributed enormously to COBS and the cavy fancy.
- No fees are associated with this membership.
- One vote at the AGM and general & special meetings.
- May hold Management Committee positions.
- The number of Life memberships is unlimited.

(e) Full Concessional Membership

- Open to individuals or families who can provide a concession, pension or seniors card.
- The membership fees will set at a reduced rate as determined at the AGM.
- One vote per adult to maximum of two votes at AGM or general & special meetings.
- Adults may hold Management Committee positions.
- Children vote at Junior Committee meetings only and may hold Junior Committee positions.
- The number of Full Concessional memberships is unlimited.

(f) Pending Membership

- Any class of new membership of someone who was not a member of COBS in the 12 months prior to joining the Society and before approval by the Management Committee.
- The Management Committee may choose to elevate someone to full membership even if they have not previously been a member of COBS if they are currently a member in good standing of another ANCC affiliated club.
- No voting rights at the AGM or general & special meetings.
- May not hold a Committee position.
- Has all other rights of full membership classes (other than those already mentioned).
- The number of Pending memberships is unlimited.

(g) Probationary Membership

- Any class of new membership of someone who was not a member of COBS in the 12 months prior to joining the Society and after approval by the Management Committee.
- No voting rights at the AGM or general & special meetings.
- May not hold a Committee position.
- Has all other rights of full membership classes (other than those already mentioned).
- Probationary Members remain on probation until they have exhibited at a minimum of three shows. After this the Management Committee will review their membership with consideration as to whether the membership will be elevated to full membership.
- If the Management Committee is not satisfied the Probationary Member has been following the rules or Constitution of the Society or has demonstrated behaviour that is the spirit of the

rules or Constitution of the Society the Management Committee may extend the period of probation until the member demonstrates an understanding of the rules and Constitution.

- The number of Probationary memberships is unlimited.

2) The number of ordinary members is unlimited.

7. Automatic Membership

A person who, on the day the Society is incorporated, was a member of the unincorporated Society and who, on or before a day fixed by the Committee, agrees in writing to become a member of the incorporated Society, must be admitted by the Committee -

- (a) To the equivalent class of membership of the Society as the member held in the unincorporated Society; or
- (b) If there is no equivalent class of membership — as an ordinary member.

8. New Membership

- 1) An applicant for membership of the Society must be proposed by 1 member of the Society (the proposer) and seconded by another member (the seconder).
- 2) An application for membership must be —
 - (a) In writing; and
 - (b) Signed by the applicant and the applicant's proposer and seconder; and
 - (c) In the form decided by the Committee
 - (d) Accompanied by the appropriate fees which will be fully refunded if membership is not accepted.

9. Membership Fees

- 1) The membership fee for each ordinary membership and for each other class of membership (if any)
 - (a) The membership fees shall be determined for each class of membership by the Committee.
 - (b) Membership fees are due by the AGM in January. Members who do not pay by this date will be considered unfinancial and those who have not paid by the end of the March Show day will have their membership cancelled.
 - (c) Any fee increases will be charged to renewing members or new members who pay AFTER the AGM in January.

10. Admission and Rejection of New Members

- 1) The Committee must consider an application for membership at the next committee meeting held after it receives —
 - (a) The application for membership; and
 - (b) The appropriate membership fee for the application.
- 2) The Committee must ensure that, as soon as possible after the person applies to become a member of the association, and before the Committee considers the persons application, the person is advised —

- (a) Whether or not the association has public liability insurance; and
 - (b) If the association has public liability insurance — the amount of the insurance.
- 3) The Committee must decide at the meeting whether to accept or reject the application.
 - 4) If a majority of the members of the Committee present at the meeting vote to accept the applicant as a member, the applicant must be accepted as a member for the class of membership applied for.
 - 5) The secretary of the association must, as soon as practicable after the Committee decides to accept or reject an application, give the applicant a written notice of the decision.

11. When Membership Ends

- 1) A member may resign from the association by giving a written notice of resignation to the secretary.
- 2) The resignation takes effect at —
 - (a) The time the notice is received by the secretary; or
 - (b) if a later time is stated in the notice — the later time.
- 3) The Committee may terminate a members membership if the member—
 - (a) Is convicted of an indictable offence; or
 - (b) Does not comply with any of the provisions of the Constitution or any Rules or By-Laws not inconsistent with the Constitution; or
 - (c) Has membership fees in arrears for at least 2 months; or
 - (d) Conducts himself or herself in a way considered to be injurious or prejudicial to the character or interests of the Society.
- 4) Before the 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 Committee decides to terminate the membership, the secretary must give the member a written notice of the decision.

12. Appeal against Rejection or Termination of Membership

- 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. However if -
 - (a) If a person's membership was terminated by failing to pay membership fees this may be simply remedied by completing a renewal form and paying the appropriate membership fee within a month after termination.
- 2) A notice of intention to appeal must be given to the secretary within 14 days after the person receives written notice of the decision.
- 3) If the secretary receives a notice of intention to appeal, the secretary must, within 14 days after receiving the notice, call a date for the general meeting to decide the appeal.

13. General Meeting to Decide Appeal

- 1) The general meeting to decide an appeal must be held within 3 months after the secretary receives the notice of intention to appeal.
- 2) 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.

- 3) Also, the Committee and the members of the Committee who rejected the application or terminated the membership must be given a full and fair opportunity to show why the application should be rejected or the membership should be terminated.
- 4) An appeal must be decided by a majority vote of the members present and eligible to vote at the meeting.
- 5) If an appeal is successful certain conditions of reinstatement may be included and enforced by the Committee, failure to abide by any such conditions will result in sanctions or the termination of membership without the right to further appeals.
- 6) If a person whose application for membership has been rejected and does not appeal against the decision within 1 month after receiving written notice of the decision, or the person who appeals but the appeal is unsuccessful, the secretary must, as soon as practicable, refund the membership fee paid by the person.

14. Permission to Reapply for Membership

- 1) No one shall reapply for membership for 12 months from the final date of termination and are not permitted to exhibit or handle other peoples' animals at any COBS shows during that period.
 - (a) The exception to this is if termination was for failure to pay annual membership fees.
- 2) Life bans may be enforced for some offences against the Society's Constitution, By-Laws or Rules.

15. Register of Members

- 1) The management committee must keep a register of members of the association. (2) The register must include the following particulars for each member —
 - (a) The full name of the member;
 - (b) The current postal or residential address of the member;
 - (c) The current email address of the member (if available);
 - (d) Date of admission as a member;
 - (e) The date of death or resignation of the member;
 - (f) Details about the termination or reinstatement of membership;
 - (g) Any other particulars the management committee or the members at a general meeting decide.
- 2) The member has 14 days to notify the secretary of any changes in these details.
- 3) The register of Names and Stud Prefixes will be made available upon request to other members at reasonable times.
- 4) A member must contact the secretary to arrange this inspection of the Names and Stud Prefixes.
- 5) No other details will be made available to members with the exception of the Committee who will receive full details of all who are on the register in order to ensure the smooth running of the Society.
- 6) The secretary or treasurer will forward required details of the register to State and Federal Cavy authorities with whom we are affiliated, to the Society's insurers in the event of a claim, the Office of Fair Trading (or the equivalent body) if required, or to the Police if a warrant is issued.

16. Prohibition on use of Information on Register of Members

- 1) A member of the Society must not —

- (a) Use information obtained from the register of members of the association to contact, or send material to, another member of the association for the purpose of advertising for political, religious, charitable or commercial purposes; or
- (b) Disclose information obtained from the register to someone else, knowing that the information is likely to be used to contact, or send material to, another member of the association for the purpose of advertising for political, religious, charitable or commercial purposes.

2) Sub rule (1) does not apply if the use or disclosure of the information is approved by the Society.

17. Other Information Relating to Membership

- 1) COBS Championships will only be awarded to cavies owned by a club financial member.
- 2) Pro rata membership fees are to be decided by the incoming Committee each year. These fees are only applicable to individuals or families in the first year they take out COBS membership up until the next AGM. No renewing member will be entitled to pro rata membership fees and will be required to pay total membership fees regardless of when in the year they renew their membership.
- 3) Non-club members will pay more per class entered at COBS Club Shows as determined by the incoming Committee annually. (This will be the equivalent of a day membership for insurance purposes only and will carry no other benefits of membership).
- 4) Pending and Probationary membership. All new members (excluding re-joining full members from the previous year) will initially be placed on pending membership. Pending membership becomes probationary membership when the Committee approves it. Probationary members must show at a minimum of five shows before their membership is considered for full membership. The Committee will examine whether the probationary member has been following the rules of the Society and shows a genuine interest in the Society and the Cavy fancy in general. If this is found to be the case, the Committee will then recommend that the Probationary Member be elevated to full membership at the commencement of the next general club meeting.
- 5) A member may take part and eligible members may vote in a general meeting in person, by proxy, by attorney or by using any technology that reasonably allows the member to hear and take part in discussions as they happen.
- 6) A member who participates in a meeting as mentioned in sub rule (5) is taken to be present at the meeting.
- 7) All voting will be carried out by way of a simple show of hands, with the exception of certain items that may be by way of a secret ballot. This includes, but is not limited to, the election of Committee positions in which there is more than one person nominated.
- 8) COBS will allow proxy votes on agenda items at committee, general, special and AGMs for all eligible members. The proxies must be in writing and submitted to the secretary before the start of the meeting either through the post, by hand (both these methods must be signed) or via the non-attending member's email account on record with the secretary and treasurer -
 - (a) Proxies may only be counted for items on the agenda.

A simple majority means a motion will be carried. The exception to this is any proposal dealing with constitutional change. Proposals to change the Constitution must be carried by 75% of eligible members present at the AGM or special meeting called for such a purpose.

18. Membership of the Management Committee

- 1) The Management Committee of the Society shall consist of:

- President
- Vice President
- Secretary
- Treasurer
- Show Manager
- Media Officer
- Publicity Officer

- (a) All Office Bearers of the Society must be financial and/or life members of the Society and must remain so for their tenure.
- (b) At the Annual General meeting of the Society all members of the Management Committee shall retire from office, but shall be eligible upon nomination for re-election.
- (c) All Office bearers shall operate in an honorary capacity.
- (d) Any two members of the Society may nominate any other member to serve as an officer on the Committee.
- (e) Each Member is entitled to one vote only, unless it is the President in casting a deciding vote to unlock a tie.
- (f) Voting shall be a secret ballot when there is more than one member nominated for the same position.
- (g) Only financial full members and/or life members are eligible to vote.
- (h) Members may hold more than one position on the Management Committee, but only one of these positions is permitted to be on the Executive Committee.

19. Eligibility for Election to a Management Committee

- 1) A person is not eligible to be elected as a member of the COBS Committee if—
 - (a) the person has been convicted —
 - (i) On indictment; or
 - (ii) Summarily and sentenced to imprisonment, other than in default of payment of a fine; and
 - (b) The rehabilitation period in relation to the conviction has not expired.
- 2) Also, a person is not eligible to be elected as a member of the COBS Committee if—
 - (a) Under the Bankruptcy Act 1966 (Cwlth) or the law of an external territory or another country, the person is an undischarged bankrupt; or
 - (b) The person has executed a deed of arrangement under the Bankruptcy Act 1966 (Cwlth), part X or a corresponding law of an external territory or another country and the terms of the deed have not been fully complied with; or
 - (c) The person's creditors have accepted a composition under the Bankruptcy Act 1966 (Cwlth), part X or a corresponding law of an external territory or another country and a final payment has not been made under the composition.
- 3) In this section — rehabilitation period has the meaning given in the Criminal Law (Rehabilitation of Offenders) Act 1986.

20. Membership of the Executive Committee

- 1) The Executive Committee consists of President, Secretary, Treasurer and Show Manager.

- (a) The Executive can be the signatories on the Society's bank account and their role on the Executive is purely to ensure the smooth financial running of the Society.
- (b) Two of the four members of the Executive must sign any outgoing cheques.
- (c) Members who hold executive positions at other clubs are permitted to hold executive positions at COBS. However any such member is expected to declare any conflict of interest and abstain from voting on any matter raised in a COBS meeting that may be seen as a conflict of interest.
- (d) Anyone holding a position on the Executive Committee must reside in Queensland.

21. The Duties of the Management Committee

- 1) The following duties are performed by members of the Committee. These duties may be expanded at any time and this is not an exhaustive list of duties. Other members of the management committee may be required to perform the duties of another member of the management duty at any time.

President

- is the club figurehead
- acts in the best interest of the club
- chairs the AGM and club meetings
- must know the business to be discussed at AGM and club meetings
- signs minutes after they are verified
- ensures any debate is conducted in an orderly manner
- ensures voting is carried out properly
- be the contact point for club members or outside people/organisations
- provide reports to the AGM, and club and committee meetings as required

Vice President

- presides over club meetings when the president is absent
- represents the president when they are unable to be there
- liaises with the president and other committee members on club matters
- be the contact point for club members or outside people/organisations in the absence of the president
- provide reports to the AGM, and club and committee meetings as required

Treasurer

- takes charge of all money received by the club
- maintains the club's bank account
- deposits all money into bank account
- pays money out only as approved by the club, requesting all receipts if necessary
- reports money received and bills paid at any committee meeting
- provides detailed report to present at AGM
- keeps all books in order
- provides secretary with up to date records of all financial members
- provides reports to the AGM, and club and committee meetings as required
- purchases trophies/prizes up to a pre-established amount set by the committee

Secretary

- maintains membership records
- records attendance at AGM, committee meetings and club meetings
- sends out meeting notices
- records and distributes meeting minutes
- collects, collates and tables incoming mail to committee meetings
- sends out letters on behalf of the president and/or club
- provides editor/show manager with any changes in membership status, address or email address of club members
- liaises with committee about sending out information to club members

Show Manager

- oversees the running of shows and events
- ensures tables organised and equipment needed is there
- is the contact for all complaints or issues at shows and events and helps members fill out incident reporting forms
- must keep up to date with the Constitution and all Show Rules
- welcomes the judge/s and ensures they have food and drinks and at the end of the show makes sure exhibitors show their appreciation to the judge/s
- ensure the show runs in a timely manner so as not to cause conflict with other venue users, or make the day too long for members
- takes entries and compiles catalogues
- organises judges in consultation with the committee
- collects entry fees and hands them over to the treasurer on show days
- takes scratchings and on the day entries on show days
- collates results and champion points

Media Officer

- produce a brief monthly flyer with important information for members
- operate and update the COBS website
- operate and update the COBS Social media sites
- prepare publications of interest to COBS members as time permits
- liaise with Committee members about information that needs to be distributed to members

Publicity Officer

- to liaise with the President and other Committee members to generate positive publicity for the club
- to liaise with the Fundraising Co-ordinator
- to promote and publicise COBS and the cavy fancy in a positive manner to outside organisations including the media
- all media releases will be authorised at least by the President, but preferably by the Committee and this can be done via email

22. Electing the Management Committee

- 1) A member of the 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 Committee.
- (b) The nominee 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 before the commencement of the annual general meeting at which the election is to be held;
- (c) Each member of the association present and eligible to vote at the annual general meeting may vote for 1 candidate for each vacant position on the Committee;
- (d) If, at the start of the meeting, there are not enough candidates nominated, nominations may be taken from the floor of the meeting.

2) A person may be a candidate only if the person—

- (a) Is an adult; and
- (b) Is not ineligible to be elected as a member under section 61A of the Act.

(3) The Committee must ensure that, before a candidate is elected as a member of the Committee, the candidate is advised —

- (a) Whether or not the association has public liability insurance; and
- (b) if the association has public liability insurance — the amount of the insurance

23. Functions of Management Committee

(1) Subject to these rules or a resolution of the members of the Society carried at a general meeting, the Committee has the general control and management of the administration of the affairs, property and funds of the association.

(2) The Committee has authority to interpret the meaning of these rules and any matter relating to the Society on which the rules are silent, but any interpretation must have regard to the Act, including any regulation made under the Act.

Note —

The Act prevails if the Society's rules are inconsistent with the Act—see section 1B of the Act.

(3) The Committee may exercise the powers of the Society —

- (a) To borrow, raise or secure the payment of amounts in a way the members of the Society decide; and
- (b) To secure the amounts mentioned in paragraph (a) or the payment or performance of any debt, liability, contract, guarantee or other engagement incurred or to be entered into by the Society in any way, including by the issue of debentures (perpetual or otherwise) charged upon the whole or part of the Society's property, both present and future; and
- (c) To purchase, redeem or pay off any securities issued; and

- (d) To borrow amounts from members and pay interest on the amounts borrowed; and
- (e) To mortgage or charge the whole or part of its property; and
- (f) To issue debentures and other securities, whether outright or as security for any debt, liability or obligation of the Society; and
- (g) To provide and pay off any securities issued; and
- (h) To invest in a way the members of the association may from time to time decide.

(4) For sub rule (3)(d), the rate of interest must not be more than the current rate being charged for overdrawn accounts on money lent (regardless of the term of the loan) by —

- (a) The financial institution for the Society; or
- (b) If there is more than 1 financial institution for the Society—the financial institution nominated by the Committee.

24. Meetings of Management Committee

- (1) Subject to this rule, the Committee may meet and conduct its proceedings as it considers appropriate.
- (2) The Committee must meet at least once every 4 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 management committee.
- (5) The Committee may hold meetings, or permit a committee member to take part in its meetings, by using any technology that reasonably allows the member to participate and vote.
- (6) A committee member who participates in the meeting as mentioned in sub rule (5) is taken to be present at the meeting.
- (7) A question arising at a committee meeting is to be decided by a majority vote of members of the committee present at the meeting and, if the votes are equal, the question is decided in the negative.
- (8) A member of the Committee must not vote on a question about a contract or proposed contract with the association if the member has an interest in the contract or proposed contract and, if the member does vote, the member's vote must not be counted.
- (9) The president is to preside as chairperson at a Committee meeting.
- (10) If there is no president or if the president is not present within 10 minutes after the time fixed for a Committee meeting, the vice president shall chair the meeting, if the vice president is also not present within 10 minutes after the time fixed for a Committee meeting the members may choose 1 of their number to preside as chairperson at the meeting.

25. Special Meeting of Management Committee

- (1) If the secretary receives a written request signed by at least 33% of the members of the Committee, the secretary must call a special meeting of the Committee by giving each member of the Committee notice of the meeting within 14 days after the secretary receives the request.
- (2) If the secretary is unable or unwilling to call the special meeting, the president must call the meeting.
- (3) A request for a special meeting must state —

- (a) Why the special meeting is called; and
- (b) The business to be conducted at the meeting.

(4) 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

(5) A special meeting of the Committee must be held within 14 days after notice of the meeting is given to the members of the Committee.

26. Quorum of the Management Committee

(1) A Quorum of the Committee shall consist of at least one member of the Executive plus at least two other Committee members. For Example a quorum could be the President, plus the Treasurer and Secretary; or the Secretary, plus the Editor and Show Manager; and so on.

(2) If there is no Quorum after 30 minutes from the time the meeting was meant to start, the meeting lapses.

(3) The Committee members present will decide on a new time, date and location for the meeting.

27. Committee resignations and Vacancies

(1) Any member of the Committee being absent for three consecutive meetings without a satisfactory explanation will forfeit the position and it will be declared vacant.

(2) Any member of the Committee may be removed from office for failing to perform the duties of office without a satisfactory explanation. Any member of the Committee may call a Special Meeting to decide on the matter. The position shall be forfeited if 75% of Committee members support a formal motion to remove the member.

- (a) The member may appeal this decision by writing to the Committee within 14 days of the termination decision being sent to them. The Committee will then call a Special General meeting within six weeks to hear facts relating to the decision and then vote on the Committee's decision.

(3) Any member may resign from the Committee at any time in writing and this shall take effect immediately the Secretary receives the letter.

(4) If a vacancy occurs falls within three months prior to the next AGM the position may be filled by the Committee as a Casual Vacancy. Otherwise Nominations are to be called for at the next General Meeting.

28. QCC Delegates

(1) Two COBS members will be elected at the AGM to represent the Society at the QCC and they will -

- (a) Represent COBS at QCC meetings;
- (b) Vote in accordance with the COBS majority vote on State and National issues;
- (c) Vote in the best interests of COBS members if issues arise that members have been unable to vote on;
- (d) Report back to AGM, Committee and Club meetings as necessary.

29. Minutes of Management Committee Meetings

- (1) The secretary must ensure full and accurate minutes of all questions, matters, resolutions and other proceedings of each Committee meeting are entered in a minute book.
- (2) To ensure the accuracy of the minutes, the minutes of each Committee meeting must be signed by the Chairperson of the meeting, or the Chairperson of the next Management Committee meeting, verifying their accuracy.
- (3) Given the sensitivity and confidential nature of some issues discussed by the Committee, a summary, rather than the full minutes will be released to members.

30. Special Meetings

- (1) The secretary shall have such power to call a special meeting, should the necessity arise, or if requested by the President.
- (2) The secretary may also call a special meeting when requested in writing by a minimum of 50% of Members.
- (3) All members must be notified if possible of the subject of any special meeting at least 14 days prior to the meeting date. No business other than what the meeting is being called for shall be discussed.
- (4) The secretary must ensure full and accurate minutes of all questions, matters, resolutions and other proceedings of each special meeting are entered in a minute book.

31. Quorum of a Special Meeting

- (1) A Quorum of a special meeting shall consist of at least two members of the Executive, plus two other Committee members, plus two other financial members.
- (2) If there is no Quorum after 30 minutes from the time the meeting was meant to start, the meeting lapses.
- (3) The members present will decide on a new time, date and location for the meeting.

32. General Meetings

- (1) General meetings must be held at least three times a year.
- (2) The secretary/and or editor shall advise all members of the date of a general meeting through an insertion in the newsletter and/or through any other means of communication.
- (3) All members must be notified if possible of the agenda at least 14 days prior to the general meeting.
- (4) The secretary or must ensure full and accurate minutes of all questions, matters, resolutions and other proceedings of each general meeting are entered in a minute book.

33. Quorum of a general Meeting

- (1) A Quorum of a General Meeting shall consist of at least one member of the Executive, plus two other Committee members, plus two other financial members.

(2) If there is no Quorum after 30 minutes from the time the meeting was meant to start, the meeting lapses.

(3) The members present will decide on a new time, date and location for the meeting.

34. Annual General Meeting

(1) An AGM shall be held whenever possible on the fourth Sunday in January or as per Queensland Cavy Council regulations. If the AGM cannot be held at this time it must be held within 6 months of the end of the financial year.

(2) Members shall be notified of the AGM in the Newsletter and/or by any other media available to the Society.

(3) Only financial and/or life Members may vote at the AGM.

(4) All members must be notified of the agenda at least 14 days prior to the AGM.

(5) The president appoints a Returning Officer to run the meeting after positions are declared vacant. The Returning Officer holds any proxies and ensures the election process occurs according to the Constitution.

(6) Proxies must be written and are only to be viewed by the returning officer.

(7) The secretary must ensure full and accurate minutes of all questions, matters, resolutions and other proceedings of each annual general meeting are entered in a minute book.

35. Quorum of an Annual General Meeting

(1) A Quorum of a General Meeting shall consist of the president, or the Returning Officer after positions are declared vacant, plus at least seven other financial members.

(2) If there is no Quorum after 30 minutes from the time the meeting was meant to start, the meeting lapses.

(3) The members present will decide on a new time, date and location for the meeting.

36. Business that Must be Conducted at the Annual General Meeting

(1) The following business must be conducted at each AGM of the association—

- (a) Receiving the association's financial statement, and signed statement, for the last reportable financial year;
- (b) Presenting the financial statement and signed statement to the meeting for adoption;
- (c) Electing members of the management committee.

(2) The President or Treasurer must verify the financial statements.

(a) The verification statement must state 'The Society keeps financial records in a way which properly records the Society's income and expenditure and dealings with its assets and liabilities'.

37. Minutes of General Meetings

(1) The secretary must ensure full and accurate minutes of all questions, matters, resolutions and other proceedings of each general meeting are entered in a minute book.

(2) To ensure the accuracy of the minutes —

(a) 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

(b) 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 society that is a general meeting or annual general meeting, verifying their accuracy.

(3) If asked by a member of the society, the secretary must, within 28 days after the request is made—

(a) Make the minute book for a particular general meeting available for inspection by the member at a mutually agreed time and place; and

(b) Give the member copies of the minutes of the meeting.

(4) The society may require the member to pay the reasonable costs of providing copies of the minutes.

38. District Branches Subcommittees and Specialist Groups

(1) The Committee may delegate any of its powers to a District Branch, Sub-committee or Specialist Group consisting of any Society members as it sees fit. Any such District Branch/Sub-committee/Specialist Group shall conform to any regulations, which may be imposed by the Management Committee in accordance with the Society's Constitution and By-laws.

(2) Branches, Sub-committees and Groups may only be formed under the Society's name with the approval of the Committee.

(3) A member of the Branch, Sub-Committee or Group who is not a member of the management committee is not entitled to vote at a Management Committee meeting, however -

(a) Each Branch, Sub-Committee or Group may elect a delegate or proxy delegate to attend meetings of the Committee.

(b) This delegate/proxy delegate may voice an opinion or provide suggestions on matters raised, but will be bound by the same confidentiality clauses as the rest of the Committee.

(4) A Branch, Sub-Committee or Group may elect a chairperson of its meetings.

(5) A Branch, Sub-Committee or Group may meet and adjourn as it considers appropriate.

(6) Any Branch, Sub-Committee or Group made up entirely of Junior Members shall operate under the guidance of a Committee member. The chair of the Junior Committee shall be entitled to one vote at any general, special or AGM as a representative of COBS junior members.

39. Acts not Affected by Defects or Disqualifications

(1) An act performed by the Committee, a Branch, Sub-Committee or Group or a person acting as a member of the Committee is taken to have been validly performed.

(2) Sub rule (1) applies even if the act was performed when—

- (a) There was a defect in the appointment of a member of the Committee, Branch, Sub-Committee or Group or person acting as a member of the committee; or
- (b) A Committee member, Branch, Sub-Committee or Group member or person acting as a member of the committee was disqualified from being a member.

40. Resolutions of Management Committee without Meeting

(1) A written resolution signed by each member of the Committee 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 sub rule (1) may consist of several documents in like form, each signed by 1 or more members of the committee.

41. By-laws (Rules)

(1) The Committee may make such By-laws not inconsistent with this Constitution as it may deem necessary for the proper and effective administration of the Society and may alter and repeal such By-laws.

(a) All such changes will become active upon publication in the next newsletter.

(2) A majority vote of eligible members may repeal any By-laws (Rules) at a General Meeting.

(3) All changes are to be written and attached to the current By-laws (Rules) for permanent viewing. These must include the date any change came into effect.

42. Amendments to the Constitution

(1) Amendments may be made to the Constitution by following a procedure set out as follows:

(a) The secretary must call a Special Meeting.

(b) All members must be notified in writing of the proposed Constitutional changes at least one (1) month prior to the meeting.

(c) The president (or their representative) must read out the proposed changes.

(d) Arguments for and against any proposed changes will be heard in an orderly and fair manner.

(e) Voting will be by way of a secret ballot.

(f) Counting of the ballot shall be done by the president (or their representative), and verified by two other members of the Committee.

(g) Changes must be passed by 75% of eligible members present at the meeting or who have provided their written proxy to the president or secretary prior to the meeting.

(h) Changes to the Constitution may also be made at the AGM. However any proposed change must be on the agenda and not brought up in general business.

(2) Any amendment to the Constitution is not operational until the change has been submitted to the Office of Fair Trading (or its equivalent) on the correct form with the correct fee paid.

43. Common Seal

(1) The Committee must ensure the Society has a common seal.

(2) The common seal must be—

- (a) Kept securely by the Committee; and
- (b) Used only under the authority of the Committee.

(3) Each instrument to which the seal is attached must be signed by a member of the Committee and countersigned by—

- (a) The secretary; or
- (b) another member of the Committee; or
- (c) someone authorised by the Committee

44. Financial Matters

(1) The funds of the association must be kept in an account in the name of the Society 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 Society with the Financial Year running from January 1 to December 31 each year.

(3) All amounts must be deposited in the financial institution account as soon as practicable after receipt, with the exception of any monies needed for cash purchases of trophies, judges payments, show and shop purchases that cannot be made by cheque.

(4) A payment by the Society of \$100 or more must be made by cheque, electronic funds transfer, or by cash by filling out a cash payment form signed by the recipient and any two of either the treasurer, president, secretary or show manager or designated member/s acting on any of their behalves.

(5) If a payment of \$100 or more is made by cheque, the cheque must be signed by any 2 of the following—

- (a) The president;
- (b) The secretary;
- (c) The treasurer;
- (d) The show manager

(6) However, 1 of the persons who signs the cheque must be the president, the secretary or the treasurer.

(7) Cheques, other than cheques for wages, allowances or petty cash recoupment, must be crossed not negotiable.

(8) Any petty cash must be kept on the imprest system, and the Committee must decide the amount of petty cash to be kept in the account.

(9) All expenditure must be approved or ratified at a Committee meeting or a General meeting.

(10) On behalf of the Committee, the treasurer must, as soon as practicable after the end date of each financial year, ensure a financial statement for its last reportable financial year is prepared.

(11) The income and property of the Society must be used solely in promoting the Society's objects and exercising the Society's powers.

45. Documents

The Committee must ensure the safe custody of books, documents, instruments of title and securities of the Society.

46. Dissolution of the Society and Distribution of Surplus Assets

(1) The Society shall be dissolved in the event of the membership being less than Three (3) persons.

(2) It may also be dissolved upon a 75% majority of the members present at a special meeting convened to consider the question.

(3) Any assets left after payment of all expenses and liabilities, are handed over to some Organization or Organizations with similar, or partially similar objectives of the Society.

(a) This Organization shall be determined by the members at or before the time of dissolution.

