

New South Wales Wildlife Council

Mission Statement

Achieving optimal outcomes for Australian wildlife

Objectives

The Council will:

- Act as the peak representative body for licensed wildlife rehabilitators in New South Wales.
- Foster the sharing of available resources among rehabilitators and will collect, assemble and disseminate accurate and up to date information on all aspects of wildlife care, rescue, rehabilitation and release.
- Develop State/National standards and codes of practice for both captive wildlife management and the training of rehabilitators and through education and training maximize the welfare outcomes for native animals.
- Act as an independent advisory Council to all levels of Government, business and the community on wildlife rehabilitation and habitat conservation.
- Work with equivalent councils from other states and territories towards the creation of a national wildlife rehabilitation council.
- Work for the interests and needs of wildlife rehabilitators
- Undertake such other representations, programs and activities as may, at the discretion of the Council, be considered necessary and proper.

Functions

The Council may pursue its objectives by engaging in the following:

- Establish and maintain (within the legislative and regulatory framework) codes of practice and State/National standards for wildlife care.
- Promote the registration of education and training standards for licensed wildlife rehabilitators.
- Provide considered advice on any wildlife care/rehabilitation matters where applicable.
- Promote networking and dialogue between all those involved in wildlife health and welfare.
- Represent and provide a collective voice for its constituents.
- Liaise with relevant government ministers and departments regarding the work and outcomes of the Council.
- Establish working groups or seek wider consultation to assist it in carrying out its functions as deemed necessary
- Advance and promote community awareness, interest and support for native wildlife welfare and conservation.
- Seek funding for pursuing the Council's objectives.
- Liaise with other State Councils in the creation of a National Council.

Appointment of Members Representatives

- Licensed rehabilitation groups will constitute the voting membership of the New South Wales Wildlife Council. Each licensed rehabilitator group will determine the method of appointment of the member(s) who will represent it on the Council.
- The number of representatives each licence holder is entitled to on the NWC will be one per licence and one group vote for independent licence holders. For this document the term group will also refer to independent license holders who have one group vote. Each licenced group may also nominate an alternate representative. The representative and alternate must be endorsed by the appointing group's Board or Management Committee.
- Persons will be elected by fellow NWC representatives for the positions of chair, vice-chair, secretary, treasurer, media officer, public officer, minute secretary, webmaster, fundraising officer and education officer. There shall be annual elections for these positions.
- The committee shall comprise the chair, vice-chair, secretary, treasurer and media officer. Alternates are not eligible to be committee members, but may hold other elected positions.
- The Council may, at its discretion, instigate a mechanism to allow variation to the representation entitlements of affiliated licensed carer groups and the process of representative selection.

Rules for the New South Wales Wildlife Council incorporated under the Associations Incorporation Act, 1984

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Part 1 Preliminary

1 Definitions

(1) In these rules:

Members representatives, who will comprise the voting members of the Council, are to be individuals representing organizations which are licensed by the Department of Environment and Conservation (NSW) to carry out the rescue, rehabilitation and release of native wildlife.

association means the New South Wales Wildlife Council.

Commissioner means the Commissioner of the Department of Fair Trading.

a **person** includes:

- a) a natural person;
- b) an incorporated body of persons;
- c) an unincorporated body of persons;
- d) a trust; and
- e) a body politic

secretary means:

- (a) the person holding office under these rules as secretary of the association, or
- (b) if no such person holds that office – the public officer of the association.

special general meeting means a general meeting of the association other than an annual general meeting.

the Act means the Associations Incorporation Act 1984.

the Regulation means the Associations Incorporation Regulation 1999.

the Department means the NSW Department of Environment and Conservation, which is responsible for licensing wildlife rehabilitators, or any department which assumes this responsibility in the future.

(2) In these rules:

- (a) a reference to a function includes a reference to a power, authority and duty, and
- (b) a reference to the exercise of a function includes, if the function is a duty, a reference to the performance of the duty.

(3) The provisions of the *Interpretation Act 1987* apply to and in respect of these rules in the same manner as those provisions would so apply if these rules were an instrument made under the Act.

Part 2 Membership

2 Representatives qualifications

A person is qualified to be a member's representative on the Council if, but only if:

- (a) the person is a person referred to in section 15(1) (a), (b) or (c) of the Act and has not ceased to be a member of the association at any time after incorporation of the association under the Act, or

(b) the person:

- (i) has been nominated for membership of the association as provided by rule 3, and
- (ii) has been ratified for membership of the association by majority decision of the association.

3 Nomination of representatives

- (1) A nomination of a person as a representative on the Council:
 - (a) must be made by a member of the association in writing in the form set out in Appendix 1 to these rules, and
 - (b) must be lodged with the secretary of the association.
- (2) As soon as practicable after receiving a nomination for a representative, the secretary must refer the nomination to the committee which is to determine whether to approve or reject the nomination.
- (3) As soon as practicable after the committee makes that determination, the Secretary must:
 - (a) notify the nominee, in writing, that the committee has approved or rejected the nomination (whichever is applicable), and
 - (b) if the committee approved the nomination, request the nominee to pay (within the period of 28 days after receipt by the nominee of the notification) the sum payable under these rules by a member as entrance fee and annual subscription.
- (4) the Secretary must, on payment by the nominee of the amounts referred to in clause (3) (b) within the period referred to in that provision, enter the nominee's name in the register of members and, on the name being so entered, the nominee becomes a member of the association.
- (5) No decision of the association acts to limit the freedom of any member to take action on any matter which it thinks fit. However in taking action independently of the association, a member shall not use the association's name or purport to represent the association in any way.
- (6) No person other than a member of the committee or a person authorised by it to do so, shall make any public statement on behalf of the association.

4 Cessation of representation

A person ceases to be a representative to the association if the person:

- (a) dies;
- (b) resigns membership;
- (c) is expelled from the association; or
- (d) if a body of persons, is wound up, dissolved or disassociated in any way or becomes insolvent under administration within the meaning of the *Corporations Act 2001* of the Commonwealth,

5 Membership entitlements not transferable

A right, privilege or obligation which a person has by reason of being a member of the association:

- (a) is not capable of being transferred or transmitted to another person, and
- (b) terminates on cessation of the person's membership.

6 Resignation of membership

- (1) A member of the association is not entitled to resign that membership except in accordance with this rule.
- (2) A member of the association who has paid all amounts payable by the member to the association in respect of the member's membership may resign from membership of the association by first giving to the secretary written notice of at least one month (or such other period as the committee may determine) of the member's intention to resign and, on the expiration of the period of notice, the member ceases to be a member.
- (3) If a member of the association ceases to be a member under clause (2), and in every other case where a member ceases to hold membership, the secretary must make an appropriate entry in the register of members recording the date on which the member ceased to be a member.

7 Register of members and representatives

- (1) The secretary of the association must establish and maintain a register of members of the association, and their respective representatives specifying the name and address of each representative and the name of their member group together with the date on which the membership commenced. The Public Officer must hold an up to date copy of the register.
- (2) The register of members must be kept at the principal place of administration of the association and must be open for inspection, free of charge, by any member of the association at any reasonable hour.
- (3) A member of the association may obtain a copy of any part of the register on payment of a fee of \$1 for each page copied or, if some other amount is determined by the committee, that other amount.

8 Fees and subscriptions

- (1) A member of the association must, on admission to membership, pay to the association a fee of \$1 or, if some other amount is determined by the committee, that other amount.
- (2) In addition to any amount payable by the member under clause (1), a member of the association must pay to the association an annual membership fee of \$2 or, if some other amount is determined by the committee, that other amount:
 - (a) except as provided by paragraph (b), before 1 July in each calendar year, or
 - (b) if the member becomes a member on or after 1 July in any calendar year – on becoming a member and before 1 July in each succeeding calendar year.

9 Members' liabilities

The liability of a member of the association to contribute towards the payment of the debts and liabilities of the association or the costs, charges and expenses of the winding up of the association is limited to the amount, if any, unpaid by the member in respect of membership of the association as required by rule 8.

10 Resolution of internal disputes

- (1) Disputes between members representatives (in their capacity as members) of the association, and disputes between members representatives and the association, are to be referred to a community justice centre for mediation in accordance with the *Community Justice Centres Act 1983*.
- (2) At least 7 days before a mediation session is to commence, the parties are to exchange statements of the issues that are in dispute between them and supply copies to the mediator.

11**Disciplining of representatives**

- (1) A complaint may be made to the committee by any person that a representative to the association:
 - (a) has persistently refused or neglected to comply with a provision or provisions of these rules, or
 - (b) has persistently and wilfully acted in a manner prejudicial to the interests of the association.

- (2) On receiving such a complaint, the committee:
 - (a) must cause notice of the complaint to be served on the representative concerned;
 - (b) must give the representative at least 14 days from the time the notice is served within which to make submissions to the committee in connection with the complaint;
 - (c) must take into consideration any submissions made by the representative in connection with the complaint; and

- (3) The committee may, by resolution, expel the representative from the council or suspend the representative from the council if, after considering the complaint and any submissions made in connection with the complaint, it is satisfied that the facts alleged in the complaint have been proved.

- (4) If the committee expels or suspends a representative, the secretary must, within 7 days after the action is taken, cause written notice to be given to the representative of the action taken, of the reasons given by the association for having taken that action and of the representative's right of appeal under rule 12.

- (5) The expulsion or suspension does not take effect:
 - (a) until the expiration of the period within which the representative is entitled to appeal against the resolution concerned, or
 - (b) if within that period the representative exercises the right of appeal, unless and until the association confirms the resolution under rule 12(5), whichever is the later.

12**Right of appeal of disciplined representative**

- (1) A representative may appeal to the association in general meeting against a resolution of the committee under rule 11, within 7 days after notice of the resolution is served on the representative by lodging with the secretary a notice to that effect.

- (2) The notice may, but need not, be accompanied by a statement of the grounds on which the representative intends to rely for the purposes of the appeal.

- (3) On receipt of a notice from a representative under clause (1), the secretary must notify the committee, which is to convene a general meeting of the association to be held within 28 days after the date on which the secretary received the notice.

- (4) At a general meeting of the association convened under clause (3):
 - (a) no business other than the question of the appeal is to be transacted, and
 - (b) the committee and the representative must be given the opportunity to state their respective cases orally or in writing, or both, and
 - (c) the representatives present are to vote by secret ballot on the question of whether the resolution should be confirmed or revoked.

- (5) If at the general meeting the association passes a special resolution in favour of the confirmation of the resolution, the resolution is confirmed.

13 Disciplining members.

If the majority of the council membership finds that the actions of a member group are incompatible with the aims, objectives or values of the Council, then a process of negotiation between the Council and the group in question may be initiated to resolve the matter. If the issue cannot be resolved within a reasonable time frame (IE within 90 days), a group may have its membership revoked by a majority of not less than 75% of the council members. Such an action is a serious matter, and would not be entered into lightly

Part 3 The committee

14 Powers of the committee

The committee will be the committee of management of the association and, subject to the Act, the Regulation and these rules and to any resolution passed by the association in general meeting:

- (a) is to control and manage the affairs of the association, and
- (b) may exercise all such functions as may be exercised by the association, other than those functions that are required by these rules to be exercised by a general meeting of members of the association, and
- (c) has power to perform all such acts and do all such things as appear to the committee to be necessary or desirable for the proper management of the affairs of the association.

15 Constitution and membership

- (1) Subject in the case of the first members of the committee to section 21 of the Act, the committee is to consist of:
 - (a) the office-bearers of the association
- (2) The office-bearers of the association are to be:
 - (a) the chair
 - (b) the vice-chair
 - (c) the treasurer,
 - (d) the secretary and
 - (e) the media officer
- (3) Each member of the committee is, subject to these rules, to hold office until the conclusion of the annual general meeting following the date of the member's election, but is eligible for re-election.
- (4) In the event of a casual vacancy occurring in the membership of the committee, the committee may appoint a member of the association to fill the vacancy and the member so appointed is to hold office, subject to these rules, until the conclusion of the annual general meeting next following the date of the appointment.

16 Election of members

- (1) Nominations of candidates for election as office-bearers of the association
 - (a) must be made in writing, signed by 2 members of the association and accompanied by the written consent of the candidate (which may be endorsed on the form of the nomination), and

- (b) must be delivered to the secretary of the association at least 7 days before the date fixed for the holding of the annual general meeting at which the election is to take place.
- (2) If insufficient nominations are received to fill all vacancies on the committee, the candidates nominated are taken to be elected and further nominations are to be received at the annual general meeting.
- (3) If insufficient further nominations are received, any vacant positions remaining on the committee are taken to be casual vacancies.
- (4) If the number of nominations received is equal to the number of vacancies to be filled, the persons nominated are taken to be elected.
- (5) If the number of nominations received exceeds the number of vacancies to be filled, a ballot is to be held.
- (6) The ballot for the election of office-bearers is to be conducted at the annual general meeting in such usual and proper manner as the committee may direct.

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Secretary

- (1) the secretary of the association must, as soon as practicable after being appointed as secretary, lodge notice with the association of his or her address.
- (2) It is the duty of the secretary to ensure minutes are kept of:
 - (a) all appointments of office-bearers
 - (b) the names of members of the committee present at a committee meeting or a general meeting, and
 - (c) all proceedings at committee meetings and general meetings.
- (3) Minutes of proceedings at a meeting must be signed by the chairperson of the meeting or by the chairperson of the next succeeding meeting.

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Treasurer

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.

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Casual vacancies

For the purposes of these rules, a casual vacancy in the office of a member of the committee occurs if the member:

- (a) dies, or
- (b) ceases to be a member of the association, or
- (c) becomes an insolvent under administration within the meaning of the *Corporations Act 2001* of the Commonwealth, or
- (d) resigns office by notice in writing given to the secretary, or
- (e) is removed from office under rule 19, or
- (f) becomes a mentally incapacitated person, or
- (g) is absent without the consent of the committee from three consecutive meetings of the committee.

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Removal of member

- (1) The association in general meeting may by resolution remove any member of the committee from the office of member before the expiration of the member's term of office and may by resolution appoint another person to hold office until the expiration of the term of office of the member so removed.
- (2) If a member of the committee to whom a proposed resolution referred to in clause (1) relates makes representations in writing to the secretary or president (not exceeding a reasonable length) and requests that the representation be notified to the members of the association, the secretary or the president may send a copy of the representations to each member of the association or, if the representations are not so sent, the member is entitled to require that the representations be read out at the meeting at which the resolution is considered.

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Meetings and quorum

- (1) The committee must meet at least 3 times in each period of 12 months at such place and time as the committee may determine.
- (2) Committee meetings may be held in conjunction with general meetings of the association.
- (3) Additional meetings of the committee may be convened by the President or by any member of the committee.
- (4) Oral or written notice of a meeting of the committee must be given by the secretary to each member of the committee at least two weeks (or such other period as may be unanimously agreed on by the members of the committee) before the time appointed for the holding of the meeting.
- (5) Notice of a meeting given under clause (3) must specify the general nature of the business to be transacted at the meeting and no business other than that business is to be transacted at the meeting, except business which the committee members present at the meeting agree to by majority vote to treat as urgent business.
- (6) Any 3 members of the committee constitutes a quorum for the transaction of the business of a meeting of the committee.
- (7) No business is to be transacted by the committee unless a quorum is present. If after half an hour of the time appointed for the meeting a quorum is not present, the meeting may proceed but any resolutions passed shall not be valid until ratified by a majority of the committee which may be achieved by telephone, mail or email.
- (8) At a meeting of the committee:
 - (a) the president or, in the president's absence, the vice-president is to preside, or
 - (b) if the president and the vice-president are absent or unwilling to act, such one of the remaining members of the committee as may be chosen by the members present at the meeting is to preside.

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Delegation by committee to sub-committee

- (1) The committee may, by instrument in writing, delegate to one or more sub-committees (consisting of such member or members of the association or such persons as a majority of the committee thinks fit) the exercise of such of the functions of the committee as are specified in the instrument, other than:
 - (a) this power of delegation, and
 - (b) a function which is a duty imposed on the committee by the Act or by any other law.

- (2) A function the exercise of which has been delegated to a sub-committee under this rule may, while the delegation remains unrevoked, be exercised from time to time by the sub-committee in accordance with the terms of the delegation.
- (3) A delegation under this section may be made subject to such conditions or limitations as to the exercise of any function, or as to time or circumstances, as may be specified in the instrument of delegation.
- (4) Despite any delegation under this rule, the committee may continue to exercise any function delegated.
- (5) Any act or thing done or suffered by the sub-committee acting in the exercise of a delegation under this rule has the same force and effect as it would have if it had been done or suffered by the committee.
- (6) The committee may, by instrument in writing, revoke wholly or in part any delegation under this rule.
- (7) A sub-committee may meet and adjourn, as it thinks proper.

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Voting and decisions

- (1) Questions arising at a meeting of the committee or of any sub-committee appointed by the committee are to be determined by a majority of the votes of members of the committee or sub-committee present at the meeting.
- (2) Each member present at a meeting of the committee or of any sub-committee appointed by the committee (including the person presiding at the meeting) is entitled to one vote but, in the event of an equality of votes on any question, the person presiding may exercise a second or casting vote.
- (3) Alternates present at meetings may contribute to discussion and move and second motions, but may not vote unless the member, for whom they are an alternate, is absent.
- (4) Subject to rule 20(6) and rule 20(7), the committee may act despite any vacancy on the committee.
- (5) Any act or thing done or suffered, or purporting to have been done or suffered, by the committee or by a sub-committee appointed by the committee, is valid and effectual despite any defect that may afterwards be discovered in the appointment or qualification of any member of the committee or sub-committee.

Part 4 General meeting

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Annual general meetings – holding of

- (1) With the exception of the first annual general meeting of the association, the association must, at least once in each calendar year and within the period of 6 months after the expiration of each financial year of the association, convene an annual general meeting of its members.
- (2) The association must hold its first annual general meeting:
 - (a) within the period of 18 months after its incorporation under the Act, and
 - (b) within the period of 6 months after the expiration of the first financial year of the association.
- (3) Clauses (1) and (2) have effect subject to any extension or permission granted by the Commissioner under section 26(3) of the Act.

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Annual general meetings – calling of and business at

- (1) The annual general meeting of the association is, subject to the Act and to rule 23, to be convened on such date and at such place and time as the committee thinks fit.

- (2) In addition to any other business which may be transacted at an annual general meeting, the business of an annual general meeting is to include the following:
 - (a) to confirm the minutes of the last preceding annual general meeting and of any special general meeting held since that meeting,
 - (b) to receive from the committee reports on the activities of the association during the last preceding financial year,
 - (c) to elect office-bearers of the association and any other non-executive positions that become necessary from time to time,
 - (d) to receive and consider the statement which is required to be submitted to members under section 26(6) of the Act.
- (3) An annual general meeting must be specified as such in the notice convening it.

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Special general meetings – calling of

- (1) The committee may, whenever it thinks fit, convene a special general meeting of the association.
- (2) The committee must, on the requisition in writing of at least 25 per cent of the total number of members, convene a special general meeting of the association.
- (3) A requisition of members for a special general meeting:
 - (a) must state the purpose or purposes of the meeting, and
 - (b) must be signed by the members making the requisition, and
 - (c) must be lodged with the Secretary, and
 - (d) may consist of several documents in a similar form, each signed by one or more of the members making the requisition.
- (4) If the committee fails to convene a special general meeting to be held within 1 month after that date on which a requisition of members for the meeting is lodged with the secretary, any one or more of the members who made the requisition may convene a special general meeting to be held not later than 3 months after that date.
- (5) A special general meeting convened by a member or members as referred to in clause (4) must be convened as nearly as is practicable in the same manner as general meetings are convened by the committee and any member who consequently incurs expenses, for which they would normally be reimbursed, is entitled to be reimbursed by the association for any expense so incurred.

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Notice

- (1) Except if the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the association, the secretary must, at least 14 days before the date fixed for the holding of the general meeting, give a notice to each member specifying the place, date and time of the meeting and the nature of the business proposed to be transacted at the meeting.
- (2) If the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the association, the secretary must, at least 21 days before the date fixed for the holding of the general meeting, cause notice to be given to each member specifying, in addition to the matter required under clause (1), the intention to propose the resolution as a special resolution.
- (3) No business other than that specified in the notice convening a general meeting is to be transacted at the meeting except, in the case of an annual general meeting, business which may be transacted under rule 24(2).
- (4) A member desiring to bring any business before a general meeting may give notice in writing of that business to the secretary who must include that business in the next notice calling a general meeting given after receipt of the notice from the member.

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Procedure

- (1) No item of business is to be transacted at a general meeting unless a quorum of members entitled under these rules to vote is present during the time the meeting is considering that item.
- (2) 50% of association members present in person (being members entitled under these rules to vote at a general meeting) constitute a quorum for the transaction of the business of a general meeting. Alternates standing in for members will count towards the quorum.
- (3) If after half an hour after the appointed time for the commencement of a general meeting a quorum is not present, the meeting may proceed with any resolutions or decisions passed being invalid until and unless they are approved by a majority of members entitled to vote at a general meeting.

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Presiding member

- (1) The president or, in the president's absence, the vice-president, is to preside as chair at each general meeting of the association.
- (2) If the president and the vice-president are absent or unwilling to act, the members present must elect one of their number to preside as chair at the meeting.

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Adjournment

- (1) The chair of a general meeting at which a quorum is present may, with the consent of the majority of members present at the meeting, adjourn the meeting from time to time and place to place, but no business is to be transacted at an adjourned meeting other than the business left unfinished at the meeting at which the adjournment took place.
- (2) If a general meeting is adjourned for 14 days or more, the secretary must give written or oral notice of the adjourned meeting to each member of the association stating the place, date and time of the meeting and the nature of the business to be transacted at the meeting.
- (3) Except as provided in clauses (1) and (2), notice of an adjournment of a general meeting or of the business to be transacted at an adjourned meeting is not required to be given.

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Making of decisions

- (1) A question arising at a general meeting of the association is to be determined on a show of hands and, unless before or on the declaration of the show of hands a poll is demanded, a declaration by the chair that a resolution has, on a show of hands, been carried or carried unanimously or carried by a particular majority or lost, or an entry to that effect in the minute book of the association, is evidence of the fact without proof of the number or proportion of the votes recorded in favour of or against that resolution.
- (2) At a general meeting of the association, a poll may be demanded by the chair or by at least 3 members present in person.
- (3) If a poll is demanded at a general meeting, the poll must be taken;
 - (a) immediately in the case of a poll which relates to the election of the chair of the meeting or to the question of an adjournment, or
 - (b) in any other case, in such manner and at such time before the close of the meeting as the chair directs,

and the resolution of the poll on the matter is taken to be the resolution of the meeting on that matter.

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Special resolution

A resolution of the association is a special resolution:

- (a) if it is passed by a majority which comprises at least three-quarters of such members of the association as, being entitled under these rules so to do, vote in person or by proxy at a general meeting of which at least 21 days' written notice specifying the intention to propose the resolution as a special resolution was given in accordance with these rules, or
- (b) where it is made to appear to the Commissioner that it is not practicable for the resolution to be passed in the manner specified in paragraph (a) if the resolution is passed in a manner specified by the Commissioner.

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Voting

- (1) On any question arising at a general meeting of the association a member has one vote only.
- (2) All votes must be given personally or by proxy but no member may hold more than 2 proxies.
- (3) In the case of an equality of votes on a question at a general meeting, the chairperson of the meeting is entitled to exercise a second or casting vote.
- (4) A member or proxy is not entitled to vote at any general meeting of the association unless all money due and payable by the member or proxy to the association has been paid, other than the amount of the annual subscription payable in respect of the then current year.

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Appointment of proxies

- (1) Each member is to be entitled to appoint another member as proxy by notice given to the secretary or president, no later than 48 hours before the time of the meeting in respect of which the proxy is appointed.
- (2) The notice appointing the proxy is to be in the form set out in Appendix 2 to these rules.
- (3) Proxies will only be accepted when appointed in respect of a specific matter and that specific matter is notified to the secretary or president (as the case may be) at the time of appointment of the proxy.
- (4) Proxy votes will only be accepted from any member for a maximum of two consecutive meetings.
- (5) A proxy will not be accepted from a member whose alternate is present at a meeting.

Part 5 Miscellaneous

35

Insurance

The association may effect and maintain insurance.

36

Funds – source

- (1) The funds of the association are to be derived from entrance fees and annual subscriptions of members, donations and, subject to any resolution passed by the association in general meeting, such other sources as the committee determines.
- (2) All money received by the association must be deposited as soon as practicable and without deduction to the credit of the association's bank account.
- (3) The association must, as soon as practicable after receiving any money, issue an appropriate receipt.

37

Funds – management

- (1) Subject to any resolution passed by the association in general meeting, the funds of the association are to be used in pursuance of the objects of the association in such manner as the committee determines.
- (2) All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments must be signed by any 2 members of the committee being members authorised to do so by the committee.

38 Alteration of objects and rules

The statement of objects and these rules may be altered, rescinded or added to only by a special resolution of the association.

39 Common seal

- (1) The common seal of the association must be kept in the custody of the public officer.
- (2) The common seal must not be affixed to any instrument except by the authority of the committee and the affixing of the common seal must be attested by the signatures either of 2 members of the committee or of 1 member of the committee and of the public officer.

40 Custody of books

Except as otherwise provided by these rules, the public officer must keep in his or her custody or under his or her control all records, books and other documents relating to the association.

41 Inspection of books

The records, books and other documents of the association must be open to inspection, free of charge, by a member of the association at any reasonable hour.

42 Service of notices

- (1) For the purpose of these rules, a notice may be served on or given to a person:
 - (a) by delivering it to the person personally, or
 - (b) by sending it by pre-paid post to the address of the person, or
 - (c) by sending it by facsimile transmission or some other form of electronic transmission to an address specified by the person for giving or serving the notice.
- (2) for the purpose of these rules, a notice is taken, unless the contrary is proved, to have been given or served:
 - (a) in the case of a notice given or served personally, on the date on which it is received by the addressee, and
 - (b) in the case of a notice sent by pre-paid post, on the date when it would have been delivered in the ordinary course of post, and
 - (c) in the case of a notice sent by facsimile transmission or some other form of electronic transmission, on the date it was sent, or if the machine from which the transmission was sent produces a report indicating that the notice was sent on a later date, on that date.

43 Member representatives

If a member is a body of persons or not a natural person, then that member, for the purposes of exercising and participating in the functions and activities of the association, is to be represented by a person duly authorised by that body of persons, as the case may be, to so represent that member.

Appendix 1

(Rule 3 (1))

APPLICATION FOR MEMBERSHIP OF ASSOCIATION

..... Incorporated (incorporated under the *Associations Incorporation Act 1984*.)

.....
(*name of individual or organisation as appropriate*)

of.....
(*address of individual or place of business of organisation*)

apply to become a member of the above named incorporated association.

In the event of admission as a member, I/[name of organisation] agree/s to be bound by the rules of the association for the time being in force.

.....
Signature

or

Signed for and on behalf of [*the applicant organisation*]

.....

.....

Date.....

.....

I, [*or organisation*], a member of the association, nominate the applicant/applicant organisation, for membership of the association.

Signed for and on behalf of [*name of member organisation*]

or

Signature

Date.....

I, [*or organisation*] a member of the association, second the nomination of the applicant/applicant organisation, for membership of the association..

Signed for and on behalf of [*name of member organisation*]

or

Signature

Date.....

Appendix 2

(Rule 33 (2))

FORM OF APPOINTMENT OF PROXY

I, of
(full name) *(address)*

being a member of the New South Wales Wildlife Council

hereby appoint of
(full name of proxy) *(address)*

being a member of the New South Wales Wildlife Council, as my proxy to vote for me on my behalf at the general meeting of the association (annual general meeting or special general meeting, as the case may be) to be held on the

.....day of.....
(month and year)

and at any adjournment of that meeting.

* My proxy is authorised to vote in favour of/against (delete as appropriate) the resolution or election (insert details).

.....
.....
.....
.....
.....

.....
Signature of member appointing proxy

Date.....

NOTE: A proxy vote may not be given to a person who is not a member of the association.
Only proxies appointed in respect of specific notified matters in accordance with cl 34(3) will be accepted.
A proxy must be notified to the secretary or president at least 48 hours prior to the relevant meeting date.