

## AUSTRALIAN CANOEING INC (“AC”)

## BYLAW 20

## NEW CATEGORIES OF MEMBERS BYLAW

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**1. APPLICATION**

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- 1.1. In accordance with Rule 34.1 of the Australian Canoeing Constitution, the following By-Law is adopted by the Australian Canoeing Board.
- 1.2. This New Categories of Members By-Law sets out the new categories of Members, created in accordance with Rule 7.2 of the Australian Canoeing Constitution.

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**2. DEFINITIONS**

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In this Bylaw, the following words have the following respective meanings:

<b>“Act”</b>	“means the Associations Incorporation Act 1991 (ACT) or any other act under which Australian Canoeing may be incorporated from time to time.
<b>“Associated Organisation”</b>	means an organisation (whether incorporated, unincorporated or otherwise) which has an interest in canoeing
<b>“Board”</b>	means the AC Board of Directors.
<b>“General Manager “</b>	means the General Manager of AC or their nominee from time to time.
<b>“Individual Member”</b>	means a registered financial individual member of an Associated Organisation.

Words not defined in this By-Law have the meaning ascribed to them in the Constitution of the AC unless a contrary meaning appears from the context.

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**3. NEW CATEGORIES OF MEMBERS**

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- 3.1. Associated Organisation Membership
- An Associated Organisation, who subject to the AC Constitution, may appoint a representative to attend General Meetings, but have no right to debate or vote at General Meetings.
  - To be eligible for membership, an Associated Organisation must be incorporated or in the process of incorporation, which process shall be complete within 2 years of applying for membership under this Bylaw.
  - For such time as an Associated Organisation is not incorporated, the secretary of any such unincorporated Associated Organisation shall be deemed to be the Member (on behalf of the unincorporated Associated Organisation), and shall be entitled to exercise the same voting and other rights and have the same obligations and shall follow such procedures on behalf of the unincorporated Associated Organisation as incorporated Associated Organisations, to the extent that this is possible.
  - To be eligible for membership, an Associated Organisation must have members in at least two states.
  - Any dispute or uncertainty as to the application of this Bylaw to an unincorporated Associated Organisation shall be resolved by the Board in its sole discretion.

- (f) Failure to incorporate within the period stated in **Rule 3.1(b)** shall result in the expulsion of the secretary (acting on behalf of the unincorporated Associated Organisation) from membership. The unincorporated associated organisation shall not be entitled to re-apply for membership until such time as it is incorporated.

#### **4. APPLICATION FOR MEMBERSHIP**

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An application for associated organisation membership must be:

- 4.1. in writing on the form prescribed from time to time by the Board, from the applicant or its nominated representative and lodged with Australian Canoeing;
- 4.2. accompanied by a copy of the applicant's constitution (which must be acceptable to Australian Canoeing and be substantially in conformity with the Australian Canoeing Constitution) and register of members; and
- 4.3. accompanied by the appropriate fee, if any.

#### **5. DISCRETION TO ACCEPT OR REJECT APPLICATION**

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- 5.1. Australian Canoeing may accept or reject an application and shall not be required or compelled to provide any reason for such acceptance or rejection.
- 5.2. Where Australian Canoeing accepts an application, the applicant shall become a Member. Membership of Australian Canoeing shall be deemed to commence upon acceptance of the application by Australian Canoeing. The General Manager shall amend the register accordingly as soon as practicable.
- 5.3. Where Australian Canoeing rejects an application Australian Canoeing shall refund any fees forwarded with the application and the application shall be deemed rejected by Australian Canoeing.

#### **6. MEMBERSHIP RENEWAL**

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In order to remain members of Australian Canoeing, Associated Organisations must:

- 6.1. remain registered financial members of Australian Canoeing in accordance with the procedures set out in the Constitution; and
- 6.2. must pay the annual fees prescribed by Australian Canoeing from time to time (if any) to Australian Canoeing.

#### **7. ASSOCIATED ORGANISATION CONSTITUTIONS**

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- 7.1. Upon request by Australian Canoeing, an Associated Organisation must lodge with Australian Canoeing an updated copy of its constitution (including all amendments) and provide any other information reasonably required by Australian Canoeing.

#### **7.2. Compliance of Associated Organisations**

The Associated Organisations acknowledge and agree that each of them shall:

- (a) provide Australian Canoeing with copies of its audited accounts, annual report and other associated documents within 30 days of such request by Australian Canoeing;
- (b) recognise Australian Canoeing as the national peak body for the sport of canoeing in Australia;
- (c) generally, have regard to the objects of Australian Canoeing, and in particular the object

to create a single uniform entity for the conduct, promotion, encouragement and administration of the sport of canoeing, in any matters of the Associated Organisation pertaining to the sport of canoeing; and

- (d) abide by this Bylaw and the Australian Canoeing Constitution.

7.3. Availability of Associated Organisation Constitution

The constituent documents of each Associated Organisation shall, at the earliest available opportunity, but by 1<sup>st</sup> November 2005, recognise Australian Canoeing as the national peak body for the sport of canoeing in Australia, and their respective objects.

7.4. Associated Organisation Register

- (a) The Associated Organisation shall, whenever requested by Australian Canoeing, provide to Australian Canoeing, such details of Individual Members as are required by Australian Canoeing under this Bylaw.
- (b) Each Associated Organisation shall maintain, in a form and with such details as are acceptable to Australian Canoeing, a register of all Individual Members of the Associated Organisation. Each Associated Organisation shall provide a copy of the register at a time and in a form acceptable to Australian Canoeing, and shall provide prompt and regular updates of the register to Australian Canoeing when requested by Australian Canoeing.

**Adopted by the Australian Canoeing Board on 15<sup>th</sup> March 2003.**