

SKYHAWKS AERO MODELLERS INCORPORATED
CONSTITUTION 22 June 2019

1. TITLE

The official name of the Incorporated Association shall be "SKYHAWKS AERO MODELLERS INCORPORATED" hereinafter called the Association.

2. DEFINITIONS.

In these rules unless the contrary intention appears -

'Committee' means a quorum of financial members present at any scheduled meeting;

'meeting' means a general meeting of members of the Association convened in accordance with these rules;

'Executive' means the duly elected President, Secretary and Treasurer.

'member' means a financial member of the Association;

'Act' means the Associations Incorporation Act, 1985;

'Regulations' means the Associations Incorporation Regulations, 2008.

3. OBJECTS AND PURPOSES

The objects of the Association shall be:

- A. The promotion and encouragement of model aircraft building and model aircraft flying in all aspects.
- B. To assist and guide all members but in particular, younger members and newcomers in this hobby.
- C. To organize and conduct competitions for members (where applicable) in all facets of aero modelling.
- D. To arrange demonstrations of flying models to stimulate and foster the interest of the public in general.
- E. To affiliate with the Model Aerospport South Australia Incorporated and to co-operate with this body when in the perceived best interest of the Association by the committee of the Association.
- F. That decisions made by the Association shall be guided and influenced by the Rules, Regulations and By-laws of the Model Aerospport South Australia Incorporated, the Model Aeronautical Association of Australia Incorporated, and Local, State and Federal Government Departments.

4. POWERS

The Association shall have the powers to:

- A. Acquire, hold, deal with, and dispose of, any real or personal property;
- B. Administer any property on trust;
- C. Open and operate bank accounts;
- D. Invest it's money in any security in which trust moneys may, by act of parliament be invested;
- E. Borrow money upon such terms and conditions as the Association thinks fit;
- F. Appoint agents to transact any business of the Association on its behalf, and
- G. Enter into any other contract it considers necessary or desirable.

5. MEMBERSHIP

A. The Association shall consist of Honorary Life Members and Active members.

B. General Membership will consist of the following categories.

Membership in any of the following categories will be provisional for the first 12 (twelve) months.

Provisional and Associate members shall not have voting rights, propose or second motions or have the right to hold office:

- (1) **Junior Member** being a person who has not attained the age of 18 years on the first day of June of the year for which the subscription is due.
- (2) **Pensioner Member** being a person who on the first day of June of the year for which the subscription is due possesses a current and valid pensioner entitlement card as issued by the relevant Government authority. Such a card must be made available for inspection by the Secretary or Treasurer of the Association.
- (3) **Senior Member** being all other persons eligible for membership.
- (4) **Associate Member** A person affiliated with the Model Aeronautical Association of Australia Incorporated as a full member of another club and who can provide proof of association until the end of the current membership year.

C. The annual fees for Members shall be determined at the Annual General Meeting.

- (1) Such fees shall be paid before 30 June or the member shall be deemed to be non-financial.

D. Any joining fee payable by new members and the method by which that fee is to be levied may be determined or altered at The Annual General Meeting.

E. Except as provided for Associate and Provisional members elsewhere in this Constitution every financial member will have the privilege of:

- (1) Moving or seconding any motion.
- (2) Voting and discussions on any matter before the Chair. Any person may enter into any relevant discussion before the Chair at the discretion of the Chairperson.
- (3) Holding any office in the Association

F. A Member wishing to resign shall give written notice to the Secretary and shall remain liable to the Association for amounts due and outstanding at the date thereof.

G. Any member over three months in arrears with fees shall cease to be a member of the Association but shall be liable to the Association for all amounts due and outstanding at that date.

H. New members

- (1) Application for membership of the Association shall be submitted in writing on the prescribed application form and shall be accompanied by the appropriate fee which shall be the full Model Aerosport South Australia Incorporated fee, plus the joining fee, if any, and the membership fee as determined at the preceding Annual General Meeting.
- (2) The applicant shall be present at a normal Association meeting where he/she may be nominated and seconded by financial members. Any new member must be acceptable to two thirds of the members present at the meeting when the application is submitted for acceptance as a Provisional Member
- (3) When the application and fees have been accepted by the Association, the applicant shall become a PROVISIONAL MEMBER for a period of 12 (twelve) months.
- (4) Provisional members shall not have voting rights, propose or second motions or hold office. Applicants not accepted shall have all monies paid as fees refunded.
- (5) Provisional Members who qualify for full membership must be acceptable to two thirds of the members present at the meeting when the application for full membership is submitted for acceptance.
- (6) If the application for full membership is not accepted by the required majority, the applicant shall be notified in writing and all fees will be returned after deducting a proportion representing the period of provisional membership enjoyed, minus the Model Aerosport South Australia Incorporated affiliation fees.

I. Honorary Life Members

- (1) Honorary life membership may be conferred from time to time on any person of the Association who has given such service or brought honour and prestige to the Association by outstanding achievement to warrant this honour.
- (2) The conferring of Honorary Life Membership must be recommended to an Annual General Meeting or Special General Meeting called for this purpose.
- (3) Honorary Life Membership shall be conferred where the recommendation is accepted by a three-fourths Majority of those financial members attending and voting.
- (4) Honorary Life Members will not be required to pay any fees or levies to the Association (except any portion which represents fees due for affiliation to the Model Aerosport South Australia Incorporated and the Model Aeronautical Association of Australia Incorporated as from the date of their election to such status.

6. THE COMMITTEE

From the adoption of this constitution, the administration of the Association shall be vested in a committee known as the 'Committee of the Association'

The 'Committee of the Association' shall comprise at least one office bearer plus a quorum of financial members at any scheduled meeting.

7. OFFICE BEARERS

The following Officers of the Association shall be elected by simple majority at the Annual General Meeting:-

- 1 President
- 2 Vice President
- 3 Secretary
- 4 Treasurer

- A. All the foregoing officers shall retire annually, but shall be eligible for re-election.
- B. The PUBLIC OFFICER will be appointed by the Committee and will hold office until replaced.
- C. The Committee shall elect two delegates to represent the Association at meetings of the Model Aerosport South Australia Incorporated. The Delegates shall represent the policies of the Association which shall be determined by the Committee.
- D. The Committee shall meet bi-monthly for the dispatch of business. A special Committee meeting may be convened by any two of the Executive to attend to urgent matters if they arise outside the scheduled committee meetings.
- E. In the event of a casual vacancy occurring in the Office Bearers of the Association, the position can be filled by appointment passed at a normal Meeting and such Office Bearers will hold Office until the next Annual General Meeting.
- F. No Office Bearer shall be under legal age of majority.

8. EXPULSION OF A MEMBER

A. Conduct

- (1) The executive committee may recommend punishment, penalty or expulsion from the association any member whose conduct in the opinion of the executive is discreditable, injurious or detrimental to the character of the association, or who fails to comply with any request or direction or decision of official or judge.
- (2) Before any member is expelled or otherwise punished or penalised his/her conduct shall be inquired into by the executive and the member shall be given the opportunity to defend his/her actions and to justify or explain his/her conduct before the members of the association at a Special General meeting. A secret ballot of the members present shall be conducted with a two-thirds majority required to confirm the member's penalty or expulsion. In the event of an adverse determination membership of the association will cease immediately.
- (3) Particulars of the charge shall be communicated to the member in writing by registered post, addressed to the members postal address as recorded in the clubs register of members at least 21 days before the Special General

meeting at which the matter will be determined. In the event the registered letter is returned undelivered or the member fails to appear at the Special General meeting, it shall be deemed that the member has resigned.

- (4) No membership fees will be refunded and no appeal will be considered.

9. MEETINGS

- A. The Annual General Meeting of the Association shall be held during June of each year on a date to be decided by the Committee. All financial members will be advised by the Secretary in writing of the date, place and agenda at least fourteen (14) days prior to the meeting.
- B. Normal Meetings shall be held bi- monthly at times to be decided by the members at the previous normal meeting.
- C. A Special General Meeting shall be convened by the Secretary on a requisition of four association members. The object or objects of the meeting shall be stated in the requisition and fourteen (14) days clear notice of the Meeting will be given by the Secretary in writing to all financial Association members. A Special General Meeting shall be held within twenty eight (28) days of receipt by the Secretary of such requisition.
- D. A Quorum for the Annual General Meeting or Special General Meeting shall be not less than one fifth of the total number of financial members recorded on the roll of members at the date of the meeting.
- E. A Quorum for a Normal Meeting will not be less than one tenth of the total number of financial members recorded on the roll of members as at the date of the meeting.

10. MINUTES

- A. Proper minutes of all meetings of the Association shall be entered in minute books kept for the purpose within one month after the relevant meeting.
- B. The minutes kept pursuant to this rule shall be signed by the chairperson of the meeting at which the proceedings took place or by the chairperson of the next succeeding meeting.
- C. Where minutes are entered and signed they shall, until the contrary is proved, be evidence that the meeting was convened and duly held and that all appointments made at a meeting shall be deemed to be valid.

11. FINANCE

- A. The income and property of the Association shall be applied solely to the promotion of its objects and no part thereof shall be paid or transferred directly or indirectly by way of dividend, bonus or otherwise by pecuniary profit to members, provided that remuneration may be paid in good faith to officers and servants of the Association or other persons in return for services actually rendered to the Association.
- B. No monies shall be paid unless a statement/invoice is presented for service rendered or purchases, however cash advances to be refreshed to a limit of up to \$100.00 may be made to an authorised member to cover minor purchases related to the day to day maintenance of the flying field. A receipt must be presented to the treasurer at the earliest opportunity.
- C. The Association monies shall be deposited in a trustee approved Investment as selected by the Committee in the Name of the Association with any two of the Executive to operate.
- D. All accounts shall be paid by cheque, approved direct funds transfer from the association's general operating account or receipted cash. Recurring accounts may be paid at the discretion of the Treasurer and be ratified at the next General Meeting of the Association, and recorded in the minutes of the meeting. Non-recurring accounts of an urgent nature or opportune nature amounting to less than twice the total annual Association fees (ie, registration plus Flying fees) may be paid by a senior member at the discretion of the Executive and ratified at the next Normal Meeting of the Association, and be recorded in the minutes of the meeting. All other non-recurring account and expenditure shall be presented to a Normal Meeting of the Association, and approved by that meeting and recorded in the minutes of the meeting.
- E. A statement of receipts and expenditure and bank balance shall be tabled at a Normal Meeting and included in the Treasurers financial statement in the minutes of the meeting.
- F. For accounting purposes the financial year of the Association shall be the period commencing on the First of June and ending on the thirty first of May. All members of the association must become financial for the following year prior to the thirtieth of June.
- G. The Treasurer shall present an audited Balance Sheet for the year ending thirtieth May to the Annual General Meeting.
- (1) Subject to this rule the Association may borrow money from banks or other financial institutions upon such terms and conditions as the Committee sees fit, and may secure the repayment thereof by charging the property of the Association.
- (2) Subject to section 5, 3 of the Act the Association may invite and accept deposits of money from any person on such terms and conditions as may be determined by the Committee from time to time.
- H. In the event of the cessation of activities of the Association for six (6) months:
- (1) A special resolution will be held to determine whether the association is to be wound up.
- (2) The special resolution will be in accordance with the *Associations Incorporation Act 1985*.
- (3) In the event that a special resolution determines to wind up the Association all outstanding debts will be paid and any remaining funds and assets shall become the property of Model Aerosport South Australia Incorporated and in their absence, the Model Aeronautical Association of Australia Incorporated.

12. THE SEAL

- A. The Association shall have a common seal upon which its corporate name shall appear in legible characters.

- B. The Seal shall not be used without the express authorization of the Committee and every use of the Seal shall be recorded in the minute book of the Association. The affixing of the seal shall be witnessed by any two of the following: The President, Vice President, Secretary or Treasurer.
- C. The Seal shall be kept in the custody of the Secretary or such other person as the Committee may from time to time decide.

13. BY-LAWS

Normal Meetings may make or amend By-Laws necessary for the proper administration of the Association.

14. AMENDMENT OF THE CONSTITUTION

- A. This constitution may be amended at an Annual General Meeting of members or at a Special General Meeting of members provided that the amendment(s) is carried by a two thirds majority of those present and voting. Notice of motion must be given in accordance with section 5,A or section 5,C hereof. Such an alteration shall be registered with the Corporate Affairs Commission as required by The Act.
- B. The Constitution shall bind the Association and every member to the same extent as if they had respectively signed and sealed the document and agreed to be bound by all provisions thereof.