

Constitution of Australian Yard Dog Association

1. **Name:** The name of this body shall be the “**Australian Yard Dog Association**” and it shall be hereafter referred to as the “Association”.
2. **Objects :**
 - (a) To promote interest in working yard dogs.
 - (b) To promote good fellowship amongst those interested in working yard dogs.
 - (c) To allocate and provide direction for the running of the Australian Championship each year.
 - (d) To do such things and acts conducive to the furtherance of the objects of the association.
3. **Membership**
 - (a) The membership shall consist of the State bodies which will pay an annual subscription
 - (b) The annual membership fee shall be determined at the Annual general meeting each year. (**That the committee of the Australian Yard Dog association Inc. wishes that all affiliation fees due, and payable on the 1st January each Year)**)
 - (c) A properly constituted Annual General Meeting or Special general meeting may appoint any person as an honorary member or honorary life member of the association in recognition of services rendered in promoting the interests and objects of the association.
4. **Subscriptions**
 - (a) The subscription fees for membership shall be such a sum as the members shall determine at the annual general meeting.
 - (b) The subscription shall be payable annually on the 1st of May or at such other time as the committee shall determine from time to time.
 - (c) Any member whose subscription is outstanding for more than three months after the due date for payment shall cease to be a member of the association, provided always that the committee may reinstate the membership on such terms as it thinks fit.
5. **Resignations**
 - (a) Any member may resign from the association and such resignation must be in writing and forwarded to the secretary of the association
 - (b) Upon any State ceasing to be a member of the association for any reason whatsoever it shall not be entitled to the return of its membership subscription or any part thereof.
 - (c) Any member so resigning shall be liable for any outstanding subscriptions which shall be recovered as a debt owed the association.
6. **Expulsion of a Member**
 - (a) The committee may expel from the association or otherwise punish or penalise any member whose conduct, in the opinion of the committee is discreditable or injurious to the character and interests of the association

- (b) Particulars of the charge shall be communicated to the member at least one calendar month before the meeting of the committee at which the matter will be determined
- (c) Before any member is expelled, or otherwise punished, or penalised, its conduct shall be enquired into by the committee, and the member shall be given the opportunity to defend itself, and to justify or explain its conduct. Provided that a quorum is established, and the majority of the Committee present when the matter is enquired into, is of the opinion that the member is guilty of such conduct, or action as aforesaid, then the committee may expel or suspend it from membership, or otherwise punish or penalize it.
- (d) Should any member fail to appear at any enquiry conducted under clause (6c) hereof, or, any such adjournment thereof, the committee may proceed in that member's absence to conduct the said enquiry and to make its findings as herein before empowered.

7. General meetings

- (a) The annual general meeting of the members shall be held at the venue of the Australian Yard Dog Championships in each year, and members shall be given notice at least one month before such meetings.
- (b) The annual report and audited balance sheet or financial statement shall be submitted to the members at the annual general meeting.
- (c) The annual general meeting may make by-laws necessary for proper administration of the association. Any by-law so made shall not be repealed, added to or amended unless and until
 - 1. Notice of intention to propose such repeal, additions or amendment is first given in writing by a member of the association to the secretary of the association not later than 3 months (90) days prior to the date of such annual general meetings, and include in the agenda for such meetings.
 - 2. Such repeal, additions is proposed at such annual general meeting and is approved by not less than two thirds of the members of the association present at such meeting and voting there-on.

These are to be the state representatives.

- (d) The election of officers and committee for the ensuing twelve months shall take place at the annual general meeting together with any other business mentioned in the notice paper convening the meeting.
- (e) A special meeting of members shall be called at the request of the President or the secretary or any three members of the committee. Such meeting shall be held within two months of such request and all members shall be notified in writing not less than one month before such meeting.
- (f) The president of the association shall be the chairman at all general meetings. Should he/she not be present then a vice president shall be elected to the chair and, if there be no Vice-President present the members shall elect a member to take the chair.
- (g) 1. At all meetings the chairman's decision on points of order shall be final.

2. The chairman shall have a casting vote in addition to his/her deliberate vote.
- (h) The quorum for a general meeting shall be six (6) state reps present.
 - (i) If at any General meeting there be no quorum within two (2) hours of the time appointed for the meeting, then the meeting shall lapse, unless a majority of members present decide to adjourn the meeting for a period not exceeding two weeks. If there be no quorum within two hours, after the appointed time for such an adjourned meeting then the meeting shall lapsed altogether.
 - (j) A vote by proxy will be accepted if it is impossible for a State Representative to attend.

8 Committee

- (a) The business and affairs of the association shall be under the management and control of a committee, provided however, that except in the case of extreme urgency the committee shall not take any action to the contrary to decisions made at a General meeting.
- (b) The committee may, subject to the decision made at the General Meetings, exercise all the powers of the association and do all such acts and things as may be done by the association or which it considers necessary or expedient to carry out the objects of the association.
- (c) The committee shall consist of:
Representatives appointed by each State. There being two representatives per State.
The President and Vice-President shall be elected by these.
Representatives
The Secretary /Treasurer can be a State rep or non- voting person/s
- (d) All States represented must be financial members of the association.
- (e) Should any vacancy occur, in the committee or office-bearers of the association other than in the normal course of elections, the committee shall fill such vacancy from the representatives of the financial members of the association and such member duly elected shall hold office for the unexpected portion of his/her predecessor's term.
- (f) The committee shall meet as often as may be required to conduct the business of the association.
 - 1. The president or the secretary or three members of the committee shall have the power to call a meeting of the committee.
 - 2. The President of the association shall take the chair at all committee meetings . Should the President not be present then a Vice president shall be elected to the chair and if there be no vice president present the committee shall elect one of its members to take the chair.
- (g) The Chairman at all committee meetings shall have a casting vote in addition to a deliberate vote.
- (h) 1. All notices of committee meetings shall be in writing and posted to members of the committee at least one month before the date of such meeting.

2. The accidental omission to give to any member, or the non-receipt by any member of any notice required by this constitution shall not invalidate or affect any proceedings of such a meeting.
- (i) The committee shall have the power to delegate any of its power to a sub-committee to deal with any particular matter or matters and upon such terms as the committee may think fit. The President and the Secretary shall be ex-officio members of all sub-committees,
 - (j) All acts or decisions done or made by any meeting of the committee or any member thereof shall, notwithstanding that it be afterwards discovered that there was some defect in the appointment of such member or any members of the committee, be as valid and effective as if they had all been properly appointed, unless it is proved that the appointment was made in fraud or bad faith.
 - (k) The quorum for committee meetings shall be 6 reps. Present in person.

9 Election of Committee

- (a) The first committee of the association shall comprise reps from each state. There being 2 representatives from each state. The first committee shall hold office until the first A.G.M. after incorporation. Current or new reps may be appointed to the committee by each State at a meeting of that State's Yard Dog Organization and commence their representation of the State at the next A G M of the Australian yard dog association. Committee shall retire and be eligible for re appointment.
- (b) Nomination for each candidate for election as officer-bearer shall be proposed and seconded respectively by two members at the A.G.M. Contested offices shall be subject to ballot at the A.G.M. of the members present and voting thereon.
- (c) No ballot shall be required when the number of candidates nominated for each office does not exceed the number of vacancies and they shall be declared duly elected.

10. Disqualification of committee members

- (a) The office of a committee member shall vacant if a committee member is
 1. Disqualified by the Act.
 2. Expelled by these rules.
 3. Permanently incapacitated by ill-health.
 4. Absent without apology for more than three consecutive committee meetings in a financial year.
 5. No Longer the duly appointed representative of a State.

11. Duties

- (a) The Secretary shall carry his/her duties under the direction of the committee and keep a true record of all minutes of all meetings, attend to correspondence , issue notices for meetings, keep records and carry out all duties as the committees may from time to time direct

- (b) The treasurer shall receive all monies payable to the association and give receipts for same. All monies so received shall be paid into the banking account of the association. The Treasurer shall present, at each General meeting, a balance of the finances of the association and shall keep proper books of account of all monies received and disbursed and generally perform all such duties as are directed by the committee from time to time.

12. Finance

- (a) The financial year shall be from the 1st January to the 31st December.
- (b) All monies of the association shall be paid into the account of the association at such bank as the committee may from time to time direct.
- (c) No monies shall be drawn from the association's account save by cheque signed by the bank signatories authorised by the committee. No cheque shall be signed or money withdrawn unless such withdrawal has been approved by the committee or in the case of urgency, by the President and Secretary
- (d) **The books and accounts of the association shall be audited annually by an Auditor appointed by the annual general meeting.**

13 Minutes

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

14 Trustees

- (a) unless otherwise determined, the members of the committee of the association, for the time being, shall be deemed to be the Trustees of the association, to hold any property, real and personal belonging to the association.

15 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 expressed authorization of the committee, and each and every use of the seal shall be recorded in the minute books of the association.
The affixing of the seal shall be witnessed by the President and the Secretary, or other committee person.
- (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.

16 Amendments to the Constitution

- (a) This shall be the only constitution of the Australian Yard Dog Association and shall come into force forthwith and shall not be altered, verified, added to or repealed unless two thirds of the State reps present at an annual general meeting are in favour of such alteration, variation, addition, or repeal.
- (b) The Property, assets and income of the association, wherever derived, shall be applied towards the promotion of the objects of the association, and no portion thereof shall be paid or transferred either directly or indirectly by way of dividend, bonus, or otherwise by way of profit to members generally of the association.
- (c) Provided that nothing herein contained shall prevent the payment in good faith of remuneration to any officers or servants as or the association or any member, in return for services actually, rendered, nor prevent the payment of interest on money borrowed from any member of the association.
- (d) Should the association, for any reason whatsoever cease to function, any member or person holding any association's monies or property shall forthwith pay the same to the committee.

17 Winding up (Surplus assets)

Funds to be distributed equally between the affiliated financial State Members

Resolutions Australian Yard Dog Association

AGM Ross Tasmania March 1995

That the money raised in any one year from affiliation fees be the only money allocated to a state that is having difficulty in meeting the expenses of conducting the Australian Championship

That the State hosting the next Australian Yard Dog Championship should advise the proposed date of that Championship at the AGM being held in the year prior to their hosting., so that all other states are notified of the date well in advance.

AGM Lucindale 1996

That when each State body hosts the Australian Yard Dog Championship that a replica shield be made available to the winner at the cost of approx \$ 60 with an annual review of the cost. The shield to be paid for by the Australian Yard Dog Inc

That the hosting body for the Australian Championship provide a small memento to the judges at each year's event over and above the agreed fee.

AGM York WA 1999

That the AYDA will endeavour to allocate the annual championship to the State hosting the WKC National Kelpie trial

AGM Lucindale 2002

All Notices of Motion to the Australian Yard Dog Assoc. must be put formally by a State body.

'All notices of Motion should contain relevant information regarding their implementations, reasons for, explanation of etc, providing other States bodies with a basis on which to make a fair assessment

S.A.Y.D.A Inc.

All competitors must nominate preferred State for Representation. Any change of representation must contain a letter of clearance from the previous State. Applications will be assessed at each State's discretion. The competitor must apply to the new State he wishes to represent to be assessed by the Governing committee of the State at that time. This must be done within an acceptable time limit for all concerned." (Suggesting 3 months prior to the State championships)

Advisory Committee South Australia

1 (a) that the three persons nominated to the Advisory committee are appointed the advisers of the National body.

2 That one position becomes vacant at each AGM and a draw is held at Lucindale to determine which member of the committee would be up for re-election in year 2003, Assistant secretary/treasurer R Monds 2004 D Sweatman National Treasurer 2005 J Green national Secretary 2005, and then continue on in set three year rotation.

3 That the three “advisers” be drawn from three different States at any one time.

4 The Advisory committee is reimbursed for out of pocket expenses.

Responsibilities of the Advisory committee:

Secretary

- a. List of current financial members for each affiliated State
- b. Up to date Judges List from each affiliated State
- c. Receive, record and distribute all correspondence, notices of motion etc from States or individuals that are at a National level
- d. Keep and record minutes of AYDA AGM
- e. Be involved on any matters of international interest or importance
- f. Take direction as may be deemed necessary from the States at the AGM
- g. Give assistance and Technical assistance to any committee running a national trial.
- h. Collect and record winners of previous AYDA Championships.
- i. Maintain a record of relevant information for historical purposes

Treasurer:

- a Collection of State affiliation fees and any other monies of a Nation interest
- b Presenting a national balance sheet at each AYDA National AGM
- c Be involved on any matters of international interest or importance

- d Take direction as may be deemed necessary from the States at the AGM
- e Give assistance and Technical assistance to any committee running a national Trial

Assistant Secretary /Treasurer Areas of responsibility

- a. Be involved on any matters of international interest or importance
- b. Take direction as may be deemed necessary from the States at the AGM
- c. Give assistance and Technical assistance to any committee running a national trial

Westbury Tasmania 2003

As a recommendation to all organizing committees of the Australian Yard Dog Championship that all judges for the Championship may be different to the judges officiating in the Open and qualifying event