

The Sporting Shooters' Association of Australia – Australian Capital Territory Incorporated

CONSTITUTION

Final Draft 2021

Table of Contents

1. Name of the Association.....	3
2. Aims and objectives.....	3
3. Powers	3
4. Council	4
5. Roles and Responsibilities	4
6. Meetings	5
7. Voting	6
8. Election of Officers.....	6
9. Council Committees	7
10. Public Officer.....	8
11. Rescission of Resolution	8
12. Fees and Monies	8
13. Seal.....	9
14. Membership	9
15. Disciplinary matters	9
16. Amendment of Rules/Constitution	10
17. Discipline/Clubs/Sections	10
18. Range Fees and Charges	11
19. Custody of books	12
20. Inspection of books	12
21. Service of notice or document	12
22. Dispute Resolution Procedure	12
23. Access to and Copies of Documents.....	12
24. Surplus property.....	12

1. Name of the Association

The name of the Association shall be "The Sporting Shooters' Association of Australia – Australian Capital Territory Incorporated" which may be abbreviated as SSAA ACT Inc.

2. Aims and objectives

The aims and objectives of the Association shall be to:

- i. Promote and improve the role of sporting shooters and hunters
- ii. Help educate people in the skills of hunting and shooting and the proper and safe handling of firearms
- iii. Assist those interested in hunting and shooting to further their interests
- iv. Advocate for better laws within the Australian Capital Territory to protect and promote the interests of hunters and shooters
- v. Encourage all members to abide by the [SSAA Code of Conduct](#)
- vi. Work to improve understanding between landholders and members
- vii. Provide and promote knowledge and information on firearms and ammunition to support safety
- viii. Advocate game conservation and the legal recognition of game animals
- ix. Assist authorities with the control of pest animals
- x. Take other actions which assist in the delivery of the aims and objectives outlined above.

3. Powers

- a) The hierarchy of powers within SSAA ACT Inc. is in descending order the Annual General Meeting, Special General Meeting, General Meeting, Council, Executive Committee and Committees. Decisions of one body may be overruled by a superior body but shall stand until such time as they have been overruled.
- b) No member, Discipline, Club or Section shall represent the Association other than with the approval of the Council.
- c) No person is to have discretionary powers unless delegated by a Council decision. Such delegation is subject to appeal and rejection by a superior body or General Meeting.
- d) The Chair shall have authority on every question of order, including being the interpreter of the rules of the Association as they apply to the meeting being held. A motion appealing the Chair's ruling has precedence over all other business.
- e) No part or whole of the Association shall have the authority to contract with anybody to bind the Association in any way without approval from Council. Franchises or concessions may only be granted through notification to all interested parties and a tender process. All tenders shall be submitted to Council for consideration, with the Council reserving the right to accept or reject tenders on their merits.

4. Council

- a) The Council may exercise all functions that may be exercised by the Association other than those functions that are required by these rules to be exercised by the Association in general meetings. It has power to perform all acts and do all things that appear to the Council to be necessary or desirable for the proper management of the affairs of the Association.
- b) The Council shall control and manage the day-to-day affairs of the Association. It will consist of:
 - i. an Executive Committee, which shall comprise of a President, Vice President, Deputy Vice President, Secretary, and Treasurer
 - ii. one delegate from each endorsed Discipline, Club or Section
 - iii. the Chief Safety Officer
 - iv. the Chief Range Officer
 - v. one Members' Delegate for every one thousand (1000) members of the Association, up to a maximum of five delegates
 - vi. any other officer who has been appointed by Council to fill a specific position created at a General Meeting or Annual General Meeting
 - vii. the Chairs of all other Committees as appointed by Council, who may speak and vote only on the subject of their respective Committees.
- c) Council members can hold more than one position on the Council if any conflicts of interest are disclosed to Council and managed appropriately under the *Associations Incorporation Act 1991 (ACT)*.
- d) The Association may elect one or more patrons.

5. Roles and Responsibilities

The general roles and responsibilities of members of Council are outlined below:

- i. The President is responsible for the leadership and coordination of the activities of the Association and chairs all meetings
- ii. The Vice President assists the President, Executive and Council in coordination of the activities of the Association
- iii. In the event of self-declared temporary inability by the President to fulfil their duties or physical incapacity, the Vice President may act as President in a temporary capacity
- iv. The Deputy Vice President supports the President and Vice President in the coordination of the activities of the Association

- v. The Secretary is responsible for Association administration and effective maintenance and management of records and assists the Executive and Council in performing Association duties
- vi. The Treasurer is responsible for overseeing the management of the financial affairs of the Association and assists the Executive and Council in performing Association duties
- vii. The Chief Range Officer has principal responsibility for all matters associated with General Members' Sessions Range Officers including rostering, training and administration
- viii. The Chief Safety Officer has principal responsibility for the management of all safety issues associated with the range complex
- ix. Members' Delegates represent the interests of general members to Council and other Association meetings and discussions
- x. Delegates of endorsed Disciplines, Clubs and Sections represent the interests of their club or section within the overall interests of all members of the Association.

6. Meetings

- a) The Annual General Meeting and General Meetings of the Association shall take place at dates, times, and places to be fixed by Council.
- b) Special General Meetings of the Association shall require a minimum of ten (10) days' notice to all members, must be restricted to the business notified, and may be called in any of the following ways:
 - i. By a resolution passed at a General Meeting
 - ii. By order of the Council
 - iii. On request signed by at least twenty-five (25) financial members aged over 18, delivered to the Secretary and stating the business to be considered.

A Special General Meeting which is called shall be held within ten (10) and twenty-one (21) days after a request has been received.

- c) Council Meetings shall be called by the President, with between ten (10) and twenty-one (21) days' notice given to Council members.
- d) Special Meetings of the Council shall have a minimum of ten (10) days' notice given by the Secretary, shall be restricted to the business notified and may be called:
 - i. By the President
 - ii. At the request of at least five members of the Council.
- e) On occasion the Council will be required to make urgent decisions relating to the operation of the Association (for example, closure of ranges because of disease outbreak or emergency).

In such instances, the Secretary will circulate via email an explanation of the matter and a motion for decision including the names of the Council members moving and seconding the motion. A majority of votes within the given timeframe is required to endorse the proposal.

- f) A meeting quorum shall consist of the following number of members:
 - i. Annual General Meeting: the lesser of 50% of membership or seventy-five (75) members
 - ii. General Meeting: the lesser of 50% of membership or fifty (50) members
 - iii. Council: ten Council members elected or appointed under sub-paragraph 4(b), including no less than one member of the Executive Committee
 - iv. Committee: Three members.
- g) Observers at meetings are not permitted to vote, however can contribute to discussion if invited by the Chair.

7. Voting

- a) Except where otherwise provided in this Constitution, all motions submitted to any meeting shall be decided by a majority vote of all eligible members present and voting. The Chair will not vote except to lodge a casting vote in the event of a tie.
- b) To be eligible to vote at General Meetings and Annual General Meetings, a member shall be a financial Adult, Life, Pensioner or Family member of SSAA ACT Inc. and over the age of 18.
- c) Proxy voting is not permitted at any meeting.

8. Election of Officers

- a) The election of the Executive Committee shall take place at the Annual General Meeting. Members of the Executive Committee are eligible for re-election.
- b) Disciplines, Clubs and Sections shall present their delegates to the Annual General Meeting.
- c) The term of Council membership shall be between Annual General Meetings duly called for the purpose of the election of the Council.
- d) All financial Adult, Family, Pensioner or Life members of SSAA ACT Inc. over the age of 18 shall be eligible for election to the Council.
- e) Nominations for office bearers must be provided to the Secretary before the start of any Annual General Meeting and must be signed by two individual or life members and accepted by the nominee's signature. If no nominations are received by the time of the commencement of the meeting, they may be called for by the Chair during the meeting.
- f) All contested offices must be decided by secret ballot on a form provided by the Secretary on the basis of an absolute majority (i.e. more than 50%) of members eligible to vote, present and voting.
- g) The incoming Council members shall take the place of the retiring members immediately upon the declaration of the election result in the meeting.

- h) Council shall appoint National Delegates, the Chief Range Officer and Chief Safety Officer at its first meeting following the Annual General Meeting.
- i) Resignations from the Executive, Member's Delegate roles or Council appointments shall be in writing and tabled at the next Council and General Meeting after their receipt.
- j) Vacancies shall be filled at the Council Meeting following the acceptance of such resignations, with a majority vote required if there is more than one candidate.
- k) If the voting requirements of sub-paragraph 7(b) are breached, then any officers affected by that breach shall resign forthwith and replacements for the temporary vacancies determined by Council at the next possible opportunity.
- l) A General Meeting may be called for the purposes of considering a motion of no confidence in the whole, a part of or a member of the Executive Committee. If at such meeting the motion receives a two-thirds (66%) majority of members present, eligible and voting, then the positions of persons so affected shall be deemed to be vacant.
- m) An election shall be immediately conducted by the Public Officer – or if unavailable by a Council member in the order listed in sub-paragraph 4(b) – to replace those persons, with nominations accepted from the floor.
- n) A motion of no confidence in an elected officer of the Association will be presented on the following basis:
 - i. It shall be made by a minimum of twenty-five (25) Adult, Pensioner or Life members of the Association
 - ii. The Secretary shall call a General Meeting within ten (10) and twenty-one (21) days of receipt of the motion of no confidence
 - iii. The subject(s) of the motion shall be named in the notice of meeting and will have a right of reply at the meeting
 - iv. The motion will be debated and voted on at the meeting via secret ballot.
- o) Any member of the Executive or Council appointee absent without leave (granted by the Council through acceptance of an apology for non-attendance tendered before a meeting) from three consecutive Council meetings may be subject to a motion of no confidence as outlined in sub-paragraphs 8(l) and (n).

9. Council Committees

- a) Council may appoint Committees to assist in managing the affairs of the Association and may appoint the Chair of that Committee, who will then call for nominations for the Committee.
- b) With the exception of the Disciplinary Committee as outlined in Section 15, the role of an appointed Committee is to advise Council on matters within its remit and recommend actions or policies for consideration and decision by Council.
- c) Committees may also make decisions regarding works and expenditure within limits, provided that decision-making power is approved by Council.

10. Public Officer

Council shall appoint a Public Officer as outlined in the *Associations Incorporation Act 1991* (ACT). The appointment will be made at the Annual General Meeting.

11. Rescission of Resolution

No body or meeting may rescind or alter a resolution before the next meeting of that body and only through a two-thirds majority of those voting at the next meeting. A motion of a lesser body or meeting can be altered or rescinded by a superior body or meeting at any time.

12. Fees and Monies

- a) The funds of the Association shall be derived from range fees, a portion of annual membership fees (through capitation derived from SSAA National) and such other sources as the Council determines.
- b) Range fees and range pass fees shall be set at the Annual General Meeting.
- c) All monies received on behalf of the Association shall be remitted to the Treasurer of the Association. All monies received on behalf of a Discipline, Club or Section shall be remitted to the Treasurer of that Discipline, Club or Section.
- d) Disbursements are to be made by any means available to the Association in accordance with the SSAA ACT Inc. *Financial Management Policy* and the SSAA ACT Inc. *Debit Card Policy*. Changes to these documents have no bearing on the Constitution.
- e) Subject to any resolution passed by the Association at a General Meeting, Association funds shall be used to support the aims and objectives of the Association. The Council may authorise expenditure provided that no more than 50 per cent of the Association's cash funds are expended or committed in any two-month period without the approval of a General Meeting.
- f) The signing officer on the bank account shall be the Treasurer, countersigned by either the President or the Secretary.
- g) The members at the Annual General Meeting may appoint an auditor, or shall authorise Council to appoint an auditor, to audit the Association's accounts for the financial year ending 30 June.
- h) Council shall appoint bankers for the Association by majority vote.
- i) The payment of fees does not entitle a member to any direct claim or ownership of Association assets. No profits from the activities of the Association will revert to members. This does not prevent members being paid for work or services supplied and approved by the Association through a tender process or other decision of the Council.
- j) The liability of a member 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.

13. Seal

- a) The Seal of the Association shall only be affixed to an instrument by authority of a resolution of the Council and in the presence of the President, Secretary or Public Officer, and one other member of the Council or another member of the Association appointed by Council for this purpose.
- b) The President, Secretary or Public Officer and member shall sign any instrument to which the Seal of the Association is affixed in their presence. The President of the Association shall have the custody of and be responsible for the Seal of the Association.

14. Membership

- a) Except as provided below, members of the Association are those persons who have joined SSAA ACT Inc.
- b) Members include financial Adult, Junior, Family, Pensioner and Life members.
- c) Life membership of the Association may be granted to a member by decision at the Annual General Meeting, preferably based on recommendation by the Council.

15. Disciplinary matters

- a) The Association reserves to itself the right to suspend, expel or take other action against any of its members.
- b) The Disciplinary Committee shall be convened to hear any reports of a rule breach (including serious conduct or safety matters) referred to it by Council through a majority vote.
- c) The Disciplinary Committee shall be chaired by a Council nominee with a minimum of four (4) other members selected by Council and free of material personal interests as defined in the *Associations Incorporation Act 1991* (ACT), if necessary through an out of session vote under sub-paragraph 6(e).
- d) The Disciplinary Committee shall fully investigate matters referred to it, including but not limited to an interview with the member and any witnesses. If it is satisfied that a breach occurred, after providing a report to the next Council meeting it may at its discretion:
 - issue a formal reprimand
 - suspend range access rights for a period of up to one month
 - suspend or cancel membership of the Association.
- e) If the member wishes to appeal a decision of the Disciplinary Committee they may make that appeal to the whole of Council.
- f) The affected member must be advised of the intention to meet and discuss that motion, has the right to attend the meeting where this is considered and must be given a full and fair hearing.

- g) The decision of the Council will be determined by a seventy-five per cent (75%) majority vote of all members eligible to vote, present and voting.
- h) Any member of the Association who under the provisions of firearms legislation in any state or territory has a firearms licence cancelled, or is disqualified from holding such a licence, or is refused the renewal of any firearm licence or minor's permit shall immediately have their membership of the Association suspended until any legal appeal(s) are finalised through a court of competent jurisdiction and shall immediately cease to be a member on the failure of such appeal(s).

There shall be no appeal to this suspension or cancellation of membership.

16. Amendment of Rules/Constitution

- a) The Council may present motions to amend the Constitution of the Association to an Annual General Meeting, a General Meeting or a Special General Meeting.
- b) A member wishing to propose such a motion shall present it to the Council which, if approved, will present it to the meeting as outlined in sub-paragraph 16(a).
- c) Should the Council not approve a member's proposal, the member may advise Council that it is to be presented to an Annual General Meeting, General Meeting or Special General Meeting in which case it will be included in the meeting notice as a motion not supported by Council.
- d) Sections 3 to 16 and 18 of this Constitution can only be amended by no less than seventy-five per cent (75%) of members present and eligible to vote at the meeting. Sections 1, 2 and 17 of this Constitution shall not be amended except by a majority vote of all Adult, Pensioner, Family and Life Members.
- e) Members shall be provided with a minimum of 10 days' written notice sent by post, electronic means including e-mail and text message or other means, setting forth the proposed amendment in full.

17. Disciplines/Clubs/Sections

A Discipline, Club or Section is a body (incorporated or otherwise) consisting of SSAA ACT Inc. members who engage in one of the shooting sports. The Discipline/Club/Section requires endorsement upon establishment by a General Meeting of the Association.

Each SSAA ACT Inc. Discipline/Club/Section shall:

- a) Be responsible for the drafting and updating of its rules or Constitution (where relevant), with such documents to be consistent with the Constitution of the Association and the aims and objectives of the Association.
- b) Act in accordance with the Constitution and other rules of the Association.
- c) Only accept as members people who are members of the Association.

- d) Not have or exercise claim, authority or control over the use or disposition of property constructed or established on the land leased by the Association except with Council's written approval.
- e) Maintain a current list of future competition details and keep Council informed of such competitions.
- f) Provide documents and/or other information (e.g. lead counts) necessary for Council to meet its own obligations on request.
- g) Notify the Secretary of a change in the Discipline/Club/Section committee within 14 days.
- h) Present, discuss and gain approval from Council for any proposed significant alterations to buildings, ranges, earthworks, or landform on the land leased by the Association in advance of any works proceeding.
- i) Keep true accounts of all monies received and expended by the Discipline/Club/Section.
- j) Forward to the Treasurer of the Association via electronic or physical means all range fees and other monies collected on behalf of the Association within 14 days of receipt.
- k) Prepare an annual balance sheet containing a summary of assets and liabilities of the Discipline/Club/Section, together with a statement of profit and loss for the preceding year and provide this to the Treasurer within 14 days of the Annual General Meeting of the Discipline/Club/Section.
- l) Keep the Common Seal of the Discipline/Club/Section engraved with its name in the care of a senior Discipline/Club/Section official as required.
- m) Be subject to withdrawal of endorsement as a Discipline/Club/Section at a General Meeting if deemed to be in contravention of any of these requirements.

18. Range Fees and Charges

- a) The range fee is the charge per day, per range attendance or per event (in the case of an event spanning more than one day) for members or visitors attending a range managed by the Association for the purpose of practice or competition.
- b) The Association may issue an annual range pass to members for unlimited attendances over a 12-month period from the date of issue.
- c) If majority agreement on the range fee and range pass fee is not reached at the Annual General Meeting, the existing fees will remain in force until the following Annual General Meeting.
- d) Fees for the exclusive use of ranges by hirers – including the rates for daily, half-day, hourly and per person use – shall be decided by Council.

19. Custody of books

Subject to the *Associations Incorporation Act 1991 (ACT)*, the Secretary shall keep in their custody or control all records, books and other documents relating to the Association. Financial records will be held by the Treasurer.

20. Inspection of books

The records, books and other documents of the Association can be inspected within the Territory free of charge by a member at any reasonable hour by arrangement with the Secretary.

21. Service of notice or document

The Association may serve a notice on a member by sending it by post, electronic means including e-mail and text message or other means as required. The *Acts Interpretation Act 1901 (Cwlth)* outlines procedures for the serving of documents.

22. Dispute Resolution Procedure

If a dispute arises within the Association other than that relating to discipline, then the dispute resolution procedure of the Association will be conducted as per the *Associations Incorporation Act 1991 (ACT)* including a right of reply for affected members.

23. Access to and Copies of Documents

A member may request access to and copies of documents under the provisions of the *Associations Incorporation Act 1991 (ACT)* by arrangement with the Secretary. Council may set a fee to be charged for each copy given to the member.

Should the Council of the Association be satisfied that the requested documents would be prejudicial to the interests of the Association, access may be refused under the provisions of the *Associations Incorporation Act 1991 (ACT)*.

24. Surplus property

On the dissolution of the Association, the Association shall call a Special General Meeting to nominate:

- a) another association for the purposes of the *Associations Incorporation Act 1991 (ACT)*;
or
- b) a fund, authority or institution for the purposes of the *Associations Incorporation Act 1991 (ACT)*

in which it is to vest its surplus property in the event of the dissolution or winding up of the Association.

An Association nominated under paragraph 24(a) must fulfil the requirements specified in the *Associations Incorporation Act 1991 (ACT)*.