

# The Sturt Pistol and Shooting Club Incorporated



## CONSTITUTION

*(Effective: 26 July 2025)*





## **CONSTITUTION OF THE STURT PISTOL AND SHOOTING CLUB INCORPORATED**

### **1. NAME AND NATURE OF THE CLUB**

- (a) The name of the Club shall be THE STURT PISTOL AND SHOOTING CLUB INCORPORATED hereinafter referred to as "the Club".
- (b) The Club is a Not for Profit Association

### **2. CLUB AFFILIATIONS**

The Club shall be affiliated with the South Australian Revolver and Pistol Association (hereinafter called SARPA), Pistol Australia, Shooting Australia and the International Shooting Sport Federation (ISSF)

### **3. AIMS, OBJECTS AND PURPOSES**

The Club is formed to:

- (a) promote competitive shooting among its members;
- (b) seek improvements in the laws pertaining to firearms, and to support or oppose proposed amendments to existing legislation;
- (c) provide assistance and education for all eligible people in the art of shooting, safe handling of firearms, secure storage of firearms, field etiquette and knowledge of laws relative to shooting;
- (d) raise the sporting shooter in public esteem by promotion of a better understanding between the public, land holders and sporting shooters;
- (e) promulgate, in the interests of safety, knowledge of and information on, firearms and ammunition and the secure storage of same;
- (f) do all such other things as are conducive or incidental to the attainment of the above aims and objects or any of them.
- (g) use best endeavours to ensure the good name and reputation of the Club, SARPA and the sport are maintained and not brought into disrepute through acts and omissions of its Members.

## 4. DEFINITIONS

In this constitution:

- (a) “Club Year” is the period from the day of the Annual General Meeting to the day prior to the next Annual General Meeting.
- (b) “Club Financial Year” is the period ending on the 31st day of March each year, to which day the accounts of the Club shall be balanced.
- (c) “Ordinary Motion” or “Motion” is a motion that is not a Special Motion.
- (d) “Ordinary Resolution” or “Resolution” is a resolution passed at an Annual General Meeting or General Meeting as a consequence of a successful vote for an Ordinary Motion.
- (e) “Special Motion” is a motion for consideration at a “Special General Meeting”.
- (f) “Special Resolution” is a resolution passed at a Special General Meeting as a consequence of a successful vote for a Special Motion.
- (g) “Annual General Meeting” is a meeting held annually in accordance with this Constitution.
- (h) “General Meeting” is a meeting convened from time to time to consider and an Ordinary Resolution or Resolutions and, where context allows, the term “General Meeting” shall be taken to include “Annual General Meeting”.
- (i) “Special General Meeting” is a meeting convened from time to time to consider a Special Resolution and has special meanings under the Act.
- (j) “Range” means an area for the promotion and conduct of shooting sports.
- (k) “Act” means the Associations Incorporation Act 1985 (SA) as amended or substituted from time to time and any regulations made thereunder.
- (l) “Firearms Act” means the Firearms Act 2015 (SA) as amended or substituted from time to time and any regulations made thereunder.
- (m) “Disciplinary By-Laws” means the set of separate clauses that pertain the infringement of rules and disciplinary actions and such clauses form part of this Constitution.

## 5. POWERS OF THE CLUB

The Club will have all the powers conferred by Section 25 of the Act and to implement the basic aims, objects and purposes of the Club, it shall also be deemed to have the following additional powers:

- (a) the purchase, sale, taking on lease or in exchange, and the hiring or otherwise acquiring of any real or personal property that may be deemed necessary or convenient for any of the aims, objects and purposes of the Club;
- (b) the buying, selling, and supplying of, and dealing, in any personal or freehold property which may be deemed necessary or convenient for any of the aims, objects and purposes of the Club;
- (c) the construction, maintenance and alteration of buildings or works necessary or convenient for any of the aims, objects and purposes of the Club;
- (d) the acceptance of any gift, whether subject to a special trust or not, for any one or more of the aims, objects and purposes of the Club;
- (e) the taking of such steps from time to time as the Committee of Management may deem expedient for the purpose of procuring contributions to the funds of the Club, by way of donations, subscriptions or otherwise;

- (f) the printing and publishing of such newspapers, periodicals, books, leaflets or other documents as the Committee of Management may think desirable for the promotion of the aims, objects and purposes of the Club;
- (g) the borrowing and raising of money in such manner and on such terms as may be approved or directed by Resolution passed at a General Meeting; and securing the re-payment of money so raised or borrowed or the payment of a debt or liability of the Club by giving mortgages, charges or securities upon or over all or any of the real or personal property of the Club;
- (h) the making of gifts, subscriptions, or donations;
- (i) the establishment and support, or aiding in the establishment and support, of any other Club formed for any of the basic aims, objects and purposes of the Club, that the Committee of Management may be agreeable to;
- (j) the doing of all other things as are incidental or conducive to the attainment of the basic aims, objects and purposes of the Club as specified in the foregoing provisions.

## 6. MEMBERSHIP

- (a) Membership of the Club shall be available to any person subscribing to the aims and objects of the Club and this Constitution on a year-to-year basis and, subject to the Constitution, conditional upon payment of the membership subscription.
- (b) The Club shall consist of Ordinary Members, Life Members, Absentee Members, Associate Members, Family Members, Social Members and Junior Members who are not members of any other pistol club, unless such membership is sanctioned by the Committee of Management.
- (c) At any one time there will be no more than One-Hundred and Seventy Five (175) Ordinary Members, Life Members, Associate Members, Family Members, Social Members and Junior Members in total.
- (d) The Committee of Management may, at their discretion, admit new Junior Members to the Club even if the membership limit imposed by Clause 6 (c) will be or is exceeded.

## 7. ORDINARY MEMBERS

- (a) To qualify for membership a person must:
  - (a.i) be of good character;
  - (a.ii) be a fit and proper person entitled to hold a Class "H" Licence pursuant to the Firearms Act.
  - (a.iii) make application for membership on the prescribed form;
  - (a.iv) pay the requisite financial dues or fees;
  - (a.v) possess a copy of the Constitution and be familiar with its contents;
  - (a.vi) affiliate with such other bodies in this State or the Commonwealth of Australia as shall be stipulated by the Committee of Management.
- (b) If the Commissioner of Police for the State of South Australia:
  - (b.i) is of the opinion that a firearms licence pursuant to the said Firearms Act should not be granted to any person: or
  - (b.ii) objects to the membership of any person; or
  - (b.iii) cancels or revokes a member's firearms licence pursuant to the said Firearms Act; such

membership may forthwith be terminated by the Committee of Management. The surrendering of a member's firearms licence is not a valid reason to invoke this Sub Clause.

- (c) The Committee of Management may, at its discretion, refuse an application for membership without giving its reasons for such refusal.
- (d) If the Committee of Management is not unanimous in its approval of an application for membership, such approval shall be decided by the Committee of Management as defined in Clause 36 Committee of Management Meeting.
- (e) The form of Application for membership shall be prescribed by the Committee of Management.
- (f) Ordinary Members shall pay the Club Joining fee and
  - (f.i) One-Hundred (100) per cent of the Club Annual Subscription to compete in all shooting competitions; or
  - (f.ii) Fifty (50) per cent of the Club Annual Subscription to compete in only One (1) of air pistol or rifle shooting competitions. To compete in other shooting competitions on the Club's range they will pay the Visitor's Fee for the day only.

## 8. LIFE MEMBERS

On the recommendation of the Committee of Management an Ordinary Member may be elected a Life Member at any General Meeting of the Club and shall thereafter be entitled to all the privileges of membership without paying the SARPA capitation fee, Club Annual subscription, levies or other dues.

## 9. ABSENTEE MEMBERS

- (a) A member who is prevented from participating in Club activities for a prolonged period may be granted Absentee Membership upon application in writing to the Committee of Management.
- (b) Absentee Members shall pay Twenty-Five (25) per cent of the Club Annual Subscription.
- (c) The Committee of Management may re-instate the Absentee Member to their original class of membership upon receipt of a written application and upon such terms and conditions as it thinks fit.

## 10. ASSOCIATE MEMBERS

- (a) An Associate Member will be as defined in the Constitution of SARPA.
- (b) An Associate Member will be eligible only for daily off-gun and/or handicap trophies but not for annual trophies other than those contested at the Christmas Shoot.
- (c) Associate Members shall pay Fifty (50) per cent of the Club Joining Fee and Seventy-Five (75) per cent of the Club Annual Subscription.

## 11. FAMILY MEMBERS

- (a) Family Membership is available to the legal partner of Ordinary Members and Life Members sponsoring their membership.
- (b) Family Members shall pay Fifty (50) per cent of the Club Joining Fee and Sixty (60) per cent of the Annual Subscription, but in all other respects as regards rights, privileges and obligations, shall be regarded as Ordinary Members.
- (c) The granting of Family Membership is conditional on the sponsoring Life Member or Ordinary Member paying One-Hundred (100) per cent of the Club Annual Subscription, otherwise the Family Membership will revert to Ordinary Membership.



## 12. SOCIAL MEMBERS

- (a) Social Members shall be members who do not hold a ‘Club purpose of use’ endorsement on their Firearms Licence but wish to participate in Club social activities.
- (b) To qualify for Social Membership a member must:
  - (b.i) hold, prior to application, an Ordinary or Family Membership; and
  - (b.ii) have relinquished their ‘Club purpose of use’ endorsement on their Firearms Licence; and
  - (b.iii) must pay requisite financial dues or fees.
- (c) A Social Member shall pay Twenty-Five (25) per cent of the Club Annual Subscription, but in all other respects as regards rights, privileges and obligations, shall be regarded as Ordinary Members.
- (d) A Social Member shall not be eligible for any trophies, other than those contested at the Christmas Shoot.

## 13. JUNIOR MEMBERS

- (a) Junior Membership shall be available to suitable persons under the age of Twenty-One (21) years.
- (b) Junior Members remain a Junior for the full calendar year in which they turn Twenty-One (21).
- (c) Junior Members shall pay Fifty (50) per cent of the Club Joining Fee and Fifty (50) per cent of the Club Annual Subscription.
- (d) The Committee of Management may, on a case by case basis, vary the fees for a particular Junior Member if, in their estimation, such an action is in the best interests of the Club.

## 14. NEW MEMBERS

All persons joining the Club shall be considered to be of provisional status for a period of One (1) year from the date of payment of the Joining Fee during which time their Membership may be cancelled, if in the opinion of the majority of the Committee of Management, their conduct is prejudicial to the well-being of the Club.

## 15. ENTITLEMENTS

All members, other than members of provisional status, Absentee Members, Associate Members and members under eighteen (18) years of age, shall be entitled to propose or second and vote on any motion at a General Meeting of the Club, as well as to nominate or second or accept a nomination for Office Bearer of the Committee of Management.

## 16. REGISTER OF MEMBERS

- (a) The Club Secretary shall keep a Register of each member's name, address and date of birth.
- (b) When directed by the SARPA, the Club Secretary will confirm the list of Club members.
- (c) Every member shall, within Fourteen (14) days, communicate to the Secretary a change of physical or electronic address.

## 17. RESIGNATION OF MEMBERS

A member may at any time, by giving notice in writing to the Secretary, resign their membership of the Club, but shall continue to be liable for any annual subscription due and unpaid at the date of such resignation.



## 18. OFFICER BEARERS OF THE CLUB

Office Bearers of the Club must be financial members of the Club and residents of South Australia.

- (a) The Office Bearers of the Club shall be elected at the Annual General Meeting and shall, subject to this Constitution, hold office until the next Annual General Meeting.
- (b) At each Annual General Meeting, the Chairperson shall declare all offices vacant.
- (c) Each retiring officer shall be eligible for re-election provided that such officer is re-nominated in accordance with this Constitution.
- (d) Any casual vacancy occurring during the Club Year shall be filled by the Committee of Management by a financial member of the Club and, contrary to Clause 29 (k), such a vacancy may be filled by an existing officer, provided that the offices of President, Vice President, Secretary and Treasurer are always held by separate Members.

## 19. TITLES AND DUTIES OF OFFICERS

### (a) **President**

- (a.i) There shall be One (1) President.
- (a.ii) The President shall be the Executive Officer and Chairperson of the Club and shall act as liaison officer between the Club and all other Associations, bodies, groups or persons including Government bodies and instrumentalities.
- (a.iii) The President shall preside at all meetings. If for any reason the President is unable to perform the President's duties, the Vice President shall occupy that position and perform those duties having the same authority as the President. In the event of the President and the Vice President being absent, the eligible members present may nominate a member to preside at that meeting. Should more than One (1) nomination be forthcoming, an election will be necessary where eligible members may vote for the candidate of their preference. For the purpose of conducting this election it will be necessary for the eligible members present to appoint a temporary Chairperson (not being one of the candidates) to preside over the meeting during the election.
- (a.iv) The President shall hold and be responsible for the safe keeping of the Seal of the Club, and shall affix the Seal to any instrument when authorised and instructed to do so by the Committee of Management;
- (a.v) The President shall be a member, ex officio, of all regular and special committees.

### (b) **Vice President**

- (b.i) There shall be One (1) Vice President.
- (b.ii) If for any reason the office of President becomes vacant, the Vice President shall automatically succeed to that office.

(c) **Secretary**

There shall be One (1) Secretary who shall:

- (c.i) keep a record of the proceedings of the Annual General Meeting and other General Meetings of the Club;
- (c.ii) keep a record of the proceedings of the meetings of the Committee of Management and of regular and special committees;
- (c.iii) conduct all correspondence in connection with the Club;
- (c.iv) be responsible for maintaining the Register of Members;
- (c.v) be a member, ex officio, of all regular and special committees.

(d) **Treasurer**

(d.i) there shall be One (1) Treasurer who shall:

- (d.ii) be responsible for the finances of the Club;
- (d.iii) be responsible for the collection of all moneys due to the Club;
- (d.iv) within Fourteen (14) days of collection, pay all moneys collected into an approved financial institution acceptable to the Committee of Management;
- (d.v) record in Books of Account the receipt and expenditure of all moneys connected with the Club;
- (d.vi) at the Annual General Meeting deliver to the Chairperson a Balance Sheet and Profit and Loss Account or a Profit and Loss Account and Current Net Assets and Liabilities statement covering the Club Financial Year immediately preceding the Annual General Meeting as assessed by the independent assessor in accordance with Clause 24 Financial Governance.

(e) **Membership Officer**

There shall be One (1) Membership Officer who shall:

- (e.i) maintain the Club Membership database and, in conjunction with the Secretary, maintain the Register of Members.
- (e.ii) monitor, print and sign member's "Licence Renewal Certificates".
- (e.iii) contact members who have not met their renewal requirements;
- (e.iv) sign the "Club Approval to Acquire a Firearm" form for a member to apply to purchase a firearm;
- (e.v) monitor and verify new member's Applications;
- (e.vi) liaise with the FASAT Instructor on a new member's progress.

(f) **Captain**

There shall be One (1) Captain who shall:

- (f.i) have charge of all Ranges of the Club;
- (f.ii) be responsible for the conduct of all competitions in accordance with the By-Laws of the Club;
- (f.iii) be responsible for observance of all safety precautions on all the Ranges of the Club.

(g) **Vice Captain**

There shall be One (1) Vice Captain of the Club who shall whenever required, perform the duties of the Captain during the Captain's absence or at the Captain's request.



**(h) Scorer**

There shall be One (1) scorer who shall record the scores of all Club competitions and maintain handicaps in accordance with the By-Laws.

**(i) Facilities Manager**

There shall be One (1) Facilities Manager who shall be responsible for the construction and maintenance of all Club facilities and property.

**(j) Committee Member**

(j.i) There shall be Two (2) other Committee Members.

(j.ii) They, and the remainder of the Office Bearers, shall be responsible for the conduct and control of the Club in accordance with this Constitution.

## **20. COMMITTEE OF MANAGEMENT**

**(a)** The Committee of Management shall consist of the:

President

Vice President

Secretary

Treasurer

Membership Officer

Captain

Vice Captain

Scorer

Facilities Manager

Two (2) Ordinary Committee Members.

**(b)** Six (6) members of the Committee of Management shall form a quorum and a quorum shall remain throughout the meeting.

**(c)** The Committee of Management shall be responsible for promoting and carrying out the objects and powers of the Club and shall have the care, control, management and conduct of all property, sub-committees, sections and affairs of the Club and may enter into agreements, contracts or arrangements in relation thereto.

**(d)** The Committee of Management, in addition to the powers herein before or hereinafter specifically conferred upon them, shall have the control of the finances of the Club, power to engage, control and dismiss servants of the Club and all such administrative powers as may be necessary for properly carrying out the objects of the Club in accordance with this Constitution.

**(e)** In the event that a member of the Committee of Management is temporarily unable to fulfil the duties of their office and there is an intention and expectation of them returning before the end of the Club Year then the Committee of Management may nominate a financial member to temporarily perform all or some of the duties of that Office.

## 21. OTHER ROLES

**(a) Patron**

- (a.i) There shall be One (1) Patron.
- (a.ii) This is a position of honour which may be granted by the members in General Meeting.

**(b) Armourer**

- (b.i) There may be One (1) Armourer who shall be responsible for the maintenance and care of all the Club's firearms.
- (b.ii) The Armourer holds the Club's Firearms Licence.
- (b.iii) The Armourer is not required to be a member of the Committee of Management.

**(c) Safety Officer**

- (c.i) There may be One (1) Safety Officer who shall be responsible for the management and mitigation of safety issues over and above the safety responsibilities of the Captain.
- (c.ii) The Safety Officer will prepare reports to the meetings of the Committee of Management when the need arises and upon request.
- (c.iii) The Safety Officer is not required to be a member of the Committee of Management.

## 22. PUBLIC OFFICER

- (a) The Public Officer must fulfil those duties required by the Act.
- (b) The Public Officer shall be proposed by the Committee of Management for ratification by the members in General Meeting.

## 23. RECORDS AND ACCOUNTS

- (a) The Club shall establish and maintain proper records and minutes concerning all of its transactions, business, meetings and dealings (including those of the Committee of Management). It shall produce these as appropriate at each Committee of Management or General Meeting.
- (b) Proper accounting and other records shall be kept in accordance with the Act. The Club shall retain such records for the period required by any current relevant Legislation and, in any case, for a minimum of Seven (7) years after the completion of the transactions or operations to which they relate.
- (c) The Committee of Management shall submit the Club's statements of account to the members at the Annual General Meeting in accordance with this Constitution and the Act.
- (d) The Club shall open and keep at least One (1) transaction account as the Committee of Management may from time to time determine, and all moneys belonging to the Club shall, as soon as practicable after the same shall be received, be paid and deposited to the credit of the account(s) of the Club.
- (e) The Club may open up to Three (3) transaction accounts for the sole purpose of EFTPOS using a debit card. The Committee of Management may authorise a Club member to be a signature to the account and to obtain and use a debit card. The Committee of Management to determine the limits and conditions, and how the card is used.
- (f) Excluding the transaction account for EFTPOS, no withdrawal shall be made from, and no cheques drawn on, any transaction account in the name of the Club unless the withdrawal form, cheque or electronic transfer is signed and password-activated, as appropriate, by any Two (2) of the Four (4) persons selected from the Committee of Management. The withdrawal of moneys from the Club bank account shall be confirmed as soon as possible at a Committee of Management meeting.
- (g) Notwithstanding the provisions of this Clause, the Committee of Management may not enter into financial obligations which exceed, either in One (1) single transaction or in any recurrent expenditure per annum, Thirty (30) per cent of the Club's cash and cash equivalents as declared at the most recent Annual General Meeting of the Club without the approval of the members at a General Meeting.

## 24. FINANCIAL GOVERNANCE

- (a) The Committee of Management must appoint an independent reviewer (a member or outside person who is not on the Committee of Management) to review the transactions between the bank accounts and financial reports, that they are a true and correct record of the Club's yearly financial activities and provide a statement to the Committee of Management.
- (b) The Committee of Management must agree and complete a financial controls check list after the final end of year accounts have been issued and before the Annual General Meeting.
- (c) The Committee of Management's minutes must reflect that a majority of the Committee of Management's members accept the results as detailed in the financial controls checklist in Clause 24(b).
- (d) The accounts, together with the financial controls checklist and the statement by the independent reviewer shall be laid before members at the Annual General Meeting.

## 25. MEMBERSHIP AND RANGE FEES

- (a) The Annual Membership Fee will
  - (a.i) consist of Two (2) components, the SARPA Capitation Fee and the Club Annual Subscription;  
and
  - (a.ii) all members except Absentee Members and Life Members will pay the SARPA Capitation Fee;  
and

- (a.iii) the Club Annual Subscription and Joining Fees shall be fixed at the Annual General Meeting.
- (b) Visitor Fees, Range Fees and Competition Entrance Fees shall be fixed by the Committee of Management.
- (c) No person shall shoot on the Club Range without payment of the appropriate fee. However, in the case of a visitor introduced by a member the fee may be waived for the first visit.
- (d) Any member whose Annual Membership Fee is unpaid on the 31st August or half yearly Membership Fee is unpaid on the 31st August and 28th February shall be declared Unfinancial.
- (e) A member who has been declared Unfinancial ceases to be a member and that person's name shall be erased from the books of the Club but may be replaced by the Committee of Management upon an available vacancy and on payment of all arrears.

## 26. LEVIES

- (a) The Committee of Management may impose per capita levies on all members not exceeding in total Ten (10) per cent of the Annual Subscription per member per annum and, notwithstanding this rule, the Club in General Meeting may authorise the imposition of levies in excess of the said Ten (10) per cent of the Annual Subscription.
- (b) When imposing a levy, the Committee of Management shall state the purpose of the levy and the due date for payment.
- (c) If a levy is unpaid after the due date, the Committee of Management may declare all defaulting members Unfinancial per Clause 25(e).

## 27. RETURNING OFFICERS

- (a) The Returning Officer(s) assist the Chair to ascertain the identity and eligibility to vote of all General and Special Meeting attendees.
- (b) The Returning Officer(s) maintain a written list of the attendees at every General and Special Meeting.
- (c) The Returning Officer(s) assist the Chair to conduct Secret Ballots.
- (d) The Returning Officer(s) receive nominations for Office Bearers prior to an Annual General Meeting.

## 28. PROXY VOTES

- (a) Proxy Votes will be accepted at any Annual General Meeting, General Meeting or Special General Meeting.
- (b) A letter of authorisation must be received by the Secretary prior to the commencement of the meeting, naming the proxy delegate and signed by the absent member and such a letter may be delivered by electronic means.
- (c) Any member may delegate, by proxy, another member to vote on their behalf, and shall be deemed to be present for the purposes of voting only in a secret ballot but shall not form part of the quorum.
- (d) No member may act as a proxy delegate for more than Three (3) other Members at any given Meeting.

## 29. NOMINATION FOR OFFICE BEARERS

- (a) All nominations must be in writing and signed by:
  - (a.i) The Nominee
  - (a.ii) The Proposer
  - (a.iii) The Secunder; and
  - (a.iv) The Nominee, the Proposer and the Secunder must be members eligible to move motions and to vote.
- (b) A member may make more than One (1) proposal or secondment.
- (c) A member may nominate themselves for any vacant office.
- (d) All nominations, for all vacancies, shall close at the same time on the same date.
- (e) The Committee shall elect a Returning Officer or Officers who are non-contestants and preferably non-voters.
- (f) All nominations are to be received by the Returning Officer(s) by 6pm on the 20th June and only nominations that are received in a sealed envelope or are received via electronic means as published by the Secretary shall be accepted by the Returning Officer(s).
- (g) The Returning Officer(s) will send to the Nominee an acknowledgement of receipt of the nomination when such nomination includes contact details for the Nominee.
- (h) Nominations will not be publicly declared until after the expiration of the specified date and time when nominations closed.
- (i) No candidate can withdraw their nomination between the time nominations close and the declaration of results. If any candidate decides that they do not wish to stand, the election must go on notwithstanding, with their name being included in the usual way and, if they happen to be elected, they are free to resign, thus creating an early casual vacancy.
- (j) Once elected to office, all other nominations by that Member lapse.
- (k) Where more candidates are nominated than there are vacancies, their order on the ballot-paper or chalk-board will be determined by ballot.
- (l) No candidate shall be elected to the Committee of Management for more than One (1) office during any One (1) period.
- (m) If no written nominations are received by the 20th June, the Chairperson may take nominations at the Annual General Meeting.

### **30. ELECTION OF OFFICE BEARERS**

- (a) The election of Office Bearers shall be held at the Annual General Meeting and filled in the following order:
- President
  - Vice President
  - Secretary
  - Treasurer
  - Membership Officer
  - Captain
  - Vice Captain
  - Scorer
  - Facilities Manager
  - Committee Members
  - Armourer
  - Safety Officer
- (b) All elections shall be by secret ballot with the successful nominee determined by simple majority. The Chairperson shall have a second or casting vote in cases where voting is equal.

### 31. ORDINARY RESOLUTION

- (a) An Ordinary Resolution is a Resolution passed at an Annual General Meeting or General Meeting.
- (b) An Ordinary Resolution shall be passed by a simple majority of not less than Fifty (50) per cent of those members, present and entitled to do so, voting in favour.

### 32. ANNUAL GENERAL MEETING

- (a) The Annual General Meeting shall be held in July of each year.
- (b) All financial members shall be given at least Twenty-One (21) days written notice of the Annual General Meeting.
- (c) The Chairperson shall be the President. If for any reason the President is unable to perform the President's duties, the Vice President shall occupy that position and perform those duties having the same authority as the President. In the event of the President and the Vice President being absent, the eligible members present may nominate a member to preside at that meeting. Should more than One (1) nomination be forthcoming, an election will be necessary where eligible members may vote for the candidate of their preference. For the purpose of conducting this election it will be necessary for the eligible members present to appoint a temporary Chairperson (not being one of the candidates) to preside over the meeting during the election.
- (d) Forty-Five (45) per cent of the members of the Club entitled to vote shall form a quorum and a quorum shall remain throughout the meeting.
- (e) If the Annual General Meeting has not been called by 31st July of any year, any Six (6) members entitled to vote may convene and conduct an Annual General Meeting.
- (f) The Committee of Management, or the conveners where appropriate, shall elect a Returning Officer (or Officers) who are non-contestants and preferably non-voters.
- (g) Any member desirous of moving a motion at the Annual General Meeting shall provide the Secretary with written Notice of Motion on or before 6pm on the 20th June prior to the Annual General Meeting.
  - (g.i) Such a Notice of Motion must be signed by a Proposer and Seconder; and
  - (g.ii) The Proposer and the Seconder must be members eligible to move motions and to vote; and
  - (g.iii) All valid Motions will be considered at the Annual General Meeting as Ordinary Motions during General Business unless otherwise published in the Meeting Agenda.
- (h) Questions may be asked at the Annual General Meeting and preference will be given to Questions provided in writing to the Secretary on or before 6pm on the 20th June prior to the Annual General Meeting.
- (i) At an appropriate time during the Annual General Meeting the Chair will take Questions from the Members, and the Chair in their absolute discretion:
  - (i.i) may accept, reject or defer (“take on notice”) such Questions; and
  - (i.ii) will act to keep discussion within reasonable boundaries.
- (j) Questions “taken on notice” will be considered by the Committee of Management at the next Committee of Management Meeting and the Secretary will subsequently publish the answers in a manner available to all Members.

(k) The Agenda for the Annual General Meeting shall be:

- Opening of Meeting
- Apologies
- Minutes of previous Annual General Meeting
- President's Report
- Treasurer's Report
- Presentation of Prizes
- Setting of Fees
- Appointment of Patron
- Appointment of Public Officer
- Motions Received
- Questions
- Election of Officers
- General Business

### 33. GENERAL MEETINGS

- (a) The Committee of Management may at any time for any purpose call a General Meeting of the Club.
- (b) The Chairperson for a General Meeting shall be the President and if the President is absent the Chairperson shall be appointed in accordance with the rules for an Annual General Meeting.
- (c) At least Fourteen (14) clear days notice in writing of such meeting shall be given to all members.
- (d) Any Six (6) members entitled to vote may serve a requisition on the Secretary to convene and conduct a General Meeting.
  - (d.i) All such requisitions shall be signed by each of the Six (6) members.
  - (d.ii) The requisition shall state the purpose for which the meeting is required.
  - (d.iii) If the meeting has not been convened within Twenty-One (21) days from the service of the requisition upon the Secretary, the Six (6) members may convene and conduct the meeting on behalf of the Club.
- (e) The Committee of Management, or the conveners where appropriate, shall elect a Returning Officer (or Officers) who are non-contestants and preferably non-voters.
- (f) Forty-Five (45) per cent of the members of the Club entitled to vote shall form a quorum and a quorum shall remain throughout the meeting.
- (g) Ordinary Motions may be considered at a General Meeting.

### 34. SPECIAL RESOLUTION

- (a) A Special Motion must be considered only at a Special General Meeting.
- (b) A Special Motion must be used for matters concerning
  - (b.i) Variations to this Constitution; or
  - (b.ii) the expulsion of a Member; or
  - (b.iii) the winding up or dissolution of the Club; or
  - (b.iv) Subject to Clause 34(b)(iii), the subsequent distribution or disposal of assets; or
  - (b.v) Any other matter required to be passed as a Special Resolution under the Act.
- (c) A Special Resolution passed at a Special General Meeting shall be passed by a majority of not less than Seventy-Five (75) per cent of those members, present and entitled to do so, voting in favour as required by the Act.

### 35. SPECIAL GENERAL MEETINGS

- (a) The Committee of Management may at any time call a Special General Meeting of the Club for consideration of a Special Motion.
- (b) The Chairperson for a General Meeting shall be the President and if the President is absent the Chairperson shall be appointed in accordance with the rules for an Annual General Meeting.
- (c) At a Special General Meeting
  - (c.i) only Special Motions can be considered; and
  - (c.ii) only One (1) Special Motion can be considered and
  - (c.iii) no other business may be conducted.
- (d) Twenty-One (21) clear days notice in writing of such meeting shall be given to all members as required by the Act.
- (e) Any Six (6) members entitled to vote may serve a requisition on the Secretary to convene and conduct a Special General Meeting.
  - (e.i) All such requisitions shall be signed by each of the Six (6) members.
  - (e.ii) The requisition shall state the purpose for which the meeting is required.
  - (e.iii) If the meeting has not been convened within Twenty-One (21) days from the service of the requisition upon the Secretary, the Six (6) members may convene and conduct the meeting on behalf of the Club.
- (f) The Committee of Management, or the conveners where appropriate, shall elect a Returning Officer (or Officers) who are non-contestants and preferably non-voters.
- (g) Forty-Five (45) per cent of the members of the Club entitled to vote shall form a quorum and a quorum shall remain throughout the meeting.

### **36. COMMITTEE OF MANAGEMENT MEETING**

- (a) The Committee of Management shall meet as required to conduct the affairs of the Club.
- (b) The Committee of Management shall meet approximately monthly with a minimum of Eleven (11) meetings to be conducted in each Club Year.
- (c) Should a member of the Committee of Management fail to attend Three (3) consecutive meetings of the Committee of Management and they have not been granted leave of absence then their office may be declared a casual vacancy.
- (d) Should any vacancy occur in the Office Bearers of the Club other than in the normal course of elections, the Committee of Management shall have power to fill such casual vacancy and such member duly appointed shall hold office for the unexpired portion of that predecessor's term.
- (e) Any Resolution proposed and seconded at a meeting of the Committee of Management shall be passed by a majority of not less than Fifty (50) per cent of the total number of the members of Committee voting in favour.
- (f) The President shall have a second or casting vote in cases where voting is equal.
- (g) If a motion is lost and the number of abstentions is equal to or greater than the number voting against the motion, the motion shall be deferred for reconsideration at the next meeting of the Committee of Management, however, if the motion is deferred for Three (3) consecutive meetings it shall be deemed to be lost.

### **37. BY-LAWS**

- (a) The Committee of Management is empowered to make, repeal and amend such By-Laws as they may from time to time consider necessary for the well-being of the Club, and the By- Laws, together with any variations, shall have effect until otherwise determined by the Committee of Management or a General Meeting.
- (b) This Clause 37 does not in any way apply to the so called "Disciplinary By-Laws" defined in Clause 41.

### **38. SUB-COMMITTEES**

- (a) The Committee of Management may from time to time appoint such sub-committees as they may deem necessary or expedient and may depute or refer to them such of the powers and duties of the Committee of Management as the Committee of Management may determine.
- (b) Such sub-committees shall periodically report their proceedings to the Committee of Management and shall conduct their business in accordance with the direction of the Committee of Management.

### **39. PROGRAMMED SHOOTS**

- (a) There shall be at least twelve programmed shoots each Club Year.
- (b) All shoots must be conducted in accordance with this Constitution and the By-Laws of the Club.

### **40. INTOXICATING LIQUOR AND DRUGS**

No person, whether a member of the Club or not, shall consume on any Range of the Club any intoxicating liquor or any controlled drug as defined in the Controlled Substances Act, 1984, as amended, or be admitted to any Range whilst that person is deemed by the Range Officer or the Club Captain to be under the influence of any liquor or controlled drug.



#### **41. INFRINGEMENT OF RULES AND DISCIPLINARY ACTIONS**

- (a) In any matter concerning the infringement of rules and any resulting disciplinary actions and appeals, the Members will submit to the processes defined in the “Disciplinary By-Laws”.
- (b) The Disciplinary By-Laws are part of the Constitution of the Club.

#### **42. VARIATION TO THIS CONSTITUTION**

- (a) The Constitution of the Club includes the separately documented “Disciplinary By-Laws” and the Constitution and the Disciplinary By-Laws must always be considered as a whole.
- (b) This Constitution and the separately documented Disciplinary By-Laws shall be the only Constitution of the Club and shall come into force forthwith and shall not be altered, varied, added to or repealed except by Special Resolution.
- (c) Such a Special Resolution must refer to the Constitution and the Disciplinary By-Laws as a whole.
- (d) This Clause 42 shall not be added to, altered or repealed except by Special Resolution.

#### **43. PROPERTY AND ASSETS**

The property, assets and income of the Club, wherever and however derived, shall be applied towards the promotion of the objects of the Club 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 individuals or to members of the Club. Provided that nothing herein contained shall prevent the payment in good faith of remuneration to any officers or servants of the Club or any member in return for services actually rendered nor prevent the payment of interest on money borrowed from any member of the Club.

#### **44. POWER TO BORROW MONEY**

If at any time the Club shall pass a Resolution authorising the Committee of Management to borrow money for the purposes of the Club the Committee of Management shall thereupon be empowered to borrow such amount of money either at one time or from time to time and at such rates of interest and in such form or manner and upon such security as shall be necessary. All members of the Club whether voting on such Resolution or not and all persons becoming members of the Club after the passing of such Resolution shall be deemed to have assented to the same as if they had voted in favour of such Resolution.

#### **45. COMMON SEAL**

The Common Seal of the Club shall not be affixed to any deed or document without the prior authority of a Resolution by the Committee of Management. All documents requiring execution by the Club shall be sealed with the Common Seal and countersigned by either the President or the Secretary and One (1) other member of the Committee of Management.

#### **46. DISSOLUTION AND APPLICATION OF SURPLUS ASSETS**

The Club may be wound up in the manner provided for in the Act.

- (a) If upon winding up or dissolution of the Club, there remains, after satisfaction of all its debts and liabilities, any assets or property, the same shall not be paid to or distributed to its members, but instead, those assets or property must be given or transferred to another organisation(s) that has objects similar to the objects of the Club.
- (b) Those organisation(s) must prohibit the distribution of income and property among its members to an extent at least as great as that imposed on the Club by this Constitution.

- (c) The organisation(s) is to be determined by the members in a meeting at or before the time of dissolution. If this does not occur, the decision will be made by a Judge of the Supreme Court of South Australia or other court as may have or acquire jurisdiction in the matter.

#### **47. NOTICES**

- (a) Notices may be given by the Club to any person entitled under this Constitution to receive any notice. The notice can be sent by pre-paid post or, where available, by electronic mail to the member's last registered address or electronic mail address recorded in the Register of Members.
- (b) Where a Notice is sent by post, service of the notice shall be deemed to be affected by properly addressing, pre-paying and posting the notice. Service of the notice is deemed to have been received at the expiration of Three (3) clear business days, not including a Saturday, or Sunday, or a public holiday from the date of posting.
- (c) Where a notice is sent out by electronic mail, service of the notice shall be deemed to be effective from the second business day after it was sent.

#### **48. CLUB LOGO**

The name, emblem, insignia or badge of the Club shall be of a design approved by the Committee of Management. The name, goodwill, emblem, and badge and other insignia of the Club shall not be used for any purpose except those expressly authorised by the provisions of this Constitution or by policies of the Club and no other individual or identity may use the name, goodwill, emblem or other insignia of the Club without such written consent first had and obtained from the Committee of Management.

#### **49. INTERPRETATION**

In the event of any doubt or difficulty arising as to the meaning of any paragraph hereof or to any question arising as to their interpretation, the Committee of Management shall have power to pronounce a decision thereon and its decision shall be final and binding on members. In the absence of rules in this Constitution or in the By-Laws of the Club the proceedings of the Club's Committee of Management Meetings and Annual or other General Meetings shall be conducted in accordance with the current edition of the book published by Anthony David Lang entitled *Horseley's Meetings: Procedure, Law and Practice* published by Lexis Nexis Butterworths.

I HEREBY CERTIFY that this document is a true and correct copy of the Constitution of THE STURT PISTOL AND SHOOTING CLUB INCORPORATED which was adopted on the 26th day of July, 2025.

.....

PRESIDENT

DATED this        day of        , 20    .

## ***Notes and updates to the Constitution***



**Sturt Pistol and Shooting Club Incorporated**

PO Box 240, O'Halloran Hill, South Australia 5158