

The Game Fishing Club of South Australia Constitution



1. NAME.

The name of the Club shall be The Game Fishing Club of South Australia Incorporated
(herein after referred to as “the Club”)

2. OBJECTS.

- (A) To promote the sport of game fishing both as a recreation and as a potential source of scientific data for the use and benefit of mankind, and to formulate and support fair, uniform and ethical angling rules.
- (B) To encourage and further the study of recreational angling, the related fish species and the habitat requirements of such species. To develop and support fish tagging programs and other sources of scientific data collection.
- (C) To affiliate or co-operate with “The South Australian Game Fishing Association”, “The Game Fishing Association of Australia” and “The International Game Fish Association”, as well as other bodies having interests complimentary to the Objects of the Club, and to support The Australian Fishing Museum.
- (D) In the absence of a State Branch of the Game Fishing Association of Australia, to govern and co-ordinate the sport of game fishing in South Australia, and to grant South Australian Game Fishing Records.
- (E) In the absence of a State Branch of the Game Fishing Association of Australia, to maintain a record of game fish and sharks caught or tagged in South Australian waters by Members and to submit claims for Australian and World Record captures on behalf of Members.
- (F) To promote game fishing tournaments in South Australian waters, instructional and social activities among Members, and to maintain historical records of the activities of the Club and its Members.
- (G) To acquire hold or deal with in any manner both real and personal property for the purposes of the Club.
- (H) To raise funds by subscription or otherwise in order to carry out the objects and interests of the Club.
- (I) To do all such acts and things as may be necessary to carry out the above objects.

3. MEMBERSHIP.

The Club shall consist of Members who support and actively adhere to the Constitution of the Game Fishing Club of South Australia, in the following classes;

- (A) Life Members (B) Junior Members (C) Family Members (D) Honorary Members
(E) Senior Members (F) Tournament Membership

4. LIFE MEMBERS.

- (A) The Committee may recommend to a General Meeting of the Club that a Member who has rendered long and exceptional service to the Club be appointed a Life Member.
- (B) A candidate for Life Membership shall be elected by a majority of two thirds of the votes cast by the Members present at such General Meeting.
- (C) Life Members shall be entitled to all the privileges of Membership but they shall not be required to pay an annual subscription.

5. ELECTION OF MEMBERS.

- (A) Every candidate for Membership of the Club shall be proposed by one Member and seconded by another. Either Proposer or Seconder shall have known the applicant for at least twelve months provided that, in special circumstances, the Committee shall have the power to waive this requirement. Every application for Membership shall be in writing, on the Clubs nomination form giving the name, address and occupation of the candidate, and shall be signed by all three.
- (B) Every application for Membership shall be submitted to the Committee promptly and all elections for Membership shall be by vote to be conducted in such manner as the Committee Chairman shall determine. Every Committeeman present may vote and more than one dissentient vote shall exclude.
- (C) A candidate shall become a Member upon election and payment of the prescribed entrance fee and subscription. The Secretary shall give prompt written advice of acceptance to the Member and record the name and address in the Register of Members.

5.1. TOURNAMENT MEMBERS.

- (A) Tournament Membership is granted to non Members only for the duration of a specifically nominated tournament by the committee.
- (B) The fee applicable for the Tournament Membership will be nominated by the committee prior to the specific tournament nominated.
- (C) Any point score accrued by the Tournament Member during the tournament will count for that specifically nominated tournament only. Points accrued when fishing on a full Member's boat will also only count for that specifically nominated tournament and not count towards the full Members yearly boat point score

6. JUNIOR MEMBERS.

Junior Members are Members who have not attained the age of sixteen years and have been elected and made prescribed payments in accordance with (Clause 5).

7. FAMILY MEMBERS.

The partner and/or children of a Member shall be eligible for Family Membership upon payment of the prescribed subscription.

8. HONORARY MEMBERS.

(A) Criteria

Honorary Membership is only to be issued to a person who has proven to have given prolonged unselfish support and/or assistance by their actions or interactions with or for the Club and whose Honorary Membership been agreed and ratified to by the Committee as stipulated in the nomination process (as detailed in sub clauses B & C herein).

(B) Honorary Membership may be granted by the president or by any two Members of the Committee to any person with or without the payment of any entrance fee or subscription.

(C) The name of any Honorary Member so appointed shall be reported to the next meeting of the Committee.

(D) The Committee shall have the power to cancel the Honorary Membership of any person at anytime and without assigning and reason therefore.

(E) Honorary Members shall not be eligible to vote or hold office within the Club.

(F) The Committee, at its discretion, shall appoint a Club Patron.

(G) Honorary Members will be allowed fishing rights at no cost to them and the Club will bear the costs of those GFAA Affiliation fishing rights fees.

9. SUBSCRIPTION.

The Club's year shall commence on the first day of July in each year. The amount of the entrance fee and annual subscriptions to the Club shall be determined by the Committee. All annual subscriptions shall become due on the first day of July in each year and be payable before the thirty-first day of July of the same year.

10. SUBSCRIPTIONS IN ARREARS.

If the annual subscription of a Member shall remain unpaid after the thirty-first day of July, the Member, after notice thereof, shall have been sent to him by the Secretary, may have his Membership terminated by resolution of the Committee and his name removed from the Register of Members.

11. ADDRESS OF MEMBERS.

Members shall advise the Secretary of any change of address and the Secretary shall register the same. All letters and notices posted and addressed to the last registered address of a Member shall be deemed to have been served within forty eight hours after posting and to have been properly addressed.

12. TERMINATION OF MEMBERSHIP.

(A) A Member may retire from Membership of the Club at any time by giving the Secretary notice in writing but any Member retiring without having paid subscription for the then current year shall be liable for the same.

(B) If any Member shall refuse or neglect to comply with the provisions of the Constitution of the Club, or if any Member shall, in the opinion of the Committee be guilty of any conduct deemed to be prejudicial to the interests of the Club, or the sport of game fishing, such Member may be expelled by resolution of the Committee, provided that at least one week before the meeting of the Committee, at which such resolution is to be moved, such Member shall have had notice of such resolution for his expulsion and he shall at such meeting and the passing of such resolution have an opportunity of giving orally or in writing any explanation or defense he may think fit.

(C) Any person ceasing to be a Member of the Club shall forfeit all fees, rights in & claims upon the Club & its properties.

13. COMMITTEE

(A) The affairs and general business of the Club shall be managed by a Committee which shall consist of a President, Secretary, Treasurer, and Weight Recorder, Technical Advisor and Five Members or Life Members of the Club.

(B) The committee shall be elected at the Annual General meeting of the Club each year in the manner prescribed in paragraph 15 of this Constitution.

(C) Meetings of the Committee may be convened by either the President or the Secretary, and shall be convened at the request of any two Committee Members.

(D) The President shall preside at all Committee Meetings or if he is absent from the Meeting the Members may choose one of their number to be Chairman of the Meeting.

(E) A quorum shall consist of not less than four Members of the Committee.

(F) Any casual vacancy on the Committee may be filled from among the remaining Members of the Committee.

(G) In regard to charges made of the behavior breaching the Club's Harassment & Bullying policy.

The President will appoint three Committee Members to investigate the charges, report findings & recommend possible actions for consideration of the full Committee.

- (H) Possible Committee actions by the majority, in regard to a proven breach of the Club's Harassment & Bullying Policy
- 1/ Verbal apology.
 - 2/ A Public written apology.
 - 3/ Damages, Fines & or costs
 - 4/ Temporary suspension of Membership
 - 5/ Termination of Membership forfeiting all fees, rights in & claims upon the Club and its properties

13 (G&H) APPENDAGE

Harassment & Bullying Policy

(A) Aim

- a. The Club aims to eliminate the risk of injury to its Members and other persons by putting in place a planned and systematic approach to bullying and harassment.
- b. Harassment and/or bullying and/or victimisation in any form including online behavior, is not tolerated by the Club. This policy is in place to ensure that any incidents of harassment or bullying can be identified, reported, responded to and resolved as soon as possible.

(B) Scope

- a. This policy relates to all Members participating in any of the Club's activities at its premises or any other site where related activities are held, or social gatherings of the Club occur, or online through any form of social media.
- b. This policy should be read in conjunction with the constitution of the Club.

(C) Definitions

- a. **Victimisation** is unfairly treating people for complaining or helping others to complain, either within the Club or to the Equal Opportunities Commission or other like bodies. Unlawful victimisation is unfair treatment for complaints about discrimination or sexual harassment.
- b. **Repeated** in this context refers to the persistent nature of the behaviour and can refer to a range of behaviours that occur over time.
- c. **Unreasonable Behaviour** refers to behaviour both real-life and online, that a reasonable person, having regards for the circumstances, would see as victimising, humiliating, intimidating, undermining or threatening. Legitimate comment on any Club related activity or performance is not unreasonable behaviour.
- d. **Discrimination** is treating a person less favourably than another person because of their race, colour, national origin, sex, disability, religion, sexual orientation, or some other attribute or characteristic as specified under anti-discrimination or human rights legislation.
- e. **Harassment** is unwanted behaviour that offends, humiliates, discriminates or intimidates a person.
- f. **Sexual Harassment** is sexual behaviour which makes people feel offended, afraid or humiliated and in the circumstances, it is reasonable to feel that way.
- g. **Bullying** is repeated, unreasonable and unwelcome behaviour directed towards a Member or group of Members that creates a risk to health and safety.

(D) Objectives

- a. Promote awareness of personal and others' health, safety and welfare and to promote a positive and healthy environment for Members and visitors of the Club.
- b. Consult with and encourage Members to contribute to the decision-making process on harassment and bullying.
- c. Establish guidelines for the management of any harassment and/or bullying complaints or concerns made.
- d. Ensure adequate systems are in place for the investigation of incidents and injuries arising in the Club.

(E) Roles and Responsibilities

Persons managing the affairs and general business of the Club ("the Club Committee")

The Club Committee will ensure that:

- A Harassment and Bullying Policy is developed and implemented through consultation with Members and/or their representatives;
- Mechanisms are in place to ensure that the policy is being observed;
- Mechanisms are in place to enable Members to be consulted on any proposed changes to the policy;
- All Members are provided with the necessary knowledge and skills to effectively enable them to carry out their responsibilities relating to this policy;
- All incidents arising from this policy are investigated and documented;
- Impose a corrective measure where breaches of this policy have occurred.

Members

All Members are required to:

- Observe all instructions given by the Club Committee with regards to this policy;
- Ensure their behaviour complies with the requirements of this policy;
- Report any/all incidents or hazards in the course of the Club's activities and meetings to the Club Committee;
- Provide constructive feedback on any matters which may affect their health, safety and/or welfare relating to harassment and bullying;
- Keep confidential any matters arising from this policy other than with the Club Committee.

(F) General Requirements

The Club's policy is to provide an environment free from all forms of harassment, bullying and victimisation.

a. **Bullying (in person or online)**

- i. Examples of unreasonable behaviour include, but are not limited to, abusive, insulting or offensive language or comments, unjustified criticism or complaints, deliberately excluding someone from Club activities, setting unreasonable timelines or constantly changing deadlines, spreading misinformation or malicious rumours and changing Club arrangements to deliberately inconvenience a particular Member or Members of the Club.
- ii. Legitimate comment on Club related behaviour or comment is not unreasonable behaviour and therefore does not constitute bullying. Full and frank feedback can be given in a sensitive and constructive manner.
- iii. Bullying can be both intentional and non-intentional. The test applied is whether the behaviour could be reasonably held to create a risk to health and safety.
- iv. The Club takes seriously any allegations of bullying by a Member.
- v. Members are encouraged to balance the need for a light hearted environment with behaviours that can be considered bullying.
- vi. Any Member who is subjected to bullying should inform the Club Committee in writing.
- vii. Once notified of an incident of bullying the Club Committee will take the appropriate action.

b. **Sexual Harassment (in person or online)**

- i. Sexual harassment includes, but is not limited to, unwelcome touching or kissing, comments or jokes, leering or staring, sexual pictures, objects, emails, text messages or literature, direct or implied propositions or requests for dates and/or questions about sexual activity.
- ii. Sexual harassment is not mutual attraction or friendship with consent.
- iii. Any Member who is subjected to sexual harassment should tell the Club Committee.
- iv. Once notified of an incident of sexual harassment the Club Committee will take the appropriate action.

c. **Discrimination (in person or online)**

- i. A Member cannot be discriminated against as a result of them:
- ii. Wanting to be, or being, a Club Committee Member;
- iii. Performing any powers or functions under such a role;

d. **Victimisation (in person or online)**

- i. Under State and Commonwealth legislation it is unlawful to subject a person who has lodged a grievance of unlawful discrimination, workplace bullying, harassment or sexual harassment to victimisation.
- ii. Any Member who is subjected to victimisation should inform the Club Committee in writing.
- iii. Once notified of an incident of victimisation the Club Committee will take the appropriate action.

(G) Breaches of Harassment and Bullying Clause

- a. The Club expects that this policy will be complied with at all times. Breaches of this policy are taken seriously and are acted upon as considered appropriate by the Club Committee. The type and severity of the disciplinary action will depend upon the circumstances of the particular case and the seriousness of the breach.
- b. Any breaches of this policy, whether by the concerned Member themselves or by a third party should be brought to the attention of the Club Committee.
- c. Any complaints about policy breaches will be dealt with quickly, seriously and confidentially.
- d. If there is a risk to any Member's health or safety as a result of a breach of this policy then appropriate action will be taken at the discretion of the Club Committee.
- e. Malicious, vexatious or frivolous allegations of harassment or bullying that are unfounded will constitute a breach of this policy.

- f. Behaviours that amount to a breach of criminal law will be immediately reported to the police.
- g. At any time a Member has the right to contact an external agency for advice or help:

Equal Opportunities Commission SA – 8207 1977

Australian Human Rights Commission – 1300 656 419

Commonwealth Fairwork Ombudsman – 13 13 94

Safework SA – 1300 365 255

Australian Counseling Association – 1300 784 333

(H) Review of the Harassment and Bullying Policy

Review of the Harassment and Bullying Policy will be undertaken by the Club Committee regularly. All Members will be advised of agreed changes and arrangements made for their implementation.

14. ELECTION OF THE COMMITTEE.

- (A) At each Annual General Meeting of the Club the whole of the Committee shall retire from office but Committeemen shall be eligible for re-election. The Committee to manage the affairs of the Club for the ensuing year shall be elected in the manner prescribed.
- (B) Each candidate for office on the Committee shall be nominated in writing by at least two financial Members of the Club and such be approved in writing by the candidate. Nominations shall be lodged with the Secretary not later than the fifteenth day of June in each year.
- (C) If the number of candidates duly nominated does not exceed the number required to be elected, the candidates nominated shall be declared elected at the Annual General Meeting, but if the number of candidates shall exceed the number required to be elected, a ballot shall be held at the Annual General Meeting and shall be conducted in such manner as the Chairman at that meeting shall decide.
- (D) Every Member of the Club present at the Annual General Meeting shall be entitled to vote for as many candidates as there are vacancies to be filled and no more. The candidates up to the number of vacancies who shall be declared elected and in the case of two or more candidates receiving an equal number of votes the Chairman shall have a second or casting vote.
- (E) If a ballot for the election of Members of the Committee is necessary at an Annual General Meeting, the notice convening such Meeting shall contain particulars of the offices to be filled and the names of the candidates for the same.

15. ANNUAL GENERAL MEETING.

- (A) A general meeting of the Club termed the Annual General Meeting shall be held in the month of July each year at a time and place to be nominated by the Committee.
- (B) The business at the Annual General Meeting shall be the election of Members of the Committee, a report by the President, presentation of the Receipts and Expenditure for the year, the Balance Sheet of the Club and other business as may be permitted by the Constitution.
- (C) Any Member desirous of bringing forward any proposition or motion at the Annual General Meeting shall give written notice thereof to the Secretary by the fifteenth day of June of the year and the Secretary shall embody such proposition in the notice convening such Meeting, advice of which be posted to Members not less than fourteen days prior to the date of the Annual General Meeting.

16. SPECIAL GENERAL MEETING.

The Committee may whenever they think fit, and they shall upon receipt of a requisition in writing under the hands of not fewer than twenty Members, convene a Special General Meeting of which at least seven days notice shall be given to all Members of the Club. Any requisition so made shall fully and clearly express the objects of the meeting so required to be called, and shall be delivered to the President or the Secretary. Under such circumstances the Committee shall forthwith convene a Special General Meeting to be held at such time and place as they shall think fit, not being more than twenty-one days after receipt of such requisition.

17. CHAIRMAN.

- (A) The President shall preside as Chairman at every Annual General Meeting and Special Meeting of the Club.
- (B) If the President is not present or is unwilling to act, the senior Committeeman present shall preside as Chairman.

18. QUORUM AT A GENERAL MEETING.

- (A) At any General Meeting of the Club, a quorum shall consist of twenty Members personally present and entitled to vote.
- (B) If within half an hour of the time for the Meeting a quorum is not present, the Meeting, if convened upon the requisition of Members, shall be dissolved.
- (C) In any other case it shall stand adjourned to the same day in the week at the same time and place, and if at such adjournment Meeting a quorum is not present within half an hour from the time appointed for the Meeting, the Members present and entitled to vote, shall be a quorum.

19. VOTING AT A GENERAL MEETING.

- (A) Every Life Member and Member of the Club present at a General Meeting shall have a vote, and in the case of equality of votes, the Chairman shall have a second or casting vote.
- (B) Voting shall be decided by a show of hands unless a resolution is carried requesting a vote by ballot.
- (C) A declaration by the chairman that a resolution has been carried or lost shall be deemed conclusive evidence of the fact.
- (D) All resolutions carried at a General Meeting of the Club shall be conclusive and binding on all Members and no notice of motion to reconsider any such decision shall be received by the Committee during the current financial year ending on the thirtieth day of June.
- (E) Membership categories other than Life Members and Members shall not be entitled to vote.

20. ALTERATION TO THE CONSTITUTION.

This Constitution may be added to or repealed or amended by resolution at any General Meeting of the Club provided that no such resolution shall have been deemed to have been passed unless it be carried by a majority of at least two thirds of the Members voting thereon, and provided that notice of any proposed alteration at such Meeting shall have been given to the Secretary at least one month prior to such Meeting.

21. FISHING RULES.

- (A) The Club recognizes The Game Fishing Association of Australia as the federal body controlling the sport of game fishing throughout Australia.
- (B) The Club recognizes The International Game Fish Association as the central body controlling the sport of game fishing throughout the world.
- (C) For the purposes of South Australian Records and for Club Tournaments the Committee may introduce additional classifications and local rules.

22. AUDIT.

The Committee shall appoint an Auditor to examine the records and accounts, the annual Statement of Receipts and Expenditure and the Balance Sheet of the Club. The Auditor shall report thereon at General Meetings.

23. THE POWER.

24. SEAL.

The Committee shall provide for safe custody of the Seal of the Club, which shall only be used by the authority of the Committee. Every instrument to which the Seal is affixed shall be signed by the president or Secretary and countersigned by a Member of the Committee. A record of every use of the Seal shall be noted in the Minutes of the next meeting of the Committee.

25. INTERPRETATION.

The Committee shall be the sole authority for the interpretation of the Constitution and of any rules made there under, and the decision of the Committee upon any question of interpretation or upon matter affecting the Club and not provided for this Constitution or in the Rules made there under shall be final and binding upon Members of the Club.

26. INDEMNITY.

The Members of the Committee shall be indemnified out of the funds of the Club from and against all charges, costs, losses, damages and expenses which they or any of them shall or may incur or sustain in or about the execution of their respective offices.

27. WINDING UP.

If upon the winding up or dissolution of the Club there remains after the satisfaction of all its debts and liabilities any property whatsoever, the same shall not be paid to or distributed among the Members of the Club but shall be given or transferred to some other club or institution having objects similar to the objects of the Club.

28. DISTRIBUTION.

The Rules shall be printed on a copy thereof delivered to any Member upon election. They shall be binding upon every Member of the Club and no Member shall be absolved from the effect of these Rules on the allegation of not having received them.

Approved at Adelaide, South Australia, 1993
Section 3 Amended at Adelaide, South Australia, 1998
Sections 7, 8, 10, 11 & 14A Amended at Adelaide, South Australia, 2001
Section 3, 9, 10 Amended at Adelaide, South Australia 2006
Section 3, 14B & 15A, C. Amended at Adelaide, S.A. 2014
Copy Sent to :-
Game Fishing Association of Australia (GFAA)
The South Australian Game Fishing Association (SAGFA)
The International Game Fishing Association (IGFA)
Australian Corporate Affairs Commission