

# RULES OF THE NSW CAT FANCIERS' ASSOCIATION INC.

ABN 35 318816 506

Incorp No Y2684500

23 October 2007

Amended 28 October 2008, 27 October 2020, 7 December 2021,  
19 October 2022, 6 December 2024, 6 December 2025

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## PART I - PRELIMINARY

## Interpretation:

1. In these rules and in any by-laws or procedures made pursuant thereto, except insofar as the context or subject matter otherwise indicates or requires:
  - (1) "affiliate" means a club, society or association of breeders of cats or association admitted by the NSW CFA Inc. as an affiliated body and where the context so admits includes an associate affiliate.
  - (2) "annual general meeting" means the annual general meeting of the NSW CFA Inc. referred to in rule 64.
  - (3) "application for membership" includes application for re-admission to membership.
  - (4) "associate affiliate" means a club or other body as admitted by the NSW CFA Inc. as an associate affiliate.
  - (5) "auditor" means the auditor appointed by the NSW CFA Inc.
  - (6) "body" means where the context reasonably permits, an agricultural or other society or association, company, corporation or group of persons.
  - (7) "cat" includes male, female, entire or desexed where the context reasonably permits.
  - (8) "cat controlling body" means any body recognised as such by the Coordinating Cat Council of Australia or the Australian Cat Federation
  - (9) "central register" means the central register of prefixes kept by the NSW CFA Inc.
  - (10) "committee" means the Management Committee of the NSW CFA Inc.
  - (11) "constitution" means in this constitution, rules, and by-laws of an affiliate or (where applicable) an applicant for affiliation.
  - (12) "couple" means any two persons who cohabit
  - (13) "executive committee" means the Executive Committee referred to in rule 56
  - (14) "exhibit"
    - (a) used as a noun means a cat entered for exhibition at a show;
    - (b) used as a verb includes the verb "to show" and "to exhibit" or "to show" includes "to compete".
  - (15) "exhibitor" means a person in whose name an exhibit is entered for exhibition in a show, but where the context reasonably permits, shall be deemed to include a person by whom such exhibit is displayed or handled, or the person in whose charge the exhibit is while at the show
  - (16) "exhibition" includes a show, cat exhibition, cat parade, cat competition, or cat display.
  - (17) "fees" shall include monies payable in respect of the registration of or in respect of an entry of a cat in the records of the NSW CFA Inc. and shall include charges made by the NSW CFA Inc. in

respect of office services.

- (18) "general cat club" means a club, recognised as such by the Management Committee, which admits to membership fanciers of purebred cats, without any restriction as to the breed or breeds in which such members are interested.
- (19) "the journal" means the journal of the NSW CFA Inc. published by the Management Committee.
- (20) "judge" means a person approved by the Management Committee to judge at a show.
- (21) "licence" in relation to a club, society, association or other body means the licence granted thereto by the Management Committee to conduct a show to be governed by the show procedures.
- (22) "licensee" means a body licensed to conduct a show or shows pursuant to the rules and procedures.
- (23) "management committee" means the Management Committee of the NSW CFA Inc.
- (24) "member" means a member of the NSW CFA Inc. and where the context so permits shall mean and include a junior or an associate member.
- (25) "misconduct" means any conduct (words or action):
- (a) considered by a reasonable person to be unsportsman like or of a nature which is contrary to the manner in which a person ought properly to conduct himself; or
  - (b) which might induce a breach of the peace; or
  - (c) which might create a nuisance; or
  - (d) which might prejudice the smooth running of or interfere with the conduct or running of a show or of any general meeting or committee meeting of the NSW CFA Inc. or of an affiliate; or
  - (e) which brings the NSW CFA Inc. into discredit or the member concerned as a breeder, owner or member into discredit; or
  - (f) which by the rules or by-laws of the NSW CFA Inc. or an affiliate is deemed to be misconduct.
- (26) "office" means the office of the NSW CFA Inc.
- (27) "period of membership" means the period of time terminating at midnight on 30th June in each year for which a member has been admitted to membership.
- (28) "person" where the context reasonably permits, includes a natural person, a firm or partnership, a company, corporation or any other legal entity.
- (29) "prefix" means a prefix appearing in the central prefix register.
- (30) "the prescribed form" means a form prescribed by the Management Committee for any particular purpose required by these rules or procedures.
- (31) "prize" includes any award, gift or presentation whether in the form of a certificate, a card, a ribbon, a monetary payment, a trophy or otherwise.

- (32) "NSW CFA Inc." means the NSW Cat Fanciers' Association Inc.
- (33) "recognised show" means a show conducted by the NSW CFA Inc. or a show approved as a recognised show by the Management Committee, and includes a show conducted by the Cat Section Committee of the Royal Agricultural Society of New South Wales. "Unrecognised show" shall have the converse meaning.
- (34) "records" means the records of the NSW CFA Inc.
- (35) "the register" means the cat register kept by the Administrator for the purpose of recording cats considered by the Management Committee as eligible for exhibition and admitted to registration in accordance with the NSW CFA Inc.'s rules, by-laws, and procedures.
- (36) "rules and by-laws" means the rules and by-laws for the time being as approved by the members of the NSW CFA Inc.
- (37) "the Secretary" means the Secretary/Manager/Administrator of the NSW CFA Inc., and where the context reasonably permits, includes any Assistant Secretary/Manager/Administrator and any person for the time being appointed by the Management Committee to exercise the NSW CFA Inc.'s secretarial and/or administrative functions.
- (38) "show" used as a noun includes any exhibition at which cats are judged or at which cats compete and at which prizes are awarded.
- (39) "show committee" in relation to a show means the committee immediately responsible for the conduct of the show
- (40) "show officials" includes all judges, stewards and officials engaged in the administration of the show in question and includes the members of any show committee.
- (41) "show procedures" means the show procedures approved by the Management Committee.
- (42) "show representative" means a person approved by the Management Committee to represent the NSW CFA Inc. at a show.
- (43) "special general meeting" means a special general meeting of the NSW CFA Inc. referred to in rule 66.
- (44) "specialist club" means a club or society or other association of persons recognised as such by the NSW CFA Inc. which admits to membership breeders and supporters of a specified breed and varieties or colours of that breed of cat.
- (45) "state" means the State of New South Wales.
- (46) "steward" means a person who assists a judge and may display or handle an exhibit whilst it is being shown in a ring at a show.
- (47) "supplementary register" means the cat register kept by the Management Committee for the purpose of recording cats used in or resulting from approved experimental breeding programs and from breeds not eligible for championship status.

- (48) "writing" includes printing, typing, emailing, photocopying, and any other like recognised means of written communication.
- 2 (a) In these rules:
- (i) reference to a function includes a reference to a power, authority and duty; and
  - (ii) reference to the exercise of a function includes, where the function is a duty, a reference to the performance of the duty;
  - (iii) the provisions of the Associations Incorporation Act 2009 and the Associations Incorporation Regulations 2016 (as amended) apply to these rules.
  - (iv) reference to the masculine gender shall include the feminine gender and vice versa.
  - (v) The provisions of the Interpretation Act 1987 apply to and in respect of these Rules in the same manner as those provisions would so apply if these Rules were an instrument made under the Act.
- (b) The principal objects of the NSW CFA Inc. are:
- (i) To promote and raise the standards of breeding of purebred cats.
  - (ii) To promote and encourage the breeding of purebred cats.
  - (iii) To educate the members of the NSW CFA Inc. and the general public in all aspect of pure bred and companion cats.
  - (iv) To promote and encourage the holding of exhibitions and shows of pure bred and companion cats.
  - (v) To train and accredit persons as judges to judge pedigreed and companion cats according to ruling standards.
  - (VI) To train and accredit persons as stewards to assist judges judging pedigreed and companion cats.
  - (vii) To promote and assist to make contributions to feline veterinary research and to create and endow scholarships and fellowships.

## PART II - MEMBERSHIP

### Nomination for Membership

3. Any person, firm or partnership, company, corporation or other legal entity may be admitted to membership of the NSW CFA Inc. by the Management Committee upon application in writing for membership provided that:
  - (a) Where the applicant (nominee) is a natural person, such applicant shall be at least 18 years old and reside at an address situated in the State of New South Wales.
  - (b) Where the applicant is a firm or partnership, company, corporation or any other legal entity registered at an address situated in the State of New South Wales, such applicant shall by notice in writing to the Secretary nominate a representative. This representative must be a natural person who would otherwise fulfill requirements for membership of the association. This representative, to the exclusion of his or her principal, shall be entitled to receive all notices to which his or her principal is entitled and to attend and vote at meetings in the name and on behalf of his or her principal. This representative shall also be entitled to enjoy the membership privileges to which his or her principal would have been entitled were he or she a natural person.
4. A nomination for membership shall be made on such form as the Management Committee may from time to time prescribe and lodged with the Secretary. An applicant shall furnish such information as may be required from time to time by the committee, and in particular, such information as is called for in the prescribed form.
5. (a) Dual Membership
 

A couple shall be entitled to apply in their joint names for dual membership of the NSW CFA Inc. and such membership for all purposes of the rules and by-laws shall confer upon each of such members all of the rights, privileges and obligations provided for by the rules.
- (b) Family Membership
 

A single parent or married or de facto couple with their natural or adopted children all of whom are domiciled at the same address may apply in their joint names for family membership of the association. Family membership shall confer on each adult and each child 12 years and over all the rights privileges and obligations of membership or junior membership as provided for in these rules. For voting as per rule 74 (a) a family membership shall be entitled to a maximum of 2 votes. Notwithstanding the fore-going, a child under 12 years of age may jointly own and show a cat with the adult members of the family, but may not hold a joint prefix until the child attains the age of 12 years.
6. A nomination for membership may be accepted or refused by the Management Committee and consideration of a nomination may be deferred but only for a period not exceeding three months from the date of receipt of the nomination by the Secretary.  
The Secretary must advise the nominee of the acceptance or rejection of the nomination, and if the nominee is accepted enter the nominee's name in the register of members and, on the name being so entered, the nominee becomes a member of the association.

### Life Membership

7. Any person who, in the opinion and on the recommendation of a member of the NSW CFA Inc. (and seconded by another member of NSW CFA Inc.), has rendered special service to the NSW CFA Inc. and meets the criteria in the nomination form, may by resolution at an Annual General Meeting, carried by a two thirds majority of members present and voting, be appointed a life member of the NSW CFA Inc.

A life member shall enjoy all the privileges of membership but shall not be liable to pay any fees as required by rules 14 and 15.

#### Junior Membership

8. (a) The Management Committee may admit as a junior member a natural person who has attained the age of 12 years and is under the age of 18 years and resides at an address situated in the State of New South Wales.
- (b) A junior member:
  - (i) is not eligible to hold any office under the rules or to submit his or her name as a candidate for appointment as a judge;
  - (ii) is not entitled to vote at any meeting;
  - (iii) is not entitled to hold a prefix, except in dual ownership with a full member;
  - (iv) is not eligible for nomination to, or election as a member of the Management Committee and may not vote in any ballot in any such election.
  - (V) Is not eligible to officiate at a cat show unless prior approval is sought and obtained from the NSW CFA Inc.
- (c) Subject to clause (b) a junior member for all purposes of the rules shall be entitled to enjoy all of the rights and privileges of and shall be subject to all of the obligations imposed upon a member by the rules and by-laws.
- (d) A junior member shall pay the amount of the entrance fee and one half of the amount of the annual subscription from time to time payable by a member.
- (e) A junior member who is subsequently accepted as a member shall not be required to pay an additional entrance fee.

#### Associate Membership

9. (a) The Management Committee may admit as an associate member, a natural person who has attained the age of 18 years and does not reside at an address situated in the State of New South Wales
- (b) An associate member;
  - (i) is not entitled to vote at any meeting, and
  - (ii) is not eligible for nomination to, or election as a member of the Management Committee and may not vote in any ballot in any such election, and
  - (iii) is not entitled to register with the association any litters born under his/her prefix
  - (iv) except where the associate member holds a joint prefix with a full member of the association, and
  - (v) is not entitled to compete for NSW CFA Inc. Members Cat of the Year awards, but is entitled to compete for Associate Members Cat of the Year awards.
- (c) Subject to clause (b), an associate member for all purposes of the rules and by-laws, shall be entitled to enjoy all of the rights and privileges of and shall be subject to all of the obligations imposed upon a member by the rules and by-laws.
- (d) An associate member shall pay the amount of the entrance fee and the amount of the annual associate subscription as determined by the committee from time to time.
- (e) A member transferring to associate membership and vice versa shall not be required to pay the entrance fee.

#### Cessation of Membership

10. A person shall cease ipso facto to be a member of the NSW CFA Inc.:

- (a) Upon the termination of his or her period of membership (whether by effluxion of time or otherwise) unless he or she shall within the time required by clause (d) renew his or her membership for a further period of twelve months;
- (b) If he or she resigns by notice in writing addressed to the Secretary, upon receipt of such notification, or upon the date stated in such notification. But such resignation shall not relieve any member from payment of overdue subscriptions or other monies due by him or her to the NSW CFA Inc. at the time of such resignation;
- (c) If he or she shall die; or being a company, corporation or any other legal entity shall wind up or go into liquidation or have a receiver or receiver and manager appointed; or being a partnership or firm shall dissolve.
- (d) If the annual subscription for the forthcoming financial year payable pursuant to rule 15 has not been paid by 31 August of the financial year of the association, provided at least an account and one reminder notice has been served on the member, and subject to clause (g).
- (e) If he or she has been convicted of an offence under the Prevention of Cruelty to Animals Act 1979 or any amendment of the Act, or has been convicted summarily or on indictment for an offence committed at a show or exhibition. The publication in a newspaper or notification to the NSW CFA Inc. from the appropriate authority that such conviction has been recorded shall be sufficient evidence thereof for the purpose of this rule.
- (f) If he or she ceases to reside at an address situated in the State of New South Wales except where he or she is a Life Member.
- (g) If he or she has been found to be acting under the terms of Misconduct as deemed appropriate by the committee.
- (h) By suspension, in the event that there is owing by the member to the NSW CFA Inc. any monies for goods or services provided by the NSW CFA Inc., or otherwise but not including the annual membership subscription, and such monies have been outstanding for more than sixty days. The suspension of membership shall cease upon payment by or on behalf of the member to the NSW CFA Inc. of the outstanding monies.
- (i) If he or she becomes a member (other than an Associate member) of another Governing body and the cessation of membership shall be deemed to be from the commencing date of membership with the other Governing body.

#### Privileges of Membership

11. Subject to the restrictions and limitations prescribed by or pursuant to the rules and by-laws, the privileges of a member shall include the right to:
- (a) Attend and vote at the annual general meeting and any special general meeting of the association;
  - (b) Access the NSW CFA Inc.'s library;
  - (c) Submit his or her name as a candidate for appointment as a judge;
  - (d) Register such cats bred or purchased by him or her as are eligible for such registration;
  - (e) Stand for election to the Management Committee; and
  - (f) Compete for any prize available for competition by members of the association.

A right, privilege or obligation which a person has by reason of being a member of the association:

- (a) Is not capable of being transferred or transmitted to another person, and
- (b) Terminates on cessation of the person's membership.

### Firms, Companies and Corporations

12. (a) Any firm or partnership, company, corporation or any other legal entity admitted to membership of the NSW CFA Inc.:
  - (i) shall provide to the Secretary particulars in writing of its constituent membership and of any change that may from time to time occur in such membership;
  - (ii) may at any time by notice in writing revoke the nomination of the representative required by rule 3 (b), and make a fresh nomination.
- (b) The member and its representative shall each be responsible for the acts and omissions of the member and of the representative respectively and the acts and omissions of the representative shall be deemed to be those of the member.

### Register of Members

13. (a) A register of members shall be kept by the Secretary and shall contain the name and postal, residential or email address and prefix (if any) of each member. The register of members shall be kept at the office of the NSW CFA Inc. and must be open for inspection, free of charge, by any member of the Association, by appointment, between the hours of 10:00am – 4:00pm Monday to Friday, excluding public holidays and the Christmas/New Year or any official closure of the office.
- (b) A member of the Association may obtain a copy of any part of the Register on payment of a fee of not more than \$1 for each page copied.
- (c) If a member requests that any information contained on the register about the member (other than the members name) not be available for inspection, that information must not be made available for inspection).

### Fees and Subscriptions

14. A nominee for membership of the association shall, upon nomination for membership, pay a fee as determined by the Management Committee from time to time.
15. A member of the association shall pay an annual subscription of such amount as may be determined by the Management Committee from time to time.  
A member who is in receipt of an Australian Government pension (Centrelink, Veterans' Affairs, or the like) may be entitled to a subscription reduction as determined by the committee.

### Member's Liability

16. The liability of a member of the NSW CFA Inc. 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 (as required by rule 15), and any unpaid amounts in respect of goods and services provided by the association to the member.

### Obligations of Members

17. (a) A member shall observe and act in conformity (and not otherwise) with the rules, by-laws, codes of conduct and code of ethics and procedures of the association made under these rules.
- (b) A member shall not conduct himself or herself in such a way as to bring the NSW CFA Inc. into discredit or to bring himself or herself as a member, breeder, or exhibitor into discredit.

### Resolution of Internal Disputes

18. (a) Disputes between members (in their capacity as members) of the association, and disputes between members and the association, are to be referred to a community justice centre for mediation in accordance with the Community Justice Centres Act 1983.
- (b) At least 7 days before a mediation session is to commence, the parties are to exchange statements of the issues that are in dispute between them and supply copies to the mediator.
- (c) If a dispute is not resolved by Mediation within 3 months of the referral to a Community Justice Centre, the dispute is to be referred to arbitration.
- (d) The Commercial Arbitration Act 2010 applies to a dispute referred to arbitration.

### Complaints and Investigations

19. (a) When the Management Committee receives a complaint against a member or becomes aware of circumstances involving misconduct by a member, including but not limited to the breeding and sale of cats, the committee will advise the member accordingly and request a response from the member within 14 days. The committee will consider the member's response and determine whether disciplinary action will be taken.
- (b) Where a member fails to respond within 14 days (as required by clause (a)) the committee may impose a penalty of suspension of office services, judging licence, steward's accreditation, or similar until such time as the member responds.
- (c) The committee, after consideration of the complaint and any submissions, may exonerate the member or, if it is satisfied that the complaint is proven, direct the member as to the action they are expected to take, including but not limited to providing a refund, reimbursement of veterinary fees or a formal apology.
- (d) In the event that the member fails or refuses to comply with the direction of the committee referred to in 19 (c), the committee may proceed in accordance with 21 (c) (i) to (v) and 21 (d).
- (e) The committee may refuse to deal with a complaint if it considers the complaint to be trivial or vexatious in nature.

### Disciplinary Action – Misconduct

20. (a) A complaint, or report, may be made to the committee by any person alleging misconduct by a member (or affiliate) of the association.
- (b) On receiving such a complaint, or report, the committee must proceed as per rule 21(b).
- (c) If after considering the complaint or report and any submission made in connection with the complaint or report, it is satisfied that the facts alleged in the complaint or report have been proven, the committee may;
  - (i) suspend the member's right to use of the association's office services, or
  - (ii) suspend the member's judging licence, or
  - (iii) suspend the member's stewards accreditation, or
  - (iv) impose a monetary fine, or
  - (v) impose any such other penalty or restriction that may be appropriate to the circumstances, including suspension or expulsion from the association.
  - (vi) restrict the use of their membership for breeding /kitten sale purposes until resolution of the matter.

- (d) If the committee expels or suspends a member, the committee must proceed in accordance with clause 21 (b) - (e)

#### Disciplinary Action – Expulsion or Suspension

21. (a) a complaint, or report, may be made to the committee by any person that a member (or affiliate) of the association:
  - (i) has refused or neglected to comply with a provision or provisions of these rules, or
  - (ii) has willfully acted in a manner prejudicial to the interests of the association,
- (b) On receiving such a complaint, or report the committee must:
  - (i) cause a notice of the complaint, or report, to be served as soon as practicable on the member concerned, and
  - (ii) give the member at least 14 days from the time the notice is served within which to make submissions to the committee in connection with the complaint, or report, and
  - (iii) take into consideration any submissions made by the member in connection with the complaint or report.
- (c) Where the committee, after considering the complaint and any submission made in connection with the complaint, is satisfied that the facts alleged in the complaint, or report, have been proven, the committee may, by resolution, expel the member from the association or suspend the member from membership of the association if expulsion or suspension is warranted in the circumstances.
- (d) If the committee expels or suspends a member, the Secretary must, within 7 days after the action is taken, cause written notice to be given to the member of the action taken, of the reasons given by the committee for having taken that action, and of the member's right of appeal under rule 22.
- (e) The expulsion or suspension does not take effect:
  - (i) until the expiration of the period within which the member is entitled to appeal against the resolution concerned, or
  - (ii) if within that period the member exercises the right of appeal, unless and until the association confirms the resolution under rule 22, whichever is the later.

#### Right of Appeal of Disciplined Member

22. (a) A member may appeal to the Association in general meeting against a resolution of the committee under rule 21 (expulsion or suspension), within seven days after the notice of resolution is served on the member, by lodging with the Secretary a notice to that effect.
- (b) The notice may, but need not, be accompanied by a statement of the grounds on which the member intends to rely for the purposes of the appeal.
- (c) On receipt of a notice from a member under clause (a), the Secretary must notify the committee which is to convene a general meeting of the association to be held within 60 days after the date the Secretary received the notice.
- (d) At a general meeting of the association convened under clause (c):
  - (i) no business other than the question of the appeal is to be transacted, and
  - (ii) the committee and the member must be given the opportunity to state their respective cases orally or in writing, or both, and
  - (iii) the members present are to vote by secret ballot on the question of whether the

resolution be confirmed or revoked.

If at a general meeting the association passes a special resolution in favour of the confirmation of the resolution, the resolution is confirmed.

- (e) The appeal is to be determined by a simple majority of votes cast by the members of the Association present and voting.
  - (f) A member penalised under rule 21 (c) shall have no right of appeal except to request the committee to review the severity of the penalty imposed. Such request must be lodged with the Secretary within seven days after the notice of resolution is served on the member.
  - (g) The Association is to give notice to CCCA and its other affiliates of the expulsion if there is one.
23. No member or affiliate shall have any claim against the NSW CFA Inc. or any member or any member of a committee or any employee or agent of the Association in respect of any act, matter or thing done in good faith and purporting to be done in accordance with the rules and by-laws during an inquiry, investigation, or disciplinary action conducted pursuant to rules 19, 20, and 21.
24. In the case of a firm or partnership which is a member of the NSW CFA Inc., the acts and omissions of a partner (or representative) shall for the purpose of rules 17 to 21 hereof be deemed to be the acts and omissions of the firm or partnership, and in the case of a company or corporation which is a member of the association, the acts and omissions of an officer, employee or agent thereof shall for the purpose of rules 19, 20, and 21 be deemed to be the acts and omissions of the company or corporation.
25. The committee may determine that any person who is subject to any suspension or disqualification imposed by any other recognised cat controlling body shall not be eligible to participate in any show or exhibition held under the rules, by-laws, or procedures of the Association.

#### Affiliated Bodies

26. (a) The Management Committee may admit as an affiliate or associate affiliate of the association a cat club, cat society, or other body established for the purposes of conducting exhibitions of cats, or for the purpose of promoting interest in a particular breed of cat, provided that the committee is satisfied that such affiliation is warranted having regard to:
- (i) the human and pedigreed cat population within the area to be serviced by the applicant body;
  - (ii) the existence of any affiliate established within such area which might better serve the interests of the members of the applicant body; and
  - (iii) the present or future viability of any affiliate, if the application for affiliation is granted.
- (b) The Management Committee may admit as an associate affiliate an Agricultural Society or other like body which has constituted a cat section show committee for the purpose of conducting a cat show at its annual show.
- Such applicant shall satisfy the committee that:
- (i) its cat section Secretary is experienced in the organisation and running of a show;
  - (ii) its organisation or cat section committee has members thereof who are experienced in the conduct of cat shows;
  - (iii) it will provide suitable facilities for the conduct of its cat show which will meet the standards required by the Management Committee.

27. The Management Committee may charge such entrance fee and such annual subscription for affiliation as the committee may from time to time determine, and an affiliate or associate affiliate shall pay such annual subscription in advance in respect of each financial year. The annual subscription shall be payable on the first day of July in each year. If an affiliate or associate affiliate shall fail to pay such subscription by the 31 August of that year, it will cease to be an affiliated body of the Association provided at least an account and one reminder notice has been served on the member.
28. An applicant for affiliation shall be admitted as an affiliate or associate affiliate if:
- (a) Being an Agricultural Society or other like body or organisation, it complies with the provisions of rule 26 (b);
  - (b) Being a cat club it has at least ten (or such other number as may be determined from time to time by the committee) financial members resident within the area which the club is intended to serve; and
  - (c) Its application is in writing signed by its secretary, and addressed to and lodged with the Secretary of the NSWCFI Inc. and is accompanied by the entrance fee and annual subscription (as determined by the Management Committee from time to time).

In the case of a cat club, cat society, or cat association the application shall include:

- (i) a copy of the constitution of the club, society, or association and all rules, and by-laws in force; and
  - (ii) a statement signed by its President and Secretary that it has at least ten financial members (or such other number as may be determined from time to time by the Management Committee) who are entitled to vote at a general meeting of such club, and listing the names and addresses of such members; and
  - (iii) a statement signed by its President and Secretary that it has at least \$400.00 in funds (or such other amount as may be determined from time to time by the Management Committee) deposited in a recognised financial institution account; and
  - (iv) a written undertaking, signed by its President and Secretary, that upon its admission as an affiliate it will annually thereafter furnish to the Secretary the information required by clause 27.
29. An affiliate shall within two months of its annual general meeting in each year forward to the Secretary:
- a) A copy signed by its President, Secretary, and Treasurer of its Balance Sheet and Financial Statement duly audited by a qualified accountant, or a declaration signed by its President, Secretary and Treasurer giving details of its financial position on the prescribed Financial Declaration Form as determined from time to time by the Management Committee;
  - (b) A list signed by its President or Secretary showing the names and addresses of all Office Bearers and committee members;
  - c) The current constitution for the Affiliate as at the time of the AGM of the Affiliate;
  - (d) Any other information or documents which the Management Committee may request the affiliate to provide.
30. (a) The Office Bearers of an affiliate must be financial members of the NSW Cat Fanciers' Association Inc and such office bearers shall include the President, Vice President, Secretary, Treasurer, Show Secretary, and Show Manager.
- (b) An affiliate's annual general meeting, at which its members elect their executive office bearers, must be held in a public place and not at a member's home or place of business.

31. All affiliates must include in their constitutions the following rules:

- (a) The objects of the club are:
  - (i) to affiliate with the NSW CFA Inc.;
  - (ii) to promote and encourage the breeding of purebred cats;
  - (iii) to promote and raise the standards of breeding and exhibition of purebred cats;
  - (iv) to promote the holding of exhibitions and to conduct exhibitions of cats.
- (b) Each member of an affiliate, whether a member of the NSW CFA Inc. or not, shall be deemed to have agreed to and be bound by the rules, by-laws, code of ethics and codes of conduct of the NSW CFA Inc.

32. The Management Committee may:

- (a) Require, the attendance before the committee of, or a written statement from, any office bearer of an affiliate or associate affiliate to give such information and/or explanation pertaining to the person's conduct in relation to or concerning the affairs and/or management of an affiliate or associate affiliate;
- (b) Require an affiliate or associate affiliate to do or not to do such act, matter or thing in relation to its affairs and/or management as the Management Committee may determine;
- (c) In accordance with rule 20, impose such penalty on an affiliate or associate affiliate as a result of any such investigation or report or complaint, or for failing to carry out a requirement or direction of the committee in clause (d), whether by way of fine, suspension of authority to conduct a show, or otherwise as the Management Committee may determine;
- (d) In relation to any dispute within the membership of an affiliate or associate affiliate, and the affiliate is unable to resolve the dispute internally (or as per rule 18), take reasonable legal advice on ways and means of having such a dispute settled, and the cost of that legal advice shall be borne by the affiliate or associate affiliate involved.

#### Termination of Affiliation

- 33. (a) An affiliate or associate affiliate which fails to observe or perform its obligations or undertakings as required by the rules, by-laws, codes of conduct, code of ethics or procedures, or fails to notify the Management Committee that it has complied with a direction of or has given effect to a determination of the committee within the time required by the committee, may be subject to disciplinary action as per rule 21 (Expulsion or Suspension).
- (b) The Management may in accordance with clause (a) terminate the affiliation of an affiliate or associate affiliate without any obligation to refund any part of the affiliation fee.

#### Winding-up of Affiliates

- 34. An affiliate or associate affiliate on deciding to wind up its affairs shall cause to be convened a special general meeting of its members. Notice shall be given on the notice convening the meeting stating that the affiliate proposes to wind up its affairs and cease functioning as an affiliate. Surplus funds shall not be disbursed unless an undertaking is given by the affiliate to the Management Committee that all of its known debts have been paid in full.

## PART III - THE MANAGEMENT COMMITTEE

### Powers of the Management Committee

35. There shall be a Management Committee of the NSW CFA Inc. comprised of a minimum of 9 and a maximum of 12 members which:
- (a) Shall, subject to the Act, the Regulation, these Rules and any resolution passed by the Association in general meeting, have the entire control and management of the affairs of the NSW CFA Inc.;
  - (b) May exercise all the functions that may be exercised by the NSW CFA Inc. other than those functions that are required by these rules to be exercised by a general meeting of the members of the Association;
  - (c) Shall consider and approve an annual budget of income and expenditure for the NSW CFA Inc.;
  - (d) Subject to clause (b), has power to perform all acts and do all things that appear to the committee to be necessary or desirable for the proper management of the affairs of the NSW CFA Inc.;
  - (e) Shall have the power to appoint persons as Patrons of the NSW CFA Inc.

### Retirement from Management Committee

36. (a) At each annual general meeting of the NSW CFA Inc., those 4 members of the Management Committee:
- (i) elected more than 30 months prior to the annual general meeting, or
  - (ii) appointed to fill a casual vacancy for a person elected more than 30 months prior to the annual general meeting,
- shall retire from office.
- (b) A retiring member of the Management Committee is eligible for re-election.

### Filling of Casual Vacancies

37. In the event of a casual vacancy occurring in the membership of the Management Committee under rule 46, the Management Committee shall appoint a person to fill the vacancy until the next Annual General Meeting. Such appointment shall be made by the following method:
- a) An unsuccessful candidate from a previous election, or
  - b) A member of the NSW CFA Inc.

### Election of Members of Management Committee

38. In respect of nominations of candidates for election as members of the Management Committee:
- (a) The nominee or candidate must be a financial member of the NSW CFA Inc., and must reside at the address in NSW appearing on the nomination form, and in the Register of Members.
  - (b) Persons nominating a candidate must be a financial member of the NSW CFA Inc.
  - (c) Nominations for such election shall be on the prescribed form, which must be completed and lodged in accordance with its terms, and the Management Committee Nomination and Election procedures made pursuant to rule 91; and
  - (d) Nominations shall be delivered to the Secretary on or before the closing date, which shall be

not less than 28 days after which written notice (by email, facsimile or post) shall have been given to the members.

- (e) Nominations will be vetted by the Management Committee at a committee meeting to ensure the member nominated has no prior upheld complaints or has prior misconduct that may bring the NSW CFA into disrepute. See Definition No 25 "Misconduct"
- 39. If insufficient nominations are received to fill all vacancies on the Management Committee, the candidates nominated shall be declared elected
- 40. Any vacant positions on the Management Committee are taken to be casual vacancies.
- 41. If the number of nominations received is equal to the number of vacancies to be filled, the persons nominated are taken to be elected.
- 42. If the number of nominations received exceeds the number of vacancies to be filled, a postal ballot shall be held in accordance with the Management Committee nomination and election procedures. Voting shall be on a first past the post basis.
- 43. The ballot for election to the Management Committee shall be declared by the Secretary at the conclusion of the counting of votes, and reported to the annual general meeting.

#### Office Bearers of Management Committee

- 44. At the conclusion of the annual general meeting, or as soon thereafter as may be practicable, the members of the Management Committee shall, subject to rule 48 (e), elect from amongst their number the following office bearers:
  - (a) A President
  - (b) A Senior Vice President
  - (c) A Treasurer
  - (d) A Vice President (if the Committee deems required)
  - (e) A Secretary

#### Duties of Office Bearers

- 45. (a) President:  
The President shall preside over the annual general meeting, other meetings of the association, and meetings of the Management Committee, and shall perform such other duties as may be reasonably required.
- (b) Senior Vice President:  
The Senior Vice President shall, where applicable, assume the duties of the President in his or her absence or incapacity.
- (c) Vice President:  
The Vice President shall, where applicable, assume the duties of the Senior Vice President in his or her absence or incapacity.
- (d) Treasurer:  
The Treasurer shall supervise the collection and receipt of all monies owing to the NSW CFA Inc. and the deposit of same in the name of the association in such bank or financial institution as may be approved by the Management Committee. The Treasurer shall also supervise the payment of all accounts contracted by the association, prepare a budget and ensure that an accurate statement of income and expenditure of the association is maintained.
- (e) A person may not hold the office of President for more than 3 consecutive years unless more than fifty percent of members of the committee present and voting agree otherwise.
- (f) Secretary:  
The Secretary shall Perform the office functions of the NSW CFA Inc. and manage the daily affairs of the association, subject to the direction of the Executive Committee, and Ensure that money

due to the association for services is collected and banked, and that accounts for goods and services are communicated to the treasurer for payment, and Ensure that correct records are kept of all monies received and paid by the Secretary, and such records are given to the Treasurer on a monthly basis.

Keep proper minutes of all appointments of office bearers and members of the committee, the names of members of the committee present at a committee meeting or general meeting and proceedings at Executive Committee meetings, Management Committee meetings and general meetings of the Association.

#### Casual Vacancies

46 For the purpose of these rules a casual vacancy in the office of a member of the Management Committee occurs if the member:

- (a) Dies;
- (b) Ceases to be a member of the association;
- (c) Resigns office by notice in writing given to the Secretary;
- (d) Is removed from the office under rule 47;
- (e) Is absent, without the consent of the committee, from 3 consecutive meetings of the committee.

#### Removal of a Member

- 47
- (a) A member of the Management Committee may be removed from the office of a member of the Management Committee before the expiration of the member's term, where misconduct - pursuant to clauses 19 - 21 is proven and in accordance with the procedures there stated.
  - (b) A member of the Management Committee to whom a proposed resolution in clause (a) relates, may make representations in writing to the Secretary or President of the Association, and the member may attend in person or require the representations to be read out at the meeting at which the resolution is to be considered.
  - (c) If they fail to abide by the management committee code of ethics, which includes maintaining confidentiality in relation to all matters formally considered by the committee, unless and until the committee resolves to disclose those matters to the general membership.

#### Meetings and Quorum

- 48
- (a)
    - (i) The Management Committee shall meet at least 9 times in each period of twelve months at such place and time as the committee may determine.
    - (ii) a committee meeting may be held at two or more venues using any technology approved by the committee that gives each of the members a reasonable opportunity to participate.
    - (iii) A committee member who participates in a committee meeting using that technology is taken to be present at the meeting and, if the member votes at the meeting, is taken to have voted in person.
  - (b) Additional meetings of the Management Committee may be convened by:
    - (i) the President;
    - (ii) either Vice-President; or
    - (iii) by the Secretary upon receipt of a requisition in writing signed a member of the committee.
  - (c) Oral or written notice of a meeting of the Management Committee shall be given by the Secretary to each member of the committee at least 72 hours (or such other period as may be

agreed upon by the members of the committee) before the time appointed for the holding of the meeting.

- (d) Notice of a meeting given under clause (c) must specify the general nature of the business to be transacted at the meeting and no business other than that business shall be transacted at the meeting, except business which the committee members present unanimously agree to treat as urgent business.
- (e) Any 7 members of the committee shall constitute a quorum for the transaction of business at a meeting of the Management Committee. If, in the event of casual vacancies, the number of committee members is not sufficient to constitute a quorum, the remaining committee members may act but only for the purpose of increasing the number of members of the Management Committee to a number sufficient to constitute a quorum.
- (f) Subject to clause (e), no business shall be transacted by the Management Committee unless a quorum is present and if within half an hour of the time appointed for the meeting a quorum is not present the meeting stands adjourned to the same place and the same hour of the same day in the following week.
- (g) If at the adjourned meeting a quorum is not present within half an hour of the time appointed for the meeting, the members present, being at least 6, shall constitute a quorum.

499. At a meeting of the Management Committee:

- (f) The President, or, in his or her absence, a Vice-President shall preside; or
  - (g) If the President and the Vice-Presidents are absent or unwilling to act, such one of the remaining members of the Management Committee, as may be chosen by the members present at the meeting, shall preside.
4. 50.(a) Minutes of proceedings at a Management Committee meeting shall be signed by the chairperson of the meeting or by the chairperson of the next succeeding meeting.
- (b) The signature of the chairperson may be transmitted by electronic means for the purposes of sub clause (a).

#### Delegation by Management Committee to Subcommittees

5. 51 (a) The Management Committee may, by resolution or instrument in writing, delegate to one or more subcommittees, including but not limited to those subcommittees listed at rule 52, (consisting of such members as the Management Committee thinks fit), the exercise of any of the functions of the Management Committee as are specified in the instrument, other than:
- (i) this power of delegation, and
  - (ii) a function which is a duty imposed on the Management Committee by the Act or by any other law.
- (b) A function the exercise of which has been delegated to a subcommittee under this rule may, while the delegation remains unrevoked, be exercised from time to time by that subcommittee in accordance with the terms of the delegation.
  - (c) A delegation under this rule may be made subject to any conditions or limitations as to the exercise of any function, or as to time or circumstances that may be specified in the resolution or instrument of delegation.
  - (d) Without limiting the generality of rules 51 and 52, the Management Committee may constitute subcommittees which shall exercise those functions as specified by the Management Committee in writing.
  - (e) Notwithstanding any delegation under this rule, the Management Committee may continue to exercise any function delegated.
  - (f) Any act or thing done or suffered by a subcommittee acting in the exercise of a delegation

under this rule has the same force and effect as it would have if it had been done or suffered by the Management Committee.

- (g) The Management Committee may, by instrument in writing, revoke wholly or in part any delegation under this rule.
- (h) A subcommittee may meet and adjourn as it thinks fit.

#### Subcommittees

6. 52 The Management Committee hereby delegates to a Show Subcommittee, an Education/Compliance Subcommittee, a Fundraising Subcommittee, a Finance Subcommittee, a Stewards Subcommittee, and a Judges Subcommittee, the functions set out hereunder:

- (a) Show Subcommittee
  - (i) Monitor the organisation and conduct of shows to ensure they are conducted in accordance with the show procedures.
  - (ii) Allocate and amend show dates.
  - (iii) Advise affiliates on the application of the show procedures.
  - (iv) Make recommendations for amendments to the show procedures.
  - (v) Consider correspondence to the association in relation to shows and the show procedures.
  - (vi) Consider reports from the Show Representative.
  - (vii) Refer incidents reported at shows by the Show Representative to the Secretary, the committee, or the affiliate concerned as appropriate.
  - (viii) Make recommendations to the committee on the organisation and conduct of shows.
- (b) Education/Compliance Subcommittee
  - (i) Make recommendations to the committee in regard to any proposed courses, seminars or instruction events, and to organise and co-ordinate these events as directed by the committee.
  - (ii) Maintain a file of articles, publications, seminar notes or other information pertaining to cats for the purpose of assisting or educating members of the association or members of the public.
  - (iii) Make information available to the editor of the journal for the purpose of publication in the journal.
  - (iv) Review any educational material made available by the association to its members or members of the public.
- (c) Fundraising Subcommittee
  - (j) Make recommendations to the committee with regard to events, functions or schemes for the purposes of raising funds for the NSW CFA Inc. and to organise and co-ordinate these events as directed by the committee.
- (d) Finance Subcommittee, who shall consist of the executive of the Management Committee, shall:
  - (i) Monitor the finances of the NSW CFA Inc. and report to the committee.
  - (ii) Prepare financial plans and budgets for the approval of the committee.

- (iii) Make recommendations to the committee in regard to all financial and budgetary matters.
- (e) Stewards Subcommittee
  - (i) Maintain a register of all NSW CFA Inc. Accredited Stewards.
  - (ii) Make recommendations to the committee regarding the scheduling and organising of Stewards' training courses.
  - (iii) Co-ordinate and run Stewards' training courses as directed by the committee.
  - (iv) Advise the committee as to the status of all stewards.
- (f) Judges Subcommittee
  - (i) Maintain a register of all NSW CFA Inc. Judges.
  - (ii) Make recommendations to the committee regarding the scheduling and organising of Judges' training courses.
  - (iii) Co-ordinate and run Judges' training courses as directed by the committee.
  - (vii) Advise the committee as to the progression through qualification levels of all judges and when this occurs.

### 53. Voting and Decisions of the Management Committee and Subcommittees

- (a) Subject to rule 54, questions arising at a meeting of the Management Committee or of any subcommittee appointed by the Management Committee shall be determined by a simple majority of the votes of members of that committee present at the meeting.
- (b) Each member present at a meeting of the Management Committee or of any subcommittee appointed by the committee (including the person presiding at the meeting) is entitled to one vote, but, in the event of an equality of votes on the question, the person presiding may exercise a second or casting vote.
- (c) Subject to rule 48 (e), the Management Committee may act notwithstanding any vacancy on the Management Committee.
- (d) Any act or thing done or suffered, or purported to have been done or suffered, by the Management Committee or by a sub-committee appointed by the Management Committee, is valid and effectual notwithstanding any defect that may afterwards be discovered in the appointment or qualification of any member of the committee or subcommittee.

### 54. .Decisions of the Management Committee relating to:

- (a) The acquisition or disposition of any interest in land or to loans, borrowings or leases of real or personal property involving a total value of more than fifty thousand dollars (\$50,000) shall only be effective and may only be acted on if confirmed by a special resolution passed at a general meeting of members.
- (b) Expenditure of the association's funds in excess of:
  - (a) \$10,000, but not more than \$50,000, in any one amount which is an expenditure of a capital nature;
  - (b) \$10,000, but not more than \$50,000, where that amount is the sum of a number of

amounts for the same purpose and is of a capital nature;

(c) \$10,000 in any one amount which is an expenditure of an operating nature;

(d) any amount which is an expenditure of an operating nature and which when expressed in annual terms is in excess of 110% of the amount expended in the immediately pre-ceding financial year of the association for expenditure of the same or similar kind,

shall only be effective, and may only be acted on, if confirmed at a subsequent meeting of the committee held no sooner than 14 days after the date of the meeting at which the decision was made.

55. Spare rule

#### PART IV - THE EXECUTIVE COMMITTEE

56. There shall be an Executive Committee comprising four Members of the Management Committee who shall be the President, Senior Vice President, and Treasurer.

57. Subject to the control and direction of the Management Committee, the Executive Committee shall be responsible for the management of urgent affairs of the association between meetings of the Management Committee.

58 The Executive Committee shall meet and conduct its business in such manner as to the Executive Committee seems appropriate.

59 A quorum for a meeting of the Executive Committee shall be 3 members of the Executive Committee present in person at a meeting of the Executive Committee, provided that a decision agreed to by all members of the Executive Committee by means of telephonic/video communication or email to the Secretary shall be a valid and effective decision as if a meeting had actually taken place.

## PART V - ADMINISTRATION

### Public Officer

- 60 The Public Officer of the NSW CFA Inc. shall be the duly elected Treasurer of the association, or if the Treasurer is unwilling to act, such other member of the Management Committee as the committee shall decide.

### Auditor

- 61 There shall be an auditor or auditors of the NSW CFA Inc. who shall be appointed by the Management Committee for such a term and at such a fee and upon such conditions as the committee may from time to time determine.

## PART VI - GENERAL MEETINGS

### Annual General Meeting

- 62 The NSW CFA Inc. must hold its annual general meetings at least once in each calendar year, and:

- (g) Within the period of the 6 months after the expiration of each financial year of the Association, or
- (h) Within any later time that may be allowed or prescribed under section 37 (2) (b) of the Act.

### Annual General Meeting - Calling of business at

- 63 (a) The annual general meeting of the NSW CFA Inc. shall, subject to the Act and to rule 64, be convened on such date and at such place and time as the Management Committee thinks fit.
- (b) In addition to any other business which may be transacted at an annual general meeting, the business of an annual general meeting is to include the following:
    - (i) to confirm the minutes of the last preceding annual general meeting and of any special general meeting held since that meeting; and
    - (ii) to receive from the Management Committee a report on the activities of the Association during the last preceding financial year and an audited financial report; and
    - (iii) to report the results of any ballot for the election of members to the Management Committee, and confirm the appointment of the successful candidates, and
    - (iv) To have the members vote on the life membership motions received by the Management Committee.
  - (c) An annual general meeting must be specified as such in the notice convening it.

### Special General Meetings

- 64 (a) The Management Committee may, whenever it thinks fit, convene a special general meeting of the association.
- (b) The Management Committee shall on the requisition in writing of not less than 5 percent of the total number of members, calculated by reference to the total membership of the Association (as published in connection with the last preceding annual general meeting), or fifty members, whichever is the greater, convene a special general meeting of the Association to be held within 3 months after the date of the lodgement of the requisition.

- (c) A requisition of members for a special general meeting, must be in writing and:
  - (i) shall state the purpose or purposes of the meeting, and
  - (ii) shall be signed by the members making the requisition, and
  - (iii) shall be lodged with the Secretary; and
  - (iv) may consist of several documents in a similar form, each signed by one or more of the members making the requisition.

#### General Meetings - Calling of and business at

- 65 a) At least 1 general meeting of members shall be held each year.
- (b) A general meeting may follow the conclusion of the annual general meeting.
- (c) At a general meeting any item of business for which notice has not been given in the notice of meeting, if adopted by the meeting, shall be considered as a recommendation to and shall not be binding on the Management Committee.
- (d) A member desiring to bring any business before a general meeting may give notice in writing of that business to the Secretary who shall include the business in the next notice calling a general meeting given after receipt of the notice from the member.

#### Notice of Meetings

- 66 (a) The Secretary shall give notice to each member of the date, time, and place of the meeting and the nature of the business to be transacted at the meeting.

The required period of notice shall be

- (i) Annual General Meeting - at least 21 days
    - (ii) Special General Meeting - at least 21 days
    - (iii) General Meeting - at least 14 days
  - (b) Notice of the meeting shall be deemed to have been given to each member if it is:
    - (i) published in the journal or on the association's website; or
    - (ii) sent by pre-paid post to each member at the member's address or by email at the email address appearing in the register of members referred to in rule 13.
- For an annual or special general meeting notice shall be given in the manner stated in sub-clause (ii).
- (c) Where the matter to be dealt with requires a special resolution of the members, the notice shall include, in addition to the matters required under clause (a), the intention to propose the resolution as a special resolution.
  - (d) No business other than that specified in the notice convening an annual general or special general meeting shall be transacted at the meeting.
  - (e) A member desiring to bring any business before a general meeting may give notice in writing of that business to the secretary who must include that business in the next notice calling a general meeting after receipt of the notice from the member.

#### Procedure and Quorum

- 67 (a) No item of business shall be transacted at a general meeting unless a quorum of members entitled under these rules to vote is present during the time the meeting is considering that item.

- (b) Fifteen (financial) members present in person (being members entitled under these rules to vote at a general meeting) constitute a quorum for the transaction of the business of a general meeting.
- (c) If within half an hour after the appointed time for the commencement of a general meeting a quorum is not present, the meeting:
  - (i) if convened upon the requisition of members shall be dissolved, and
  - (ii) in any other case, shall stand adjourned to the same day in the following week at the same time and (unless another place is specified at the time of the adjournment by the person presiding at the meeting, or communicated by writing to members given before the day to which the meeting is adjourned) at the same place.
- (d) If at the adjourned meeting a quorum is not present within half an hour after the time appointed for the commencement of the meeting, the members present (being at least 12) is to constitute a quorum.

#### Presiding Member

- 68 (a) The President of the association or, in the President's absence a Vice-President, shall preside as chairperson at each general meeting of the association.
- a. If the President and the Vice-Presidents are absent from a general meeting or unwilling to act, the members present shall elect one of their number to preside as chairperson at the meeting.

#### Adjournment

- 69 (a) The chairperson of a general meeting at which a quorum is present may, with the consent of the majority of members present at the meeting, adjourn the meeting from time to time and place to place, but no business shall be transacted at an adjourned meeting other than the business left unfinished at the meeting at which the adjournment took place.
- a. Where a general meeting is adjourned for 14 days or more, the Secretary must give written or oral notice to each member of the adjourned meeting in the manner specified in rule 68 (b).
- b. Except as provided in clauses (a) and (b), notice of an adjournment of a general meeting or of the business to be transacted at an adjourned meeting is not required to be given.

#### Making of Decisions

- 70 (a) A question arising at a general meeting of the Association at which a quorum is present, shall be determined on a show of hands and, unless before or on the declaration of the show of hands a poll is demanded (by the chairperson or 5 or more members present), a declaration by the chairperson that a resolution has, on a show of hands, been carried or carried unanimously or carried by a particular majority or lost, or an entry to that effect in the minute book of the Association, is evidence of the fact without proof of the number or proportion of the votes recorded in favour of or against that resolution.
- a. A resolution is passed as an "Ordinary resolution"
  - i. At a general meeting of the Association, or
  - ii. In a postal ballot conducted by the Association

If it is supported by more than half of the votes cast by members of the Association who, under the Constitution, are entitled to vote on the resolution.

- b. At a general meeting of the association a poll may be demanded by the chairperson or by at least 10 members present in person or by proxy at the meeting.
- c. If a poll is demanded at a general meeting, the poll must be taken:
  - (i) immediately in the case of a poll which relates to the election of the chairperson of the

meeting or to the question of an adjournment, or

- (ii) in any other case, in such manner and at such time before the close of the meeting as the chairperson directs,

and the resolution of the poll on the matter shall be deemed to be the resolution of the meeting on that matter.

## Special Resolution

- 71 A resolution is passed by the Association as a special resolution if it is supported by at least three quarters of the votes cast by financial members of the Association who are entitled to vote on the proposed resolution at a special general meeting of the Association of which at least 21 days written notice specifying the intention to propose the resolution as a special resolution has been given in accordance with rule 68.

## Voting

- 72 (a) On any question arising at a general meeting a member has one vote only.
- a. All votes must be given:
- (i) personally; or
  - (ii) in a postal ballot; or
  - (iii) by proxy but a member may not hold more than 3 proxies.
- b. In the case of an equality of votes on a question at a general meeting or sub committee meeting, the chairperson of the meeting is entitled to exercise a second or casting vote.
- c. A member or proxy is not entitled to vote at any general meeting of the association unless all money due and payable by the member or proxy to the association has been paid.

## Appointment of Proxies

- 73 (a) Each member shall be entitled to appoint another member as proxy by written notice on the prescribed form lodged with the Secretary no later than 4:00 pm on the last normal working day prior to the meeting in respect of which the proxy is appointed.
- a. The notice appointing the proxy shall be in such form as specified by the Management Committee from time to time.
- b. Proxy votes are not counted on a show of hands, but may be counted when a poll vote has been demanded as per rule 72 (b).

## PART VII - MISCELLANEOUS

### Alteration of Objects and Rules and By-Laws

- 74 The statement of objects and these rules, and any by-laws, may only be altered, rescinded, or added to by a special resolution of the members at a special general meeting.

### Insurance

- 75 The NSW CFA Inc. shall effect and maintain such insurances as are considered by the Management Committee to be appropriate.

### Funds - Source

- 76 (a) The funds of the NSW CFA Inc. shall be derived from entrance fees, annual subscriptions, registration and other fees, monies received from affiliates, fines, journal sales and advertising therein, interest, donations, and such other sources as the Management Committee determines.
- a. All money received by the association must be deposited, as soon as practicable and without deduction, to the credit of one of the association's bank accounts
- b. Where considered appropriate by the Secretary, as soon as practicable after receiving any money, a receipt will be issued.

## Funds - Management

- 77 (a) The funds of the NSW CFA Inc., subject to any resolution passed by the association in general meeting, shall be used in pursuance of the objects of the association in such manner as is determined by the Management Committee.
- a. All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments shall be signed by such members of the committee or employees of the association in such manner as the Management Committee may from time to time determine.

## Reimbursement of Expenses

- 78 Without limiting the generality of rule 78 the Management Committee may pay or reimburse the amount of any travel or any other expenses properly incurred by a member in performance of any services to, or on behalf of the association which have been requested and properly authorised by the committee before the expense was incurred.

## Property, Non-Profit Provision, Dissolution

- 79 (a) The income and property of the NSW CFA Inc. howsoever derived shall be applied solely towards the promotion of the objects of the association and no portion thereof shall be paid or transferred directly or indirectly by way of dividend, bonus, or otherwise by way of profit, to the members of the association, provided that nothing herein shall prevent the payment in good faith of remuneration to any officer or servant of the association or to any member of the association in return for services actually rendered to the association, or reasonable and proper rent for premises let by any member to the NSW CFA Inc.
- a. The NSW CFA Inc. shall not be dissolved except at a special general meeting of the members of the association convened for the purpose, and by a resolution carried by a majority of four-fifths of the votes recorded in respect of the same. If, upon the winding up or dissolution of the NSW CFA Inc. 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 NSW CFA Inc., but shall be given or transferred to some other organisations or institutions having objects similar or in part similar to the objects of the NSW CFA Inc. Such organisations or institutions must in their rules prohibit the distribution of its or their property among its or their members. Such organisations or institutions are to be determined by the members of the NSW CFA Inc. at or before the time of dissolution, or in default thereof by a Judge of such Court as may have or acquire jurisdiction in the matter.

## Journal

- 80 The NSW CFA Inc. may publish a journal to be known as the Journal of the NSW Cat Fanciers' Association Inc. in such form and containing such matter as the Management Committee may from time to time determine.

## Common Seal

- 81 (a) The common seal of the NSW CFA Inc., shall be kept in the custody of the Public Officer.
- (b) The common seal shall not be affixed to any instrument except by the authority of the Management Committee or the unanimous authority of the Executive Committee, and the affixing of the common seal must be attested by the signatures of either of 2 members of the Management Committee or of 1 member of the Management Committee and the Public Officer or Secretary.

## Indemnity and Exclusion of Liability

- 82 Every member of the Executive Committee, the Management Committee, any subcommittee constituted under these rules and every employee of the NSW CFA Inc. shall be indemnified by the NSW CFA Inc. against, and it shall be the duty of the Management Committee out of the funds of the NSW CFA Inc. to pay, all damages, costs, losses and expenses which any such person may incur or in respect of which he may become liable by reason of any contract entered into or act or thing done (whether negligently or otherwise) by him as such member of the Executive Committee, the Management Committee, subcommittee or employee or in any way in the performance of his or her duties, unless such damages, costs, losses and expenses shall have been incurred by him or her through his own dishonesty, wilful act or default.
- 83 No member of the Executive Committee, the Management Committee, any subcommittee constituted under these rules or employee of the NSW CFA Inc. shall be liable for the acts, receipts, neglects or defaults of himself or herself or any other member of the Executive Committee, the Management Committee, subcommittee or employee of the NSW CFA Inc. or for any loss, damage or expense however arising as the result of any act, omission or default of any person (including himself or herself) or for any loss occasioned by any error of judgement or oversight or neglect on his or her part or for any other loss or damage whatsoever which shall happen in the performance of his or her duties or in relation thereto unless the same shall happen through his or her own dishonesty, wilful act or default.

## Custody of Books

- 84 Except as otherwise provided by these rules, the Secretary shall keep in his or her custody or under his or her control all records, books and other documents relating to the NSW CFA Inc.
- 85 (a) The following documents must be open to inspection, free of charge, by a member, by appointment between the hours of 10:00am - 4:00pm Monday to Friday, except for public holidays and the Christmas/New Year office closure:
- (i) records, books and other financial documents of the Association;
  - (ii) this constitution
  - (iii) the minutes of all committee meetings and general meetings
- (b). A member of the Association may obtain a copy of any of the documents referred to in sub clause (a) on payment of a fee of not more than \$1 per page copied.
- (c) Despite sub clauses (a) and (b), the committee may refuse to permit a member of the Association to inspect or obtain a copy of records of the Association that relate to confidential, personal, employment, commercial or legal matters or where to do so may be prejudicial to the interests of the Association.

## Service of Notices

- 86 For the purpose of these rules, a notice may be served on or given to a person:
- (a) By delivering it to the person personally, or
  - (b) By sending it by pre-paid post to the address of the person, and where the person is a member to the members address shown in the register of members, or
  - (c) By sending it by facsimile transmission or email or some other form of electronic transmission to an address specified by the person for giving or serving of notice.
- 87 For the purpose of these rules, a notice is taken, unless the contrary is proved, to have been given or served;
- (a) In the case of a notice given or served personally, on the date on which it is received by the addressee, and
  - (b) In the case of a notice sent by pre-paid post, in the ordinary course of post.

- (c) In the case of a notice sent by facsimile transmission or email or some other form of electronic transmission, on the date that the machine or computer from which the transmission was sent records the transmission as being sent.

#### By-Laws

- 88 The members of the association may by special resolution make, rescind, alter, or add to by-laws.

#### Procedures

- 89 The Management Committee may make, rescind, alter, or add to procedures as it may think fit. Without limiting the generality of the foregoing, the committee may make procedures:

- (a) General Operating Procedures governing;

- (i) the maintenance and administration of the cat register, the companion cat register, and the supplementary register;
- (ii) registration, use, and transfer of prefixes;
- (iii) the recording of matings and litters, and the registration of cats;
- (iv) the recording of transfer of ownership of cats registered in the registers;
- (v) the cancellation, suspension, or variation of a registration or prefix;
- (vi) the amended registration, change of sex, desexing, and change of coat colour of a cat;
- (vii) experimental breeding of new cat breeds;
- (viii) the appointment and licensing of judges;
- (ix) the training and appointment of companion judges, stewards, and show representatives;
- (x) show awards, and NSW CFA and CCCA titles;
- (xi) application forms and changes to or increases in the scale of fees (including but not limited to office services, registration and transfer of cats and the commencement of operation of those fees).
- (xii) any other matter related to the day to day operations of the NSW CFA Inc.

- (b) A Code of Ethics setting out the recommended code of conduct for Management Committee members, ordinary members, judges and registered breeders.
- (c) Show Procedures governing the conduct of shows arranged by the association or its affiliates, and exhibitor and exhibit entry and participation requirements.
- (d) Judging Procedures governing the training and examination of judges.
- (e) Procedures governing the control of infectious diseases and quarantining of catteries.
- (f) Procedures governing the nomination and election of members to the Management Committee.
- (g) Procedures governing Meetings including but not limited to meetings of the Management Committee.
- (h) Procedures governing the nature and constitution of sub committees, and
- (i) Procedures governing Membership, including life membership, subject to the Act and Regulations.

## 90 Construction of Rules, By-Laws, and Procedures

- a. (a) If a question shall arise as to the interpretation of the rules or by-laws or procedures or as to the rights or obligations either of the NSW CFA Inc. or of the Executive Committee or of the Management Committee or of a subcommittee or of a member or of an affiliate as to any matter or thing arising out of or governed by the rules or by-laws or procedures such question may be determined by the Management Committee, or referred to the solicitor for the time being acting for the NSW CFA Inc. The determination of the Management Committee, or the written determination of the said solicitor shall be final and binding and shall be given effect to accordingly.
- b. The procedures shall be read and construed subject to the rules and when and however any matter or thing shall arise in the interpretation of those procedures which is not or it is alleged that is not provided for by the procedures, the matter shall be referred to the Management Committee which shall make such a decision thereon as it sees fit, and its decision shall be final and binding on all persons affected thereby.