



Red Angus Society of Australia Inc.

CONSTITUTION

As amended 18th July, 2006

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THE RED ANGUS SOCIETY OF AUSTRALIA INC.

1. CONSTITUTION AND RULES

1.1 The Constitution and the Regulations hereinafter contained shall take effect as at and from the 19th August, 1970 providing they do not conflict with the laws governing the States or the Commonwealth of Australia at any time.

1.2 The name of the Society shall be the “Red Angus Society of Australia Inc.”.

2. OBJECTS

The objects of the Society are: -

- 2.1** To maintain the purity and promote the improvement and popularity of Red Angus cattle in Australia Inc.;
- 2.2** To collect, verify and publish information relating to Red Angus cattle;
- 2.3** To compile, print and publish at intervals a herd book of Red Angus cattle;
- 2.4** To hold shows or exhibitions or sales of Red Angus cattle, and to offer prizes in respect of competitions between Red Angus cattle, or between Red Angus cattle and cattle of other breeds or cross breeds;
- 2.5** To promote in any way whatsoever the interests of breeders of Red Angus cattle;
- 2.6** To accept any gift or devise or money or of any real or personal property, whether subject to any special trust or not, for anyone or more of the objects of the Society;
- 2.7** To print and/or publish to make contributions to any newspapers, periodicals, books or leaflets and to publish, whether in print, type, broadcast or otherwise howsoever, any information which the Society may think desirable for the promotion of its objectives;
- 2.8** To establish relations with societies having similar objects and with such societies formed to promote the welfare of other breeds or of breeders of other cattle and to encourage exchanges with any such societies and in particular with societies for the promotion of the welfare of Red Angus cattle in Great Britain, New Zealand, or in any other country;
- 2.9** To support and assist in the progress and development of any agricultural show, and in particular the Royal Shows of the various States of the Commonwealth, and to promote competitions and to award prizes or to make contributions for that purpose;
- 2.10** To prepare and maintain a list of persons competent to act at shows as judges or inspectors of Red Angus cattle;
- 2.11** To open and maintain a banking account and to operate or allow the same to be operated in such manner as the Society shall determine;
- 2.12** To sell, improve, dispose of or otherwise deal with all or any part of the property and rights of the Society;
- 2.13** To register brands of all descriptions and copyrights for the use of the Society or of its members;

2.14 To adopt such means of making known the objects and benefits of the Society as may seem expedient, and to further otherwise the interests of members by advertising in the press, by circulars, by publications of books and periodicals, by broadcasting, by granting prizes, rewards and donations and by other means;

2.15 To promote the establishment of state promotional groups of the Society or any other promotional states or groups as approved by Council from time to time.

2.16 To do all such other lawful acts, deeds and things as are incidental or conducive to the attainment of the above objects or any of them or any such other acts, deeds and things that might be conducive to the progress and welfare of the Society and its members.

3. INCOME AND PROPERTY

The income and property of the Society shall be applied solely towards the promotion of the objects of the Society as herein set forth, and no portion thereof shall be paid or transferred, directly or indirectly, to the members of the Society. Provided that nothing herein shall prevent the payment in good faith of remuneration to any officers or servants of the Society, or to any member of the Society in return for any service actually rendered to the Society; nor prevent the payment of interest at a rate not exceeding the rate for the time being charged by bankers on overdrawn accounts or reasonable and proper rent for premises demised or let by an member of the Society; nor be deemed to exclude any member of the Society from the benefits of any grant in furtherance of any of the objects of the Society; nor prevent the gratuitous distribution among or sale at a discount to members of any books or other publications, whether published by the Society or otherwise, relating to all or any of its objects as above set forth; nor prevent any member who may be a successful exhibitor at any exhibition or show held or promoted by the Society or any branch thereof, or to the cost of establishing or holding which the Society may have subscribed out of its income or property, from receiving as such exhibitor any price, medal or other recognition which may under the regulations affecting the said exhibition or show be awarded to him but so that no member of the Council shall be appointed to any salaried office of the Society, and that no remuneration or other benefit in money or money's worth shall be given by the Society to any member of such Council, without the prior approval of the members in Annual General Meeting, except payment of out of pocket expenses and interest at the rate aforesaid on money lent or reasonable and proper rent for premises demised or let to the Society, and gratuitous distribution or sale at a discount of any books or other publications whether published by the Society or otherwise relating to all or any of this objects as above set forth, and any prize, medal or other recognition as aforesaid.

4. DISSOLUTION OF THE SOCIETY

If upon the dissolution of the Society there remains after the satisfaction of its debts and liabilities any property whatsoever, the same shall not be paid to or distributed among the members of the Society, but shall be given or transferred to some other institution or institutions having objects similar to the objects of the Society, and which shall prohibit the distribution of its and their income and property among its or their members to an extent as great as is imposed on the Society under or by virtue of Clause 4 hereof, such institutions or institution to be determined by the members of the Society at or before the time of dissolution, or in default thereof by such judge of the Supreme Court as may have or acquire jurisdiction in the matter, and if and so far as effect cannot be given to the aforesaid provision then to some charitable object.

5. MEMBERS LIABILITY

The liability of a member of the Society to contribute towards the payment of the debts and liabilities of the Society or the cost, charges and expenses of winding up the Society is limited to the amount if any, unpaid by the member in respect of membership of the Society.

6. DEFINITIONS

In the Constitution and in the Regulations of the Society:

- 6.1 “**Animal**” includes, male, female and neuter gender;
- 6.2 **Singular** includes plural and vice versa, except where the context signifies otherwise;
- 6.3 **Member** means a person or persons or the firm or the company registered in the records of the Society as a member of the Society;
- 6.4 **Society** means The Red Angus Beef Cattle Society of Australia Incorporated;
- 6.5 **Council** means the Council of the Society;
- 6.6 **Officers** includes (inter alia) the President, Vice-President, Councillors, Secretary, Treasurer and Auditor;
- 6.7 **Writing** includes typing, printing, roneo and other means of producing words in visible form;
- 6.8 **Person** includes company, firm or institution;
- 6.9 **Financial Member** means a member of the Society who shall not be in default in the payment of any subscription or of any fees payable by him in accordance with the regulations of the Society;
- 6.10 **The Rules** means the Rules as from time to time amended;
- 6.11 **The Regulations** means the Regulations made or deemed to have been made by the Council

pursuant to the Rules as from time to time in force;

6.12 **The Members** of a State means the members of the Society resident in that State and the members of the State of South Australia shall include the members resident in the Northern Territory and the members of the State of New South Wales shall include the members resident in the Australian Capital Territory.

6.13 **The Constitution** means the Rules and Regulations of the Society;

6.14 **Herd Book** means the register of pedigrees kept by the Council.

6.15 **Gender:** Any gender includes all other genders

7. MEMBERSHIP

7.1 Membership of the Society shall comprise such persons and such categories of membership as may be determined from time to time by the Council of the Society and include the following:-

7.1.1 Persons who were members of the Society as at 19 August 1970;

7.1.2 Other persons as may be admitted to membership from time to time by the Council in accordance with the Constitution;

7.2 Any person may be admitted to membership of the Society by the Council upon application for membership being duly made in writing by such person.

7.3 An application for membership shall be in such form as may from time to time be prescribed by the Council. The Council may refuse an application without assigning any reason therefor.

7.4 A register of members shall be kept by the Council, in which the name and address of every member shall be recorded, and such register shall be kept at the office of the Society and shall be available to members for inspection at all reasonable times. Each member shall notify the Secretary of any change of address, and every such change shall be recorded in the register.

8. ELECTION OF HONORARY LIFE MEMBER

The Council may elect as an Honorary Life Member of the Society any person who, in the opinion of the Council, is considered to have advanced the interests of the breed.

9. PATRON

Any person who in the opinion of the Council has rendered special service to the Society may by a resolution of the Council carried by a majority representing three-quarters of the members of the Council be appointed a patron of the Society.

10. CEASE TO BE A MEMBER

A member shall: -

10.1 Cease to be a member of the Society:

10.1.1 If he shall resign by notice in writing to the Secretary to that effect;

10.1.2 If he shall die, or being a company shall go into liquidation, or being a firm shall dissolve;

10.1.3 If he shall become insane or an incapable person within the meaning of the Lunacy Act 1908;

10.1.4 If he shall not have paid his subscription within three months of his being called upon by the Secretary so to do, and if the Council shall resolve that such person be no longer a member of the Society;

10.1.5 If, pursuant to a resolution passed unanimously at a meeting of the Council at which all members entitled to be present and to vote are present in person, he be requested in writing to resign, and if he shall not have resigned at or before the expiration of thirty days from the posting of such notice;

10.2 PROVIDED that the Estate of a deceased member may be its personal representative(s) and a company in liquidation may by its liquidator(s) continue as a member of the Society if notice in writing to that effect shall be given by the personal representative(s) or the liquidator(s) as the case may be, to the Secretary;

10.2.1 Being a firm shall not cease to be a member by reason only of any change in the constitution of the firm.

11. CONDUCT OF MEMBERS

11.1 Each member shall strictly observe and act in conformity with and not otherwise than in accordance with the Constitution and the Regulations for the time being of the Society. Any member guilty of a breach of this clause may be called upon by the Council to resign his membership.

11.2 No member or registered owner shall exhibit a registered animal in any show or exhibition or advertise any animal in any paper, periodical or pamphlet under any but its registered name

(including prefix) or as having any tattoo or brand other than its registered mark and brand.

12. ADMINISTRATION

12.1 The Council of the Society shall be constituted as follows:-

12.1.1 There shall be a Council of eight members elected by the members by postal ballot and announced at the Annual General Meeting. Four Council members shall retire at each Annual General Meeting. The members to retire shall be the members of Council longest in office from their last election or appointment. As between 2 or more members of Council who have been in office an equal length of time the member to retire shall in default of agreement be decided by lot.

12.1.2 Subject to clause 12.1.3 each state shall be represented by at least one member of Council who must reside in the state represented.

12.1.3 In the event there is no candidate for Council representing a particular state then such vacant position on Council shall be filled without regard to any State's representation by any other candidate duly nominated and elected in accordance with clause 12.1.1.

13. CONVENING MEETINGS AND CONDUCT OF AND VOTING

The Rules applying to the convening and conduct of and voting at general meetings of the Society shall apply mutatis mutandis to the convening and conduct of and voting at general meetings of members of the State.

14. OFFICE OF COUNCILLOR

A Councillor shall cease to hold office if: -

14.1 He shall cease to be a member of the Society;

14.2 He shall by notice in writing to that effect given to the Secretary resign his office.

15. COUNCILLORS' PERIOD OF OFFICE

Each Councillor elected by postal vote, shall hold office in accordance with these Rules.

16. ELECTION OF OFFICE-BEARERS

The Council shall elect annually a President, and a Vice-President from amongst its members and shall elect an Honorary Treasurer (from amongst the members of the Society) who shall ex officio become a member of the Council.

17. PERIOD OF OFFICE

The President, the Vice-President and the Honorary Treasurer shall respectively hold office until the commencement of the first meeting of the Council held after the Annual General Meeting of the Society next following his election but subject to Clauses 17(b) and 19 he shall be eligible for re-election.

Except as otherwise may be determined by unanimous resolution of the Council in any particular case the office of President shall not be occupied by the same person for more than three consecutive years.

18. POWER TO FILL VACANCIES

The Council may from time to time appoint a President, Vice-President or an ordinary member of the Council to fill any vacancy, and any such appointee shall hold office until the next ensuing Annual General Meeting of the Society.

19. COMMITTEES

19.1 The Council may appoint such Committees, comprising any two or more members of the Society, for any purpose which the Council thinks fit, and each Committee shall carry out such functions and exercise such powers as the Council may prescribe provided that the Council may at any time revoke any appointment or any authority so made or given, and may disband any Committee by notice to that effect.

19.2 State Promotional Groups:-

19.2.1 The Council may establish a State Promotional Group in any State if so requested by voting members in that State.

19.2.2 The State Promotional Group shall be governed by the Rules contained in this Constitution.

20. ACTS OF COUNCIL AND OF COMMITTEE

All acts done at any meeting of the Council or of a Committee shall not withstanding that it be afterwards discovered that there was some defect in the appointment of the Council or Committee, be as valid if the Council or Committee has been duly qualified and appointed.

21. RULING OF CHAIRMAN

The ruling of the Chairman of a meeting shall be final in all matters of order and practice.

22. POWERS OF THE COUNCIL

Subject to the Constitution of the Society and to such directions as may from time to time be given by the Society in general meeting, the management of the business and the control of the Society's finances and affairs shall be vested in the Council, which may exercise all such powers and do all such things as may be exercised or done by the Society and as are hereby expressly directed or required to be exercised or done by the Society, in general meeting.

23. MEETINGS OF THE COUNCIL

The Council may meet, adjourn and regulate its proceedings when and, as it thinks fit. Questions arising at any meeting other than questions of order shall be decided by a majority of votes. In case of equality of voting, the Chairman for the time being shall have a second or casting vote.

24. CHAIRMAN OF MEETING

The President, or failing him, the Vice-President, or failing him an ordinary Councillor appointed for the purpose by the meeting shall preside as Chairman at each meeting of the Council.

25. QUORUM AT COUNCIL MEETING

The quorum for a meeting of the Council shall be five members present in person.

26. SECRETARY

26.1 There shall be a Secretary of the Society, who shall be appointed by the Council and be the corresponding and recording officer of the Society and who shall give and to whom shall be given all notices on behalf of the Society and who shall, subject to the directions of the Council, be entrusted with and carry out the administrative functions of the Society.

26.2 The Secretary shall be paid such remuneration as the Council shall determine, and be employed for such term and upon such conditions as the Council may determine.

27. MEETINGS OF THE SOCIETY

An ordinary general meeting of the members of the Society shall be held every twelve months at such place, as the President shall in each year determine.

28. EXTRAORDINARY GENERAL MEETING

An extraordinary general meeting of the members of the Society may be convened at such times and at such places as the Council may from time to time think fit.

29. CONVENING MEETING OF SOCIETY

29.1 A meeting of the members of the Society shall be convened by the Secretary whenever called upon so to do by the President or by any twenty members of the Society who are entitled to vote.

29.2 If the Secretary shall not within seven days of being required so to do, issue notice convening a meeting as so required, then in any such case the meeting may be convened by the officer or officers or by the members so requiring the meeting or by any person authorised in that behalf by the Council.

30. NOTICE FOR MEETINGS OF MEMBERS

Meetings of members of the Society shall be convened by at least twenty-one days' notice, and every such notice shall specify the nature of any special business to be considered by the meeting.

31. ORDINARY BUSINESS AT ANNUAL GENERAL MEETING

The ordinary business of the Annual General Meeting shall be: -

31.1 To receive reports of the President and the Council and of the Secretary upon the proceedings of the past financial year;

31.2 To receive the balance sheet and financial statement of the Society;

31.3 To appoint such patrons (if any) and such Trustees (if any) as the Meeting may think fit;

31.4 To appoint the Auditor who shall be a Chartered Accountant:

All other business shall be deemed to be special business.

32. BUSINESS, NO OR INSUFFICIENT NOTICE

The Chairman may in his discretion allow any matter to be brought before the meeting for discussion, and may allow any motion to be submitted to the meeting, notwithstanding that no notice or insufficient notice of such motion was included in the notice convening the meeting, but no resolution passed upon such motion shall be binding as a resolution of the Society, but shall serve only as an expression of opinion of those members personally present at the meeting, and the Council shall be at liberty to take such action as it thinks fit in the light of the opinion of the meeting so expressed.

33. QUORUM MEETINGS OF SOCIETY

At all meetings of members of the total Society, a quorum shall be ten members present in person. If no quorum shall be present, the meeting shall be adjourned to such time and place as the President, or failing him,

the person present at the meeting entitled to preside in accordance with Rule 29 shall determine. Failing such a determination, the meeting shall be adjourned to the same time and the same day in the following week, and at any such adjournment the meeting shall proceed, notwithstanding the absence of the quorum so prescribed.

34. DECIDING OF QUESTIONS

At all meetings of the Society, questions shall be decided by a show of hands, provided that any questions shall be decided by ballot if so required by any three members present at the meeting. In the case of an equality of votes, the Chairman shall have a casting vote in addition to his deliberative vote.

35. SUBSCRIPTIONS AND FEES UNPAID \$50.00 OR OVER

No member shall be entitled to vote if his subscription or any fees payable to the Society shall be due and unpaid, provided that for the purpose of this Rule alone no fees shall be deemed to be due and unpaid by a member unless the amount unpaid is at least \$50.00 and unless the amount has remained unpaid for 30 days after application for payment has been made to the member by the Secretary. Any such demand shall be deemed to have been received by a member of the expiration of seven days from the date of the posting by the Secretary.

36. VOTING

36.1 Subject to any rights or restrictions attached to the categories of membership, at a meeting of members of the Society each member has one vote, which may be cast, on a show of hands or a poll as required.

36.2 A member of the Society who is entitled to attend and cast a vote at a meeting of the members of the company may appoint a person as the members proxy to attend and vote for the member at the meeting. For an appointment of a proxy for the meeting of the Society's members to be effective, the proxy form properly completed must be received by the Society at least 48 hours before the meeting.

37. RECORD AND EFFECT OF MEETINGS

Minutes of the proceedings of all meetings of the Society and of the Council and of every Committee meeting respectively shall be recorded in a minute book or minute books kept for the purpose and be signed by the Chairman of the meeting or by the Chairman of the next succeeding meeting if such minutes are confirmed at such meeting, and the minutes so signed shall, in the absence of proof or error therein, be considered sufficient evidence of the facts stated therein.

38. SUBSCRIPTIONS

Every member (not being an Honorary Member) of the Society shall, in respect of each financial year of the Society, pay such subscription as the Society in general meeting may from time to time determine, provided always that the Council may in such circumstances as it thinks fit make a reduction or allowance to any member in respect of the subscription payable to him.

39. COMMERCIAL MEMBERS

39.1 The Council may admit as Commercial/Associate Members of the Society persons who do not desire to be or become full Members of the Society provided that any meeting of the Society and (except as otherwise from time to time prescribed by regulation) shall not be entitled to other privileges of membership. Commercial/Associate Members upon admission to Commercial/Associate Membership pay such entrance fee (if any) and thereafter pay such annual subscription as shall from time to time be prescribed by regulation. A Commercial/Associate Member shall not be entitled to vote at

39.2 The privileges of a Commercial/Associate Member shall be:-

39.2.1 The right to attend all functions of the Society but without the right to vote at meetings.

39.2.2 The right to purchase Herd Books at the price available to full members seeking the purchase of Herd Books.

40. ENTRANCE FEES

Every applicant for full membership shall, upon being admitted as a member, pay to the Society an entrance fee, as from time to time determined by the Council.

41. FUNDS – SOURCE

41.1 The funds of the Society shall be derived from entrance fees and annual subscriptions of members, donations and subject to any resolution passed by the Society in general meetings, such other sources as the committee determines.

41.2 All money received by the Society shall be deposited as soon as practicable and without deduction to the credit of the Society's bank account.

41.3 The Society shall, as soon as practicable after receiving any money, issue an appropriate receipt.

42. FINANCIAL YEAR – SUBSCRIPTION PAID IN ADVANCE

Until otherwise determined by the Society in general meeting, the financial year of the Society shall be deemed to commence or to have commenced on the first day of January in each calendar year, and all subscription shall be payable annually in advance.

43. UNPAID ENTRANCE FEE AND MEMBERSHIP SUBSCRIPTION

If a member fails to pay his entrance fee or to pay his annual subscription within thirty days of such fee or subscription becoming due: -

43.1 He shall not during the period of any such default be entitled to enjoy or exercise any of the privileges of membership;

43.2 The Council may call upon him by notice (in accordance with Rule 49) to pay the same in full on or before a date to be specified in the notice (not being earlier than thirty days of the giving of such notice) and if the member shall fail to make good his default by payment of the amount owing in full the Council may:-

43.2.1 By notice as aforesaid to that effect forthwith terminate his membership and/or

43.2.2 Cancel any or all entries in the Herd Book of animals of which he is the recorded owner.

44. NOTICES TO MEMBERS

Notices required to be given to a member may be given in writing, duly posted and properly addressed to such member at his registered or his last known address, in such manner as the Council may from time to time determine. Notices sent by post shall be deemed to be given when posted.

45. BANK ACCOUNT

45.1 The Council shall open and maintain a banking account in the name of the Society, and such account shall be operated upon by such person or persons and in such manner, as the Council shall from time to time determine.

45.2 All moneys received by the Society or by any officer on its behalf shall be forthwith paid without deduction to the credit of the Society's banking account.

46. INVESTMENTS AND PROPERTY

Investments and real personal property of the Society shall be held in the name of any two or more Trustees.

47. ACCOUNTS AND AUDIT

47.1 The Council shall cause to be kept true accounts of all receipts, credits, payments and liabilities of the Society, and the manner in which its income and expenditure take place and of all other matters necessary for showing the true financial position of the Society.

47.2 The books of accounts shall be kept at such place and in such custody as the Council shall think fit and shall be open to inspection free of charge to a member of the Society at any reasonable hour.

48. COMMON SEAL

48.1 The common seal of the Society shall be kept in the custody of the public officer.

48.2 The common seal shall not be affixed to any instrument except by the authority of the committee and the affixing of the common seal shall be attested by the signatures either of 2 members of the committee or of 1 member of the committee and of the public officer or secretary.

49. PREPARATION OF STATEMENT OF RECEIPTS AND EXPENDITURE

The Secretary shall prepare or cause to be prepared prior to the Annual General Meeting at statement of receipts and expenditure for the financial year under review by such meeting, together with a balance sheet showing the assets and liabilities for the Society at the close of such financial year, and the financial statement and the balance sheet shall be certified as correct by the auditor appointed for the purpose by the Society in general meeting.

50. BALANCE SHEET TO ALL MEMBERS

The Secretary shall forward to each member with the notice convening the Annual General Meeting of the Society a copy of the Balance Sheet and Statement of Receipts and Disbursements for the financial year to be reviewed at such Annual Meeting.

51. INDEMNITY

Officers and members of the Council of the Society shall be entitled to indemnity out of the funds of the Society and by the members jointly against all loss and liability bona fide and properly incurred in the carrying out of their functions on behalf of the Society.

52. ALTERATIONS TO CONSTITUTION

The Society in general meeting may, by a resolution carried by not less than three-quarters of the members present and voting in accordance with Rule 43 and 44, amend the constitution of the Society whether by alteration, addition or deletion, in such manner as it may think fit, providing that any such proposed amendment shall be regarded as special business and notice thereof shall be given accordingly, as heretofore provided that at least 21 days notice convening the meeting shall have been given.

53. HERDBOOK AND APPENDIX REGISTER

53.1 The Council shall keep or cause to be kept the Herd Book of the Society and an Appendix and the Council may from time to time make rules and regulations governing the maintenance of same,

and the eligibility of animals for registration of entry therein.

53.2 Applications for registration in the Herd Book of Appendix and transfers for registration in the Herd Book may be accepted and acted upon by the Council as sufficient evidence of the correctness of the facts set out therein.

54. REGULATIONS

The Council may prescribe regulations: -

54.1 Governing the printing and publishing of the Herd Book and Appendix;

54.2 Prescribing the requirements and for registration in the Herd Book and Appendix;

54.3 Prescribing fees to be payable in respect of entries, registrations, recordings and inspections;

54.4 Prescribing the conditions upon which animals will be accepted for and the circumstances in which animals will be rejected from registration in the Herd Book and Appendix;

54.5 Generally regulating the conduct of members and the breeding, handling and disposal of animals registered in the Herd Book and Appendix, and may from time to time amend the regulations whether by addition, deletion, alteration, or otherwise.

54.6 Each member shall be notified of any regulations or amendment so made by the Council.

