

AUSTRALIAN TRIBE

PRELIMINARY

PART I

OBJECTS:

1. The objects of the Society are to:-
 - (a) Promote and encourage interest in the operation and maintenance of both single and twin engine Comanche type aircraft.
 - (b) To collect from and disseminate to the members ideas, experiences and data in relation to such aircraft and the safe flying of them.
 - (c) Cultivate and promote friendship and sociability amongst the members.

PART II

MEMBERSHIP

Membership qualifications.

2. Any natural person over the age of 18 years, interested in the objects of the Society and who has paid the prescribed fee is qualified to be a member.

Nomination for membership.

3. (1) A nomination of a person for membership of the Society -
 - (a) shall be made by a member of the Society in writing in the form set out in Appendix 1 to these rules; and
 - (b) shall be lodged with the secretary of the Society.
- (2) As soon as practicable after receiving a nomination for membership, the secretary shall refer the nomination to the committee which shall determine whether to approve or to reject the nomination.

- (3) When the committee determines to approve a nomination for membership, the secretary shall, as soon as practicable after that determination, notify the nominee of that approval and request the nominee to pay within the period of 28 days after receipt by the nominee of the notification the sum payable under these rules by a member as entrance fee and annual subscription.
- (4) The secretary shall, on payment by the nominee of the amounts referred to in clause (3) within the period referred to in that clause, enter the nominee's name in the register of members and, upon the name being so entered, the nominee becomes a member of the Society.

Cessation of membership.

- 4. A person ceases to be a member of the Society if the person -
 - (a) dies;
 - (b) resigns that membership; or
 - (c) is expelled from the Society;

Membership entitlements not transferable.

- 5. A right, privilege or obligation which a person has by reason of being a member of the Society -
 - (a) is not capable of being transferred or transmitted to another person; and
 - (b) terminates upon cessation of the person's membership.

Resignation of membership.

- 6. (1) A member of the Society is not entitled to resign that membership except in accordance with this rule.
- (2) A member of the Society who has paid all amounts payable by the member to the Society in respect of the member's membership may resign from membership of

the Society by first giving notice (being not less than 1 month or not less than such other period as the committee may determine) in writing to the secretary of the member's intention to resign and, upon the expiration of the period of notice, the member ceases to be a member.

(2) Where a member of the Society ceases to be a member pursuant to clause (2), and in every other case where a member ceases to hold membership, the secretary shall make an appropriate entry in the register of members recording the date on which the member ceased to be a member.

Register of members.

7. (1) The Secretary of the Society shall establish and maintain a register of members of the Society specifying the name and address of each person who is a member of the Society together with the date on which the person became a member.

(2) The register of members shall be kept at the principal place of administration of the Society and shall be open for inspection, free of charge, by any member of the Society at any reasonable hour.

Fees, subscriptions, etc.

8. A member of the Society shall upon admission pay to the Society the admission and membership fee as determined from time to time and by the Committee.

Members' liabilities.

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

the member in respect of membership of the Society as required by rule 8.

Disciplining of members.

10. (1) Where the committee is of the opinion that a member of the Society -

- (a) has persistently refused or neglected to comply with a provision or provisions of these rules; or
- (b) has persistently and wilfully acted in a manner prejudicial to the interests of the Society,

the committee may, by resolution -

- (c) expel the member from the Society; or
- (d) suspend the member from membership of the Society for a specified period.

(2) A resolution of the committee under clause (1) is of no effect unless the committee, at a meeting held not earlier than 14 days and not later than 28 days after service on the member of a notice under clause (3), confirms the resolution in accordance with this rule.

(3) Where the committee passes a resolution under clause (1), the secretary shall, as soon as practicable, cause a notice in writing to be served on the member -

- (a) setting out the resolution of the committee and the grounds on which it is based;
- (b) stating that the member may address the committee at a meeting to be held not earlier than 14 days and not later than 28 days after service of the notice;
- (c) stating the date, place and time of that meeting;

- (d) informing the member that the member may do either or both of the following:-
 - (i) attend and speak at that meeting;
 - (ii) submit to the committee at or prior to the date of that meeting written representations relating to the resolution.
- (4) At a meeting of the committee held as referred to in clause (3), the committee shall -
 - (a) give to the member an opportunity to make oral representations;
 - (b) give due consideration to any written representations submitted to the committee by the member at or prior to the meeting; and
 - (c) by resolution determine whether to confirm or to revoke the resolution.
- (5) Where the committee confirms a resolution under clause (4), the secretary shall, within 7 days after that confirmation, by notice in writing inform the member of the fact and of the member's right of appeal under rule 11.
- (6) A resolution confirmed by the committee under clause (4) does not take effect -
 - (a) until the expiration of the period within which the member is entitled to appeal against the resolution where the member does not exercise the right of appeal within that period; or
 - (b) where within that period the member exercises the right of appeal, unless and until the

Society confirms the resolution pursuant to rule 11(4).

Right of appeal of disciplined member.

11. (1) A member may appeal to the Society in general meeting against a resolution of the committee which is confirmed under rule 10(4), within 7 days after notice of the resolution is served on the member, by lodging with the secretary a notice to that effect.
- (2) Upon receipt of a notice from a member under clause (1), the secretary shall notify the committee which shall convene a general meeting of the Society to be held within 21 days after the date on which the secretary received the notice.
- (3) At a general meeting of the Society convened under clause (2) -
 - (a) no business other than the question of the appeal shall be transacted;
 - (b) the committee and the member shall be given the opportunity to state their respective cases orally or in writing, or both; and
 - (c) the members present shall vote by secret ballot on the question of whether the resolution should be confirmed or revoked.
- (4) If at the general meeting the Society passes a special resolution in favour of the confirmation of the resolution, the resolution is confirmed.

PART III

THE COMMITTEE

Powers, etc., of the committee.

12. The committee shall be called the Committee of Management of the Society and subject to these rules and to any

resolutions passed by the Society in general meeting:-

- (a) shall control and manage the affairs of the Society;
- (b) may exercise all such functions as may be exercised by the Society other than those functions that are required by these rules to be exercised by a general meeting of members of the Society; and
- (c) has power to perform all such acts and do all such things as appear to the committee to be necessary or desirable for the proper management of the affairs of the Society.

Constitution and membership.

13. The Committee shall consist of the President (Tribe Chief), Vice President (Deputy Tribe Chief), Treasurer and Secretary each of whom shall be elected at the Annual General Meeting of the Society pursuant to Rule 14.

Election of members.

14. (1) Nominations of candidates for election as members of the committee:-

- (a) shall be made in writing, signed by 2 members of the Society and accompanied by the written consent of the candidate (which may be endorsed on the form of nomination); and
- (b) shall be delivered to the secretary of the Society not less than 7 days before the date fixed for the holding of the annual general meeting at which the election is to take place.

(2) If insufficient nominations are received to fill all vacancies on the committee, the candidates nominated shall be deemed to be elected and further nominations shall be called for at the annual ...

- (3) If insufficient further nominations are received, any vacant positions remaining on the committee shall be deemed to be casual vacancies.
- (4) If the number of nominations received is equal to the number of vacancies to be filled, the persons nominated shall be deemed to be elected.
- (5) If the number of nominations received exceeds the number of vacancies to be filled, a ballot shall be held.
- (6) The ballot for the election of members of the committee shall be conducted at the annual general meeting in such usual and proper manner as the committee may direct.
- (7) A nomination of a candidate for election under this clause is not valid if that candidate has been nominated for election to another office at the same election.

Secretary.

- 15. (1) The Secretary of the Society shall, as soon as practicable after being appointed as secretary, lodge notice with the Society of his or her address.
- (2) It is the duty of the secretary to keep minutes of -
 - (a) all appointments of office-bearers and members of the committee;
 - (b) the names of members of the committee present at a committee meeting or a general meeting; and
 - (c) all proceedings at committee meetings and general meetings.
- (3) Minutes of proceedings at a meeting shall be signed

by the chairperson of the meeting or by the chairperson of the next succeeding meeting.

Treasurer.

16. It is the duty of the treasurer of the Society to ensure that -

- (a) all money due to the Society is collected and received and that all payments authorised by the Society are made; and
- (b) correct books and accounts are kept showing the financial affairs of the Society including full details of all receipts and expenditure connected with the activities of the Society.

Casual vacancies.

17. For the purposes of these rules, a casual vacancy in the office of a member of the committee occurs if the member -

- (a) dies;
- (b) ceases to be a member of the Society;
- (c) becomes an insolvent under administration;
- (d) resigns office by notice in writing given to the secretary;
- (e) is removed from office under rule 18;
- (f) becomes of unsound mind or a person whose person or estate is liable to be dealt with in any way under the law relating to mental health; or
- (g) is absent without the consent of the committee from all meetings of the committee held during a period of 6 months.

Removal of member.

18. (1) The Society in general meeting may by resolution remove any member of the committee from the office of

member before the expiration of the member's term of office and may by resolution appoint another person to hold office until the expiration of the term of office of the member so removed.

(2) Where a member of the committee to whom a proposed resolution referred to in clause (1) relates makes representations in writing to the secretary or President (Tribe Chief) (not exceeding a reasonable length) and requests that the representations be notified to the members of the Society, the secretary or the President (Tribe Chief) may send a copy of the representations to each member of the Society or, if they are not so sent, the member is entitled to require that the representations be read out at the meeting at which the resolution is considered.

MEETINGS AND QUORUM.

19. (1) The committee shall meet at such times and at such places as the committee may determine.

(2) Additional meetings of the committee may be convened by the President (Tribe Chief) or by any member of the committee.

(3) Oral or written notice of a meeting of the committee shall be given by the secretary to each member of the committee at least 48 hours (or such other period as may be unanimously agreed upon by the members of the committee) before the time appointed for the holding of the meeting.

(4) Notice of a meeting given under clause (3) shall 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 at the meeting unanimously agree to treat as urgent business.

- (5) Any 3 members of the committee constitute a quorum for the transaction of the business of a meeting of the committee.
- (6) No business shall be transacted by the 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 at the same hour of the same day in the following week.
- (7) If at the adjourned meeting a quorum is not present within half an hour of the time appointed for the meeting, the meeting shall be dissolved.
- (8) At a meeting of the committee -
 - (a) the President (Tribe Chief) or, in the President (Tribe Chief)'s absence, the Vice-President (Deputy Tribe Chief) shall preside; or
 - (b) if the President (Tribe Chief) and the Vice-President (Deputy Tribe Chief) are absent or unwilling to act such one of the remaining members of the committee as may be chosen by the members present at the meeting shall preside.
- (9) A meeting of the committee may be effected by telephone if all members of the committee are consulted and there is unanimous agreement.

Delegation by committee to sub-committee.

(1) The Committee may, by instrument in writing, delegate to one or more sub-committees (consisting of member or members of the Society as the committee thinks fit) the exercise of such of the functions of the committee as are specified in the instrument, other than -

- (a) this power of delegation; and
- (b) a function which is a duty imposed on the committee by the Act or by any other law.

(2) A function the exercise of which has been delegated to a sub-committee under this rule may, while the delegation remains unrevoked, be exercised from time to time by the sub-committee in accordance with the terms of the delegation.

(3) A delegation under this section may be made subject to such conditions or limitations as to the exercise of any function the subject thereof, or as to time or circumstances, as may be specified in the instrument of delegation.

(4) Notwithstanding any delegation under this rule, the committee may continue to exercise any function delegated.

(5) Any act or thing done or suffered by a sub-committee 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 Committee.

(6) The committee may, by instrument in writing, revoke wholly or in part any delegation under this rule.

(7) A sub-committee may meet and adjourn as it thinks proper.

Voting and decisions.

21. (1) Questions arising at a meeting of the committee or of any sub-committee appointed by the committee shall be determined a majority of the votes of members of the committee or sub-committee present at the meeting.
- (2) Each member present at a meeting of the committee or of any sub-committee 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 any question, the person presiding may exercise a second or casting vote.
- (3) Subject to rule 19(5), the committee may act notwithstanding any vacancy on the committee.
- (4) Any act or thing done or suffered, or purporting to have been done or suffered, by the committee or by a sub-committee appointed by the 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 sub-committee.

PART IV

GENERAL MEETINGS

Annual general meetings - holding of.

22. (1) The Society shall at least once in each calendar year convene an annual general meeting of its members.

Annual general meetings - calling of and business at.

23. (1) The annual general meeting of the Society shall be convened in each year at such time and place as the committee thinks fit.

(2) In addition to any other business which may be transacted at an annual general meeting, the business of an annual general meeting shall be -

- (a) to confirm the minutes of the last preceding annual general meeting and of any special general meeting held since that meeting;
- (b) to receive from the committee reports upon the activities of the Society during the last preceding financial year;
- (c) to elect office-bearers of the Society and ordinary members of the committee; and

(3) An annual general meeting shall be specified as such in the notice convening it.

Special general meetings - calling of.

24. (1) The committee may, whenever it thinks fit, convene a special general meeting of the Society.

(2) The committee shall, on the requisition in writing of not less than 5 per cent of the total number of members, convene a special general meeting of the Society.

(3) A requisition of members for a special general meeting -

- (a) shall state the purpose or purposes of the meeting;
- (b) shall be signed by the members making the requisition;
- (c) to elect members of the committee; and
- (d) may consist of several documents in a similar form, each signed by one or more of the members making the requisition.

- (4) If the committee fails to convene a special general meeting to be held within 1 month after the date on which a requisition of members for the meeting is lodged with the secretary, any one or more of the members who made the requisition may convene a special general meeting to be held not later than 3 months after that date.
- (5) A special general meeting convened by a member or members as referred to in clause (4) shall be convened as nearly as is practicable in the same manner as general meetings are convened by the committee and any member who thereby incurs expense is entitled to be reimbursed by the Society for any expense so incurred.

Notice.

- 25. (1) Except where the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the Society, the secretary shall, at least 14 days before the date fixed for the holding of the general meeting, cause to be sent by pre-paid post to each member at the member's address appearing in the register of members, a notice specifying the place, date and time of the meeting and the nature of the business proposed to be transacted at the meeting.
- (2) Where the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the Society, the secretary shall, at least 21 days before the date fixed for the holding of the general meeting, cause notice to be

sent to each member in the manner provided in clause (1) specifying, in addition to the matter required under clause (1), the intention to propose the resolution as a special resolution.

- (3) No business other than that specified in the notice convening a general meeting shall be transacted at the meeting except, in the case of an annual general meeting, business which may be transacted pursuant to rule 23(2).
- (4) 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 that business in the next notice calling a general meeting given after receipt of the notice from the member..

Procedure.

- 26. (1) 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.
- (2) Five 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.
- (3) If within half an hour after the appointed time for the commencement of a general meeting a quorum is not present, the meeting if convened upon the requisition of members shall be dissolved and 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 written notice to members given before the day to which the meeting is adjourned) at the same place.

(4) 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 not less than 3) shall constitute a quorum.

Presiding member.

27. (1) The President (Tribe Chief) or, in the President (Tribe Chief)'s absence, the Vice-President (Deputy Tribe Chief), shall preside as chairperson at each general meeting of the Society.

(2) If the President (Tribe Chief) and the Vice-President (Deputy Tribe Chief) 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.

28. (1) 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.

(2) Where a general meeting is adjourned for 14 days or more, the secretary shall give written or oral notice of the adjourned meeting to each member of the Society stating the place, date and time of the meeting and the nature of the business to be transacted at the meeting.

(2) Except as provided in clauses (1) and (2), 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.

29. (1) A question arising at a general meeting of the Society shall be determined on a show of hands and, unless before or on the declaration of the show of hands a poll is demanded, 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 Society, is evidence of the fact without proof of the number or proportion of the votes recorded in favour of or against that resolution.

(2) At a general meeting of the Society, a poll may be demanded by the chairperson or by not less than 3 members present in person or by proxy at the meeting.

(3) Where a poll is demanded at a general meeting, the poll shall be taken -

(a) 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

(b) 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.

30. A resolution of the Society is a special resolution if -

- (a) it is passed by a majority which comprises not less than three-quarters of such members of the Society as, being entitled under these rules so to do, vote in person or by proxy at a general meeting of which not less than 21 days' written notice specifying the intention to propose the resolution as a special resolution was given in accordance with these rules: or
- (b) where it is made to appear to the Commission that it is not possible or practicable for the resolution to be passed in the manner specified in paragraph (a) - the resolution is passed in a manner specified by the Commission.

oting.

- (1) Upon any question arising at a general meeting of the Society a member has one vote only.
- (2) All votes shall be given personally or by proxy no member may hold more than 5 proxies.
- (3) In the case of an equality of votes on a question at a general meeting, the chairperson of the meeting is entitled to exercise a second or casting vote.
- (4) A member or proxy is not entitled to vote at any general meeting of the Society unless all money due and payable by the member or proxy to the Society has been paid, other than the amount of the annual subscription payable in respect of the then current year.

Appointment of proxies.

32. (1) Each member shall be entitled to appoint another member as proxy by notice given to the secretary no later than 24 hours before the time of the meeting in respect of which the proxy is appointed.

(2) The notice appointing the proxy shall be in the form set out in Appendix 2 to these rules.

PART V

MISCELLANEOUS

Insurance.

33. The Society shall effect and maintain such insurance as the members may in general meeting decide.

Funds - source.

34. (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 meeting, such other sources as the committee determines.

(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.

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

Funds - management.

35. (1) Subject to any resolution passed by the Society in general meeting, the funds of the Society shall be used in pursuance of the objects of the Society in such manner as the committee determines.

(2) All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments shall be signed by any 2 members of the committee.

Alteration of objects and rules.

36. The statement of objects and these rules may be altered, rescinded or added to only by a special resolution of the Society.

Custody of books, etc.

37. 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 Society.

Inspection of books, etc.

38. The records, books and other documents of the Society shall be open to inspection, free of charge, by a member of the Society at any reasonable hour.

Service of notices.

39. (1) For the purpose of these rules, a notice may be served by or on behalf of the Society upon any member either personally or by sending it by post to the member at the member's address shown in the register of members.

(2) Where a document is sent to a person by properly addressing, prepaying and posting to the person a letter containing the document, the document shall, unless the contrary is proved, be deemed for the purposes of these rules to have been served on the person at the time at which the letter would have been delivered in the ordinary course of post.

Payment, etc., of office bearers and members.

40. A member of the committee shall not be appointed to any salaried office of the Society or any office of the association paid by fees, and no remuneration or other benefit in money or money's worth shall be given by the association to any member of the committee except -

- (a) repayment of out-of-pocket expenses;
- (b) interest at a rate not exceeding interest at the rate for the time being which is or would be charged by the Society's bankers for money lent to the Society; and
- (c) reasonable and proper rent for premises let to the Society.

Vacation of office.

41. Without limiting the operation of rule 17, the office of a member of the committee shall become vacant if -

- (a) the member holds an office of profit in the Society; or
- (b) the member is directly or indirectly interested in any contract or proposed contract with the Society.

APPENDIX I.

(Rule 3(1).)

APPLICATION FOR MEMBERSHIP OF SOCIETY

..... Incorporated (incorporated under the Society's Incorporation Act, 1984)

I,
(full name of applicant)

of
(Business Name, Address and Phone Number)

..... hereby apply to become
(occupation)

member of the abovenamed incorporated Society. In the event of my admission as a member, I agree to be bound by the rules of the Society for the time being in force.

.....
Signature of applicant

Date

I, a member of the Society,
(full name)

nominate the applicant, who is personally known to me, for
membership of the Society.

.....

Signature of proposer

Date

I,....., a member of the Society,
(full name)

second the nomination of the Applicant, who is personally known to
me, for membership of the Society.

.....

Signature of seconder

Date

FORM OF APPOINTMENT OF PROXY

I, of
(full name) (address)

being a member of the International Comanche Society - Australian
Tribe

hereby appoint of
(full name of proxy) (address)

being a member of that association, as my proxy to vote for me on
my behalf at the general meeting of the Society (annual general
meeting or special general meeting, as the case may be), to be
held on the day of
19... and at any adjournment of that meeting.

* My proxy is authorised to vote in favour of/against (delete as
appropriate) the resolution (insert details).

* To be inserted if desired.

.....
Signature of member appointing proxy

Date

NOTE: A proxy vote may not be given to a person who is not
a member of the Society.