

BY-LAWS
OF THE
VICTORIA RIFLE ASSOCIATION
INCORPORATED
Reg No A13641H

Adopted 16th September 2000
Amended 26 October 2019

1. INTERPRETATION

- 1.1 These By-Laws must be read subject to the Act and Regulations and the Rules of the Association and shall apply to the Council and Members of the Association. In the event of any conflict or inconsistency between the By-Laws and the Rules the provisions of the Rules shall prevail.
- 1.2 In these By-Laws:-
- 1.2.1 unless a contrary intention is expressed or the context otherwise requires, words and phrases shall have the same meaning as those in the Rules;
 - 1.2.2 "Journal" means any journal, periodical, magazine, newsletter, circular, publication or other printed or written matter provided by or on behalf of the Association and sent to the addresses of Members in general as a consequence of their membership of the Association, and/or any such material sent to Clubs.

2. CORRESPONDENCE

All correspondence from Members, Clubs, Associates and Internal Groups shall be addressed to the Executive Officer.

3. APPLICATION FOR AND TRANSFER OF MEMBERSHIP

- 3.1 The form for Application for Membership shall be that set out in Appendix A to these By-Laws or in a form to the same effect.
- 3.2 The form for Transfer of Membership shall be that set out in Appendix B to these By-Laws or in a form to the same effect.

4. NOTICES

- 4.1 Notices relating to Members' entrance fees and Annual Subscriptions and to any entrance fee and/or Affiliation Fee payable by a Club shall be sent to the relevant Club secretary or such other Club official as the relevant Club may nominate for the purpose of receiving such notices. This By-Law shall be satisfied if the documents concerned are sent to the address last advised by the Club to be that of the secretary, or other nominated official, as the case may be.
- 4.2 Excepting notices relating to entrance fees and Annual Subscriptions, any notice sent to Members by the Association which is not required by the Rules to be given in accordance with Rule 49, may be given as set down in Rule 49 or published in, or included as an loose insert in, a Journal, or on the VRA web page or via electronic communications.
- 4.3 Excepting notices relating to entrance fees and Annual Subscriptions, no Member shall be entitled to receive any notice required to be sent to a Member under these By-Laws unless the Association has received, not less than five (5) Business Days before the date on which

- the relevant notice is despatched to those entitled to receive it, all amounts due to it under the Rules.
- 4.4 Prior to the annual general meeting of the Association the Executive Officer shall give preliminary notice advising Members of the date by which written notice of business that any Member wishes to bring forward at the annual general meeting is to be in the hands of the Executive Officer, which date shall not be less than twenty-one (21) days after the date of giving the said preliminary notice.
- 4.5 All notices of meetings of Council shall be accompanied by an agenda and all necessary supporting documentation available at the time of despatching the notice.
- 4.6 The Executive Officer shall be the only person authorized to issue notices on behalf of the Council and he shall do so at the time and in the form stipulated by Council.

5 CLUBS

- 5.1 Following its annual general meeting each year, each Club shall advise the Executive Officer of the names of the secretary, treasurer, captain and president of the Club for the forthcoming year and the address of the Club for the service of notices.
- 5.2 Clubs shall be responsible to advise their members, within a reasonable time after receiving notice thereof, the amounts of Annual Subscriptions and any entrance fees payable by the Club's members to the Association for the forthcoming Financial Year and shall forward to the Association all monies collected from their members on behalf of the Association as soon as is practicable.

6. MEETINGS

It shall be the duty of the Executive Officer in consultation with the Chairman to prepare agenda for all general meetings of the Association and for all Council meetings, such agenda to be generally in the relevant form specified in Appendices C, D or E to these By-Laws.

7. PRIVILEGES OF MEMBERSHIP

- 7.1 In addition to their privileges encompassed in the Rules only Members shall:- be eligible to participate as a Captain, Wind Coach or Shooting Member in:
- 7.1.1 any Shooting Team representing, or under the auspices or control of the Association; or
- 7.1.2 any national Shooting Team selected by, or under the auspices or control of, an External Body; or
- 7.1.3 any Club Shooting Team competing in an inter-Club Teams Shoot arranged by, or under the auspices or control of the Association, the Council or an Internal Group set up by Council; or
- 7.1.4 any Shooting Team taking part in any Team Shoot arranged by, or under the auspices of, the Association or the Council; or
- be eligible to enter and compete in prize or championship meetings deemed to be open under the SSRs and conducted by or under the auspices or control of the Association or any Club, Internal Group or External Body; excepting that Council at its discretion and on a case by case basis may waive some or all of the requirements of this By-Law for any specified Shoot.

8. HONORARY LIFE MEMBERSHIP

- 8.1 Guidelines for the criteria for the eligibility of a natural person or corporate body for election as an Honorary Life Member under Rule 6.2 of the Rules shall be as prescribed in this By-Law. Members who contemplate putting the names of proposed candidates before

- Council for consideration should always compare the qualifications of candidates with those already honoured and temper their judgments accordingly.
- 8.2 The primary consideration to take into account is that of the "valuable service" rendered to the Association. The duration, magnitude, level of difficulty and scope of the service should be weighed together with the degree of self sacrifice, personal inconvenience and exertion involved in the service to the Association.
- 8.3 The area toward which the service was directed should be examined and it may well be that conferring honorary life membership of a Club or of an Internal Group may be more appropriate.
- 8.4 In general. Shooting achievement should not, of itself alone, reflect eligibility except where it has resulted in advancement of the objectives and prestige of the Association and involves considerations mentioned in By-Laws 8.2 and 8.3.
- 8.5 Not-with-standing By-Laws 8.1 to 8.4, Council may recommend for Honorary Life Membership any person who;
- 8.5.1 donates to the Association in one sum an amount not less than fifty (50) times the Annual Subscription current at the time of the donation; or
- 8.5.2 gives to the Association a trophy or other prize of value not less than fifty (50) times the Annual Subscription current at the time of the donation.

9. HONORARY APPOINTMENTS

Council may at its discretion elect persons suitably qualified to act as Honorary Officers of the Association, including but not limited to, such positions as, a Medical Officer, an Optician, an Audiometrist, a Legal Officer and an Armourer, who shall hold office during the pleasure of the Council. An Honorary Officer shall not hold any of the benefits of membership unless he is a Member.

10. COUNCIL MATTERS

10.1 Advisors

- 10.1 Advisors with appropriate experience and/or skills may be appointed by Council to provide support and make recommendations to Councillors as and when required and/or to undertake specific tasks as directed by Council.

10.2 Supervision of Staff

- 10.2 The Chairman or another Councillor nominated by the Chairman shall be responsible for the supervision of the performance of the day to day duties of;
- 10.2.1 the Executive Officer if he is not a Councillor, and
- 10.2.2 the Treasurer if he is not a Councillor.

10.3 Portfolios

- 10.3 At the first Council meeting following the annual general meeting of the Association each year, or as soon as practicable thereafter. Council shall allocate to each Councillor an area or areas of responsibility (to be known as the Councillor's 'portfolio') in which the Councillor shall take a particular responsibility and interest.

10.4/5 Portfolio Reports

- 10.4 Unless waived by the Chairman for any specific Council meeting, each Councillor shall send to the Executive Officer, not less than five (5) Business Days before each Council meeting, a written progress report on activities within his portfolio since the preceding Council meeting.
- 10.5 Each Councillor shall present a report on proceedings within his portfolio over the previous year to the annual general meeting and a written copy of each such report shall be delivered

to the Executive Officer not less than five (5) business days before the relevant annual general meeting.

11. CONFLICT OF INTEREST OF COUNCILLOR

- 11.1 Any Councillor, Advisor, Honorary Appointment or Executive Officer who has a financial interest in any contract or arrangement made, or proposed to be made, with the Association or any benefit derived from the assets of the Association which is not available to the Membership as a whole shall disclose his interest to the meeting of Council at which that contract or arrangement or benefit is first taken into consideration.
- 11.2 If any Councillor, Advisor, Honorary Appointment or Executive Officer becomes interested in a contract or arrangement or benefit subject of By-Law 11.1 after it has been agreed to by Council he shall disclose his interest at the first Council meeting held after he becomes so interested.
- 11.3 No Councillor shall vote as a Councillor in respect of any contract or arrangement or benefit subject of By-Law 11.1 in which he is interested as aforesaid, and if he does so vote, his vote shall be disregarded.
- 11.4 With the approval of the Chairman any Councillor, Advisor, Honorary Appointment or Executive Officer who is interested in any contract or arrangement or benefit as aforesaid may remain in the meeting while the matter is under discussion and may contribute to such discussion if requested by the Chairman so to do, but shall absent himself from the meeting while the vote is taken.
- 11.5 All declarations of interest under this clause shall be recorded in the minutes.

12. COUNCIL POLICY REGISTER

- 12.1 Council may determine that certain Council resolutions shall be designated 'policy resolutions'. Policy resolutions shall be established for the purpose of setting guidelines for Members (including Councillors) and/or Clubs and/or Associates and/or Association staff and/or officials and those persons may act within the guidelines of any policy resolution during its currency without the need for further reference to Council.
- 12.2 The Executive Officer shall maintain a register of all resolutions relating to policy which have been adopted by Council. The register shall be called the 'policy register' and shall record each resolution in full and the date on which it was adopted, renewed or amended.
- 12.3 Where a policy resolution conflicts wholly or in part with the Rules and/or By-Laws and/or Standing Orders, the relevant part of the Rules and/or By-Laws and/or Standing Orders shall take precedence.
- 12.4 Each policy resolution shall automatically lapse on the fifth anniversary of the date of its adoption unless it has been rescinded prior to that date or it is renewed or amended by Council in accordance with this By-Law.
- 12.5 No policy shall be adopted, rescinded, renewed or amended by Council unless written notice has been given to each Councillor not less than one month before the meeting at which the matter is to be considered. Any notice to renew or amend a policy shall state the proposed wording of the policy in full.
- 12.6 Each renewed or amended policy resolution shall automatically lapse on the fifth anniversary of the date of its adoption unless, prior to that date, it is rescinded or renewed or amended by Council in accordance with this By-Law.
- 12.7 The policy register shall be available for inspection free of charge by any Member at the office of the Association on Business Days during normal office hours, or such other place and/or time convenient to the Executive Officer, and upon reasonable notice.
- 12.8 A Member may make a copy of entries in the policy register.

13. POSITION DESCRIPTIONS

Council shall arrange for current position descriptions for the Executive Officer and Treasurer and current portfolio descriptions for other Councillors to be included in the policy register.

14. ELECTIONS OF COUNCIL

- 14.1 Nominations for Council are required to be in the form set out in Appendix F to these By-Laws or in a form to the same effect, and shall be signed by the proposer, seconder and the candidate,
- 14.2 Each year the Executive Officer shall, by notice to Members given in accordance with By-Law 4, call for nominations for the vacancies on Council which will occur immediately following the next annual general meeting. The notice shall:
 - 14.2.1 list the number of positions which will fall vacant; and
 - 14.2.2 state a closing time and date by which nominations must be delivered to the Executive Officer, which date shall not be less than twenty-one (21) days from the date of sending out the notice; and
 - 14.2.3 state that a candidate may provide, by the closing time and date for nominations, a resume of his qualifications and/or experience and/or skills and/or policies not exceeding one hundred and fifty (150) words for enclosure with the voting papers to be sent to Members; and
 - 14.2.4 state that nominations are required to be in the form set out in By-Law 14.1.
- 14.3 Following the closing date for nominations and if a ballot is required, the Executive Officer shall send a ballot paper to each Member entitled to vote at that time together with:
 - 14.3.1 voting instructions and notice of the time and date when completed ballot papers must be delivered to the Executive Officer, which date shall not be less than twenty-one (21) days from the date of despatch of the notice; and
 - 14.3.2 a copy of all resumes provided by candidates in accordance with By-Law 14.1.3, except that the Executive Officer shall not distribute any resumes which exceed one hundred and fifty (150) words and/or reflect upon the qualifications, experience, skills, policy or past performance of another candidate at the same election.
- 14.4 The Executive Officer shall act as returning officer for the ballot and shall be assisted by two scrutineers appointed by Council, neither of whom shall be a candidate at the election.
- 14.5 The form of, and the procedure for handling, ballot papers, the procedure for the count and the preferential voting system to be used are set out in Appendix G to these By-Laws.
- 14.6 The returning officer shall announce the results of the ballot to each of the candidates and the Chairman no later than (than) fourteen (14) days before the next annual general meeting and shall establish a timetable for the procedures set out in this By-Law so that this timing is achieved.
- 14.7 The returning officer shall secure all ballot papers received, separating valid votes from those invalidly cast and/or received after the required time, after they have been checked by the scrutineers and shall retain them until the time allowed for appeal has expired.
- 14.8 Any candidate who may be dissatisfied as to the accuracy of the number of votes recorded for him may in writing demand a recount upon the deposit of twenty dollars (\$20.00) with the Executive Officer provided the demand shall be made not more than two (2) Business Days after the announcement of the ballot. A candidate demanding a re-count may appoint an observer to be present with the returning officer and the scrutineers during the recount. If the result of the ballot is changed as a result of the recount the fee shall be refunded and the Executive Officer shall inform all the candidates for the position and the Chairman of the changed result no later than two (2) Business Days after the recount.

14.9 All reasonable precautions shall be taken to preserve the secrecy of the ballot.

15. ELECTIONS OF COMMITTEE

Where a general meeting or the Council resolves that a committee be set up, the members of which are to be elected by vote of the Members, or of some of them, the election, unless the general meeting setting up the committee resolves otherwise, shall be conducted as far as is practicable in the circumstances in the manner set out in By-Law 14 for the election of Councillors.

16. PRIZE SHOOTS

- 16.1 The SSRs shall govern the conduct of all prize Shoots held within the jurisdiction of the Association.
- 16.2 If practicable, the Association shall conduct at least one Prize Shoot each year which shall be open to entry from such persons as Council may determine from time to time.
- 16.3 Council shall determine the programme, time and place for each Association Prize Shoot.
- 16.4 Provision may be made in all Association Prize Shoot programmes for those competitors not wanting to participate in sweepstakes and/or those desiring to Shoot for trophies only.
- 16.5 Any Club or Internal Group which proposes to conduct an open prize meeting as defined by the SSRs shall not less than 30 days before the scheduled date of the said prize meeting send to the Executive Officer a copy of the programme for the event listing the matches to be held, the prize and/or trophy list for each match and the date or dates the prize meeting is to be held. No later than fourteen (14) days after receiving any such programme the Executive Officer shall approve or not approve the programme upon guidelines established by Council from time to time and shall inform the Club or Internal Group concerned of his decision and, if the programme is not approved, the reason(s) therefor. No prize meeting falling within this By-Law shall be conducted unless it has been approved by the Executive Officer.

17. ACTION UNDER POLICIES, PROCEDURES, INSTRUCTIONS, RULES, BYLAWS, SOs or SSRs

- 17.1 Members are reminded that all Members are bound by the National Rifle Association of Australia (as it is currently known, including all future names of the same body) code of conduct until such publication is superseded by a VRA code of conduct. Likewise, are all Members bound by the VRA Work Health and Safety Policy.
 - 17.1.1 Council shall, upon notification of conduct unbecoming a Member or Members of the Association, appoint an executive committee to oversee Disciplinary action(s) brought against the Member or Members.
 - 17.1.2 At any open prize meeting as defined by the SSRs conducted by or under the auspices or control of the Association, a Club or an Internal Group a committee (called 'executive committee' in this By-Law) shall be set up by the organising body to adjudicate on any disputes, protests and appeals arising from the shoot under the SSRs.
- 17.2 All disputes, protests and appeals shall be adjudicated upon by the executive committee as soon as is practicable, and except where a penalty of suspension of a Person's right to Shoot is brought down, its decision shall be final and not subject to appeal.
- 17.3 Where a penalty of suspension of a Person's right to Shoot is imposed, the circumstances shall be advised to the Executive Officer without undue delay and Council shall adjudicate on the matter as soon as is practicable in the circumstances, after giving the Person concerned not less than 21 days written notice of the date and time set for the adjudication, or such lesser period as the parties may agree. The notice to the Person shall set out in

- simple language particulars of the matter which is subject of complaint and the grounds for the complaint. The suspension shall remain in force until Council has brought down its decision.
- 17.4 In an adjudication by Council under By-Law 17.3 Council shall determine by secret ballot either that the suspension be lifted forthwith or that it continue for a specified period and Council's decision shall be final and binding on all parties. A decision to continue the suspension for any period of time shall require a two-thirds Majority.
 - 17.5 In an adjudication by an executive committee or Council under By-Laws 17.2 and 17.3 neither party shall be represented and/or assisted by a Legal Practitioner but subject to this restriction a Person may be represented by a Member of the Association.
 - 17.6 A decision under By-Law 17.4 shall not prevent Council from initiating further action under the Rules and/or Firearms Law.
 - 17.7 No dispute, protest or appeal shall be considered by an executive committee or by Council, as the case may be, until it has been put into writing setting out in simple language the nature of the matter to be determined.
 - 17.8 An executive committee or Council:
 - 17.8.1 may call before it any person willing to give evidence concerning the matter being determined under this By-Law and likewise the Person or Persons involved in the matter may call witnesses; and
 - 17.8.2 shall not determine any dispute, protest, or appeal concerning a Person unless that Person has had an opportunity to hear the evidence, cross examine the witnesses, and speak and/or tender evidence in his defence.
 - 17.9 A Person shall be deemed to have had an opportunity to be heard in his defence if an executive committee is satisfied that he has had such notice of the matter complained of and the time and place of the meeting dealing with the matter as would enable the Person to be present at the meeting in the ordinary course of travel, or in the case of a Council hearing that the notice provisions in By-Law 17.3 have been met.
 - 17.10 In all proceedings under this By-Law:
 - 17.10.1 any Person who is directly or indirectly interested in the matter or matters under consideration shall not take part in a meeting of an executive committee or of the Council when it is adjudicating upon the matter or matters under consideration, and
 - 17.10.2 the rules of natural justice shall apply.

TO BE REPLACED WITH AN ELECTRONIC FORM IN THE SAME FORMAT
APPENDIX B

VICTORIAN RIFLE ASSOCIATION INC.
Reg. No. A13641H
NOTICE OF CHANGE OF CLUB

To the Executive Officer
Victorian Rifle Association Inc.

I, .. .
(Full name of Member)

of .. .
(Address)

give notice that I wish to have my Club affiliation changed

from .. .
(Name of Previous Club)

to .. .
(Name of New Club)

Date. .. .
(Signature of Transferring Member)

Approval of Transfer:-

The Committee of the .. . approves the above
(Name of Previous Club)
application for transfer **from** this Club.

Signed on behalf of the Committee .. . Date .. .

Position on Committee .. .

The Committee of the .. . approves the above
(Name of New Club)
application for transfer **to** this Club.

Signed on behalf of the Committee .. . Date .. .

Position on Committee .. .

APPENDIX C

AGENDA FOR COUNCIL MEETING

1. Apologies and Announcements,
2. Confirmation of minutes of previous meeting.
3. Business arising from the minutes.
4. Correspondence.
5. Business arising from correspondence.
6. Treasurer's report.
7. Business arising from Treasurer's report.
8. Councillor's portfolio reports,
9. Business arising from Councillor's portfolio reports.
10. Administrative matters.
11. Previous notices of motion.
12. General Business.
13. Notices of motion for the next meeting.

APPENDIX D

AGENDA FOR ANNUAL GENERAL MEETING

1. Apologies and Announcements.
2. Confirmation of minutes of previous annual general meeting.
3. Confirmation of minutes of any special general meetings held since last annual general meeting.
4. Reports of Chairman and Council including Councillor's portfolio reports.
5. Treasurer's report and statements in accordance with the Act.
6. Election of one or more auditors.
7. Election of Patron and/or Vice Patron(s)
8. Notification of a Member's appointed to Life Membership (if any).
9. Business on notice.

APPENDIX E

AGENDA FOR SPECIAL GENERAL MEETING

1. Apologies and Announcements.
2. Business on notice.

APPENDIX F

VICTORIAN RIFLE ASSOCIATION INC.

Reg. No. A13641H

**NOMINATION OF CANDIDATE
FOR ELECTION AS A COUNCILLOR**

I

(Name in Full - Please Print)

being a Member of the Victorian Rifle Association Incorporated hereby nominate:

. of

(Name of candidate in Full - Please Print)

. a Member of the

(Address)

Association and who is known to me as a candidate for the position of Councillor at the forthcoming election of Councillors of the Association.

.
(Signature of Nominator)

Date

I

(Name in Full — Please Print)

being a Member of the Victorian Rifle Association Incorporated hereby second the above nomination.

.
(Signature of Seconder)

Date

I agree to accept the above nomination
(Signature of Candidate)

Date

APPENDIX G

PROCEDURE FOR ELECTIONS

1. Ballot Papers

- 1.1 The ballot paper shall contain the names of all candidates standing for election.
- 1.2 The returning officer shall determine by lot the order in which names appear on the ballot paper.
- 1.3 Names are to be printed in uniform typeface and shall not show asterisks or other devices against the names of retiring office bearers.
- 1.4 A typical ballot paper shall be in the form following or in a form to like effect: -

Victorian Rifle Association Incorporated

Reg. No. A13641H

Voting Paper

Election of Members of Council

Instruction 1:- The number 1 should be inserted opposite the name of the candidate most favoured and the numbers 2 to 5 inclusive should be inserted opposite the other names in order of preference.

O. ORANGE

B. BANANA

A. APPLE

P. PEAR

L. LEMON

Instruction 2 :- Seal the completed ballot paper in the plain envelope provided and enclose the plain envelope in a second envelope on the back of which you have signed and printed your name - please note that if the voter cannot be properly identified the vote will be invalid. The completed ballot paper is to be delivered to: -

The Returning Officer

Victorian Rifle Association Inc.

PO Box 5078

SANDHURST EAST PO, VIC 3550

no later than 12 noon on

2. The Count

- 2.1 The Returning Officer and the appointed scrutineers shall check all outer envelopes received before the closing time for the receipt of ballot papers to ensure that every person purporting to vote is entitled to vote and has not voted more than once. The outer envelopes shall be discarded before the inner envelopes are opened and the ballot papers therein removed for counting.
- 2.2 The Returning Officer and the appointed scrutineers shall check all ballot papers to ensure that the preferences are indicated by consecutive numbers starting with 1 and with no

omissions or duplications, except that where there is only one number omitted and the voter's intention is clear the vote shall be considered to be valid.

2.3 DELETED.

2.4 In accordance with Section 3 of this appendix, a member may be elected as first, second, third or fourth preference in so far as Rule 30.7.3 allows.

3. Preferential System

3.1 As soon as practicable after the closing time for the receipt of ballot papers the Returning Officer and the appointed scrutineers shall open the inner envelopes and sort the valid ballot papers into piles, one pile for each candidate and another pile for informal votes and shall check that these agree with the total number of votes cast.

3.2 If there is only one candidate to be elected the procedure is as follows: -

3.2.1 If any candidate has received more than half of the first preferences cast in formal votes, that person is declared elected.

3.2.2 If no candidate is in the position described in 3.2.1, the candidate with the lowest number of first preferences is eliminated and his votes are distributed to the remaining piles according to the second preferences shown. If any person then has more than half the formal votes cast, then that person is declared elected.

3.2.3 If no candidate is in the position described in 3.2.2, the candidate with the lowest number of votes at that stage is eliminated, and his votes distributed to the remaining candidates according to the next preference shown. This process is repeated until some candidate has more than half of the total formal votes cast.

3.3 If there are two or more candidates to be elected the procedure is as follows: -

3.3.1 If any candidate has received more than half of the first preferences cast in formal votes, that person is declared elected and is called the "first-elected candidate".

3.3.2 If no candidate is in the position described in 3.3.1, elimination from the bottom is carried out as described in 3.2 above until one candidate reaches the required majority of formal votes and becomes the "first-elected candidate".

3.3.3 Fresh piles are then made using all the formal ballot papers including those cast for candidates eliminated during the previous count. Votes for the first-elected candidate are then distributed according to their next preference, and the process is repeated until another candidate has more than half of the formal votes cast and becomes the "second-elected candidate".

3.3.4 A "third-elected candidate" and "fourth-elected candidate" etc. are then determined in a similar manner until the required number of candidates is elected.

3.4 In any distribution of preferences those votes which would normally be allocated to a candidate who has already been eliminated or elected are allocated according to the next available preference marked.

3.5 If at any stage of a count a choice has to be made between two or more candidates having equal scores at that stage, then the returning officer shall make a choice by lot.