



PISTOL AUSTRALIA INCORPORATED
CONSTITUTION
ESTABLISHED 1973



**PISTOL AUSTRALIA INCORPORATED
CONSTITUTION**

TABLE OF CONTENTS

Number	Clause	Page
1	Articles	3
2	Definitions	3
3	Composition of Pistol Australia	5
4	Finance of Pistol Australia	6
5	Residential Qualifications	7
6	Authorities of Pistol Australia	7
7	Officers of Pistol Australia	7
8	Duties of Officers and Delegates	8
9	Board	11
10	National Council	12
11	Life Members	14
12	Postal Votes of the National Council	14
13	Calling of the Annual General Meeting	15
14	Composition of General Meeting	15
15	Order of Business of the Annual General Meeting & General Meeting	16
16	Nominations for Office	17
17	Notice of Motion	17
18	Agenda and Report	17
19	Decisions of a General Meeting	17
20	Ad Hoc and Standing Committee	17
21	Financial Administration of Pistol Australia	18
22	Discipline of Members	18
23	Right of Appeal of Disciplined Members	19
24	Non-Profit and Dissolution	20
25	Extraneous Matters	20
26	Variation of Constitution	21

1. ARTICLES

(a) NAME

The Incorporation shall be named "PISTOL AUSTRALIA INCORPORATED", hereinafter referred to as "PISTOL AUSTRALIA".

(b) HEADQUARTERS

The office of Pistol Australia shall be situated in Canberra, Australian Capital Territory, or such other place as the National Council shall determine from time to time.

(c) PURPOSE

The purpose of Pistol Australia is:-

- i. To establish the bonds of friendship between Pistol Australia in the Australian States and the Territories of the Commonwealth of Australia, and to foster and encourage the development of the sport throughout Australia.
- ii. To approve the holding of Australian National Pistol Championships and the conditions, including financial arrangements, under which they shall be held.
- iii. To provide the means by which its members might compete in the Olympic Games, World Championships and other international shooting competitions.
- iv. To provide technical advice and information to pistol organisations throughout Australia where required.
- v. To establish contact with appropriate National Shooting Associations in other countries.
- vi. To provide an official periodical.

2. DEFINITIONS

(a) "AFFILIATE MEMBER"

Has the meaning given to that term in **clause 3(b)**.

(b) "ASSOCIATION"

The central body representing pistol shooting in a State or Territory of the Commonwealth of Australia, and which is properly affiliated with Pistol Australia. Reference in this Constitution to

State or Territory Association includes a reference to each Association of a State or Territory of the Commonwealth of Australia.

(c) **“MEMBER”**

A person who is a member of a Pistol Club, which is affiliated with a State or Territory Association, and whose capitation fee has been paid to Pistol Australia as prescribed. Only members whose capitation fees have been duly paid shall be entitled to the privileges of Pistol Australia.

(d) **“OVERSEAS MEMBER”**

A Person not domiciled in Australia, who is acceptable to the Board and who has paid the prescribed fee as determined by the Board

(e) **“HONORARY LIFE MEMBER”**

A member approved at an AGM to be an Honorary Life Member of the Association.

(f) **“PISTOL CLUB”**

A Pistol Club in any Australian State or Territory of the Commonwealth of Australia, which is properly affiliated with an Association in accordance with the Constitution of that Association.

(g) **“PUBLIC OFFICER”**

A person being a resident of the Australian Capital Territory and a member of Pistol Australia Incorporated, appointed to satisfy the requirements of Section 57 of the *Associations Incorporation Act 1991* (ACT).

(h) **“STATE DELEGATE”**

A person appointed by an Association to represent it at a General Meeting of Pistol Australia.

(i) **“PISTOL AUSTRALIA DELEGATE”**

A person appointed to represent Pistol Australia at meetings of Australian International Shooting Limited or such organisation that is affiliated to the International Shooting Sport Federation, the Australian Olympic Committee and Commonwealth Games Australia.

(j) **“PROXY”**

A person authorised to represent a State Delegate at a General Meeting of Pistol Australia.

(k) **“GENDER”**

In this Constitution, unless inconsistent with the context, words importing the male gender or the female gender shall include a reference to all other genders.

(l) **“PLURALITY”**

In this Constitution, unless inconsistent with the context, words importing the singular shall include the plural and vice versa.

(m) **“ADMINISTRATIVE CYCLE”**

The administrative year of Pistol Australia shall be from Annual General Meeting to Annual General Meeting.

(n) **“FINANCIAL CYCLE”**

The financial year of Pistol Australia shall be from 1 January to 31 December.

3. COMPOSITION OF PISTOL AUSTRALIA

Pistol Australia shall consist of:

- (a) Associations of Pistol Clubs established in the Australian States and Territories of the Commonwealth of Australia.
- (b) One Association only, from each Australian State or Territory of the Commonwealth of Australia, may be affiliated. As of 13 May 2023 the Affiliate Members are:
 - i. ACT Pistol Association.
 - ii. NSW Amateur Pistol Association.
 - iii. Pistol Northern Territory.
 - iv. Pistol Shooting Queensland.
 - v. South Australian Revolver & Pistol Association.
 - vi. Tasmanian Pistol Association.
 - vii. Victorian Amateur Pistol Association.
 - viii. West Australian Pistol Association.

- (c) Each application of an Association for affiliation with Pistol Australia must be accompanied by:-
- i. A copy of the applicant's constitution.
 - ii. The name and address of the President, the Secretary and the Treasurer of the applicant Association.
 - iii. The names of members from whom a capitation fee is paid.
 - iv. The prescribed financial dues.
- (d) Each Association shall:-
- i. Not be a member of any other National or International pistol shooting body, unless such membership is approved by Pistol Australia.
 - ii. Require its members to submit in every respect to the Constitution of Pistol Australia.
- (e) Pistol Australia must maintain a register of its members in accordance with the requirements of the *Associations Incorporation Act 1991 (ACT)*.

4. FINANCE OF PISTOL AUSTRALIA

- (a) The sources of Pistol Australia's finances shall consist of affiliation fees, capitation fees and any other source approved by the National Council.
- (b) The financial dues to be paid by each Association shall be determined by resolution at the Annual General Meeting of Pistol Australia. The annual capitation fee in respect of each member affiliated with such Association as at 31st October each year shall become due on 1st January following. Payment of capitation fees shall be accompanied by a list of members represented by the fees.
- (c) Only members whose capitation fees have been paid shall be entitled to the privileges of membership of Pistol Australia, subject to **clause 4(d)**.
- (d) Persons joining Pistol Australia between the 1st May and the 30th September shall pay a pro-rata capitation fee of one-third the annual fee. Those joining between 1st October and 1st November shall pay the full capitation fee for the next year. Each Association shall submit to Pistol Australia a return monthly during the period of 1 May to 30 September, detailing any new members who have joined during that period. The return shall be submitted by the Association even if the number is zero.
- (e) Commencing with the financial year 2003/04 the Pistol Australia financial year shall end on 31st December each year.

- (f) An Association not meeting the financial dues by the 28th February shall be deprived of all privileges until such payment is made. If an Association does not pay its financial dues for 12 months it shall be excluded from Pistol Australia.
- (g) The liability of a member to contribute towards the payment of debts and liabilities of Pistol Australia or the costs, charges and expenses of the winding up of Pistol Australia is limited to the amount, if any unpaid, by the member in respect of membership of Pistol Australia as required in **clause 4(b)**.

5. RESIDENTIAL QUALIFICATIONS

- (a) No member may be a member of two Associations unless with the approval of the National Council and the agreement of the Association of the State or Territory in which they reside.
- (b) An individual may become a member by joining a Pistol Club in a State or Territory other than that in which they reside provided that:
 - i. The Pistol Club in the State or Territory concerned is the closest geographically.
 - ii. The approval of the Association of the State or Territory in which they reside is obtained.

6. AUTHORITIES OF PISTOL AUSTRALIA

Pistol Australia exercises its authority through:-

- (a) The Annual General Meeting.
- (b) The National Council.
- (c) The Board.
- (d) Ad Hoc and Standing Sub-Committees.

7. OFFICERS OF PISTOL AUSTRALIA

- (a) The Officers and Delegates of Pistol Australia shall be a President, First and Second Vice Presidents, Secretary, Treasurer and a Delegate to Australian International Shooting Limited.
- (b) The Offices and Delegates shall be elected at an Annual General Meeting in accordance with **clause 8(a)** and shall, subject to this Constitution, hold office until the next Annual General Meeting at which the position is due for election.

- (c) Each retiring Officer and Delegate shall, subject to **clause 8(a)**, be eligible for re-election provided that they are re-nominated in accordance with this Constitution.

8. DUTIES OF OFFICERS AND DELEGATES

(a) ELECTIONS AND TERMS

- i. Officers and Delegates of Pistol Australia are elected for three (3) year terms.
- ii. A person cannot be elected as an Officer or Delegate for more than nine (9) consecutive years, and if a person has served that maximum term of nine (9) years then the person must sit out for three (3) years before the person again becomes eligible to stand for election to a position as an Officer or Delegate.
- iii. The following transitional provisions shall apply after the adoption of this **clause 8(a)** at a special general meeting of Pistol Australia to be held in late 2022:
 - 1) All members of the Board who were members of the Board immediately prior to that special general meeting shall remain in office until the next annual general meeting.
 - 2) Elections for all Board positions shall be conducted at that annual general meeting, with all retiring members being eligible for reelection in accordance with this constitution.
 - 3) The President and the Secretary shall be elected for a term of three (3) years, ending at the conclusion of the third annual general meeting after which they were elected.
 - 4) The Treasurer and the First Vice President shall be elected for a term of two (2) years, ending at the conclusion of the second annual general meeting after which they were elected.
 - 5) The Second Vice President shall be elected for a term of one (1) year, ending at the conclusion of the next annual general meeting after which they were elected.
 - 6) In any calculation of any number of years for the purpose of **clause 8(a)(ii)**, any time served by a person as an officer or as a Delegate before 29 October 2022 shall be disregarded.

(b) PRESIDENT

- i. They shall be entitled to preside at all meetings of Pistol Australia at which they attend.
- ii. They shall be a member, ex-officio of all regular and special meetings.
- iii. They shall have a deliberative vote and casting vote at all Board meetings.
- iv. They may not be a State Delegate.

(c) **VICE PRESIDENTS**

- i. The First Vice President shall take precedence over the Second Vice President.
- ii. The Vice Presidents shall perform the duties and exercise the authority of the President during their absence or at their request.
- iii. They shall both have a vote at all Board.
- iv. They may not be a State Delegate.

(d) **SECRETARY**

- i. They shall be responsible to keep a record of the proceedings of the Annual General Meetings and Extraordinary General Meetings of Pistol Australia.
- ii. They shall be responsible to keep a record of the proceedings of the meetings of the Board and all regular and special committees.
- iii. They shall have a vote at all Board.
- iv. They may not be a State Delegate.

(e) **EXECUTIVE DIRECTOR / SPORTS ADMINISTRATOR**

- i. Pistol Australia may employ an Executive Director / Sports Administrator.
- ii. Duties will be determined from time to time by the Board.
- iii. They shall report to the President.
- iv. They shall not be a State Delegate or have the right to vote at any meeting.

(f) **TREASURER**

- i. They shall be responsible for all financial matters of Pistol Australia.
- ii. The Board may delegate some or all of their functions and duties to an appropriately qualified member of Pistol Australia's staff.
- iii. They shall ensure that all financial matters are conducted in accordance with the Australian Accounting Standards.
- iv. They shall ensure that the financial accounts and systems of Pistol Australia are audited annually.
- v. They shall have a vote at all Board meetings.
- vi. They may not be a State Delegate.

(g) **DELEGATE TO AUSTRALIAN INTERNATIONAL SHOOTING LIMITED**

- i. The President or the delegate of the President shall be Pistol Australia's delegate to Australian International Shooting Limited or such organisation that is affiliated to the International Shooting Sport Federation; Australian Olympic Committee; and Commonwealth Games Australia.
- ii. They shall report to the Board on each meeting they attend.
- iii. They shall prepare an Annual Report for presentation to the Annual General Meeting.

(h) **IMMEDIATE PAST PRESIDENT**

- i. Effective as at the retirement of the current President as of April 2023, the Immediate Past President may be invited to join the Board for up to a two-year period. The Immediate Past President will not have vote rights and will occupy an advisory role to Board. The immediate Past President may also represent the current President in ceremonial roles where requested – e.g. presentation of trophies.

(i) **VOTING RIGHTS**

- i. Officers of Pistol Australia shall have no voting rights at the Annual General Meeting, Extraordinary General Meetings and National Council Meetings, except that the President shall have a casting vote. This casting vote should be in the favour of the status quo where a substantive status quo exists. Otherwise the casting vote shall be deliberative.

9. BOARD

(a) The Board shall consist of:-

- i. The President.
- ii. First and Second Vice Presidents.
- iii. The Secretary.
- iv. The Treasurer.
- v. The Executive Director / Sports Administrator.
- vi. Immediate Past President as defined in **clause 8(h)**.

(b) The functions of the Board shall include:

- i. Subject to **subclause (ii)** below, the conduct of the day-to-day affairs of Pistol Australia, including all office administration issues and any items within the approved budget.
- ii. In relation to **subclause (i)** above, the Board shall comply with any directions of the Board issued through an annual general meeting or general meeting.
- iii. The Board shall refer to the National Council any unforeseen budget costs that exceed the amount of expenditure agreed to at each annual general meeting by the National Council.
- iv. The Board shall refer any issues that affect all State and Territory Associations to the National Council.

(c) Matters under the control of the Board include without limitation (noting that matters under the control of the Board may be referred to the National Council):

- i. Employment of all staff.
- ii. The making and amendment to Charters consistent with this constitution.
- iii. The approval of expenditures within the approved budget.
- iv. The approval of team selections that meet the criteria specified in Pistol Australia's selection policies.

- v. Dealing with any matters arising from Pistol Australia's policies.
 - vi. The receipt of reports and any necessary actions arising.
 - vii. The approval of entry forms, awards and arrangements for Pistol Australia's championships.
- (d) The quorum for Board Meetings shall be four (4).
 - (e) Any vacancy occurring in the Board shall be filled at the direction of the National Council and the appointee shall hold office until the next succeeding Annual General Meeting.
 - (f) The National Council will approve a list of bank signatories. All payments will require the approval of two authorised officers who are approved bank signatories.
 - (g) The Common Seal of Pistol Australia shall be kept in the custody of the National Office.
 - (h) Pistol Australia shall not be legally obligated except by authority of the National Council and the Seal of Pistol Australia shall be affixed to any instrument only in the presence of at least two members of the Board or such persons as the Board may appoint for the purpose and such persons shall sign every instrument to which the Seal of Pistol Australia is so affixed in their presence.
 - (i) A vacancy in the office of a member of the Board occurs if the member:
 - i. Dies;
 - ii. Ceases to be a member of Pistol Australia;
 - iii. Resigns from Office;
 - iv. Becomes insolvent under administration within the meaning of the corporations law; or
 - v. Suffers from mental or physical incapacity.

10. NATIONAL COUNCIL

- (a) The National Council shall consist of the Board and one (1) member from each State or Territory Association The functions of the National Council shall include:
 - i. The admission and exclusion of membership and expulsion of Affiliate Members.

- ii. The formulation of conditions for the conduct of National Championships and Elimination / Selection Matches.
- iii. The approval of Pistol Australia's annual budget.
- iv. The preparation of rules for the awarding of distinctions to shooters of a high standard.
- v. The organisation of teams and finance for Olympic Games and other international competitions.
- vi. The calling of a general meeting of Pistol Australia in exceptional circumstances.
- vii. The making and amending of by-laws, policies and charters consistent with this constitution, which shall be binding on all members of Pistol Australia. Those by-laws, policies and charters include without limitation Pistol Australia's:
 - 1) Membership Policy.
 - 2) Code of Conduct.
 - 3) Eligibility Policy.
 - 4) Team Membership Selection Policy.
 - 5) Anti-Doping Policy.
 - 6) Privacy Statement.
 - 7) Disability Policy.
 - 8) Workplace Health and Safety Policy.
 - 9) Social Media Guidelines.
- viii. The consideration of any other matters referred to it by the Board or the annual general meeting.
- ix. All issues which affect all State and Territory Associations.
- x. Any unforeseen budget costs that exceed the amount of expenditure agreed to at each Annual General Meeting by the National Council.
- xi. The election of Honorary Life Members.

11. LIFE MEMBERS

- (a) The National Council may nominate any member to be elected as an Honorary Life Member of Pistol Australia Inc. Such person shall be and remain an Honorary Life Member during their lifetime provided that the National Council may recommend the withdrawal of their Honorary Life Membership if that member is found guilty of conduct, which would render them liable to suspension or expulsion from Pistol Australia Inc as an ordinary member.
- (b) An Honorary Life Member shall only be elected at an Annual General Meeting or Extraordinary General Meeting called for that purpose. An Honorary Life Members shall not be liable for the payment of any fees or levy to Pistol Australia Inc, but shall pay normal entry fees to Pistol Australia Inc competitions.

12. POSTAL VOTES OF NATIONAL COUNCIL

- (a) Any business, which might lawfully be conducted at a meeting of the Executive Committee may be conducted by a postal vote, electronic vote or telephonic vote.
- (b) The President may at any time, on their initiative, direct the taking of a postal vote, electronic vote or telephonic vote.
- (c) An Association may, by notice in writing address to the Secretary, require the taking of a postal vote, electronic vote or telephonic vote.
- (d) On being directed to take a postal, electronic or telephonic vote, the Secretary shall send to the Executive Committee representative of each Association, a clear statement of the matter to be voted upon and the date on which voting shall close, which date shall be fixed as hereunder:-
 - i. In the case of a postal vote, not less than 30 days.
 - ii. In the event of an urgent postal vote, not less than seven (7) days from the time at which, in the ordinary course of events, the above-mentioned statement would reach each such representative by post, facsimile or electronic mail.
 - iii. In the case of a telephonic or electronic vote, the vote may be closed immediately all votes are in, but upon request a period of not less than 24 hours must be allowed after contacting the National Council Member for them to consider the question and lodge their vote. In the unusual and urgent conditions necessitating a telephonic or electronic vote, it is the responsibility of the President to see that adequate care is taken to give every Association a vote and in pursuance of this principle the Secretary or President of an Association must be informed of the vote being taken if the National Council is not available.

- iv. Where voting requires confirmation, this may be satisfied by either letter, facsimile or electronic mail.
- (e) All postal votes shall be by secret ballot.
- (f) Upon a postal, electronic or telephonic vote being taken, each Association shall have one (1) vote and the President shall have a casting vote.
- (g) Upon the close of voting, the Secretary shall forward the votes received to the President, who shall endorse each vote with their signature and declare the result of the vote to the Secretary.
- (h) Within fourteen (14) days after the closing of the voting, the Secretary shall forward a statement of the result of the voting to each Association.
- (i) The failure of any National Council Member to return a vote is taken as an abstention.

13. CALLING OF THE ANNUAL GENERAL MEETING

- (a) The Annual General Meeting of Pistol Australia shall be held within five (5) months of the end of the previous financial year, at a time and place to be decided by the Board and National Council, and all Associations and National Council Members shall be notified of such time and place not less than seventy (70) days before the first day of the meeting.
- (b) The Board may convene a general meeting of Pistol Australia to consider matters relating to the operation of Pistol Australia in accordance with this Constitution.

14. COMPOSITION OF GENERAL MEETING

- (a) An Annual General Meeting or a General Meeting shall consist of the Board, plus one (1) State Delegate from each affiliated Association and other persons of responsibility that may from time to time be invited by the National Council or the Board.
- (b) The quorum for an Annual General Meeting or General Meetings is the State Delegates representing fifty (50) percent (%) plus one more of the number of Associations in Pistol Australia. One Delegate from an Association may exercise the one vote for their Association if so authorised by his Association in writing.
- (c) All delegates must be members of Pistol Australia as defined.

15. ORDER OF BUSINESS OF THE ANNUAL GENERAL MEETING & GENERAL MEETINGS

- (a) Reading of the notice convening the meeting.
- (b) Confirmation of financial status of Associations.
- (c) Confirmation of State and Territory Delegates (or Proxies).
- (d) Apologies.
- (e) Minutes of the previous meeting.
- (f) Matters arising from minutes of previous meeting.
- (g) Report of the Board including the reading of the financial report.
- (h) Other reports.
- (i) Election of Office-bearers.
- (j) The new Office-bearers take over and at this time a vote of thanks to the retired Officer-bearers is in order.
- (k) Motions on notice.
- (l) Matters which may be on notice as properly the business of General Meetings include:-
 - i. Venue and rules for the conducting of National Championships.
 - ii. Matters relating to the selection methods, financing etc. of international teams.
 - iii. Appointment of an Auditor.
 - iv. Provision for alteration to the Constitution.
 - v. Proposals from the Associations.
 - vi. Formation of basic policy.
 - vii. The fixing of dues payable to Pistol Australia.
 - viii. Dissolution of Pistol Australia.

16. NOMINATIONS FOR OFFICE

- (a) The election of Office-bearers takes place at the Annual General Meetings and may also take place at an Extraordinary General Meeting called for the purpose.
- (b) Nominations for office must be submitted in writing and lodged with the Secretary at least forty (40) days prior to the first day of the General Meeting and must be signed by the Secretary or the President of an Association. The Nominee must endorse the nomination, but may do so at any time up to the start of voting.
- (c) If only one written nomination for an office is lodged in the proper manner the nominee is elected without ballot. If no proper nominations have been received by the closing date, nominations shall be accepted at the meeting.
- (d) When there is more than one nomination for an office the matter shall be decided by exhaustive secret ballot.

17. NOTICE OF MOTION

- (a) An association wishing to have a matter considered by Pistol Australia at a General Meeting shall submit a notice of motion in writing to the Secretary not less than forty (40) days prior to the date of the meeting.
- (b) Any decisions to be taken from reports presented at the Annual General Meeting shall be presented as Notices of Motion as defined in **clause 17(a)**.

18. AGENDA AND REPORT

- (a) A copy of the Agenda of an extraordinary General Meeting, or the Agenda and audited Financial Statements of an Annual General Meeting, including Notices of Motion and the Reports of the Board, shall be forwarded to Associations at least thirty (30) days prior to the date of the Annual General Meeting or Extraordinary General Meeting.

19. DECISIONS OF A GENERAL MEETING

- (a) A Notice of Motion or resolution formally adopted at an Annual General Meeting or Extraordinary General Meeting cannot be changed except by an Annual General Meeting or Extraordinary Meeting.

20. AD HOC AND STANDING COMMITTEE

- (a) Ad Hoc and Standing Committees may be elected or appointed for various purposes by decision of the National Council or of an Annual General Meeting or of an Extraordinary General Meeting.

21. FINANCIAL ADMINISTRATION OF PISTOL AUSTRALIA

- (a) **Clause 8(d)** sets out the powers, functions and responsibility of the Treasurer in relation to the financial management of Pistol Australia.
- (b) Financial matters relating to the National Championships shall be subject to the approval of the National Council.
- (c) The records, books and other documents of Pistol Australia shall be open to inspection in the National Office, free of charge, by a member of Pistol Australia at any reasonable hour.

22. DISCIPLINE OF MEMBERS

- (a) Where the Board is of the opinion that a member of Pistol Australia, as defined in **clauses 2(b), 2(c), 2(d)**, including all Pistol Australia teams and squads:
 - i. Has persistently refused or neglected to comply with the provisions of this Constitution; or
 - ii. Has persistently and/or willfully acted in a manner prejudicial to the interest of Pistol Australia, the Board may, by resolution:
 - (a) Reprimand the member, or
 - (b) Suspend the member from such rights and privileges of membership of Pistol Australia as the Board may determine for a special period.
- (b) A resolution of the Board under **clause 22(a)**, is of no effect unless the Board at a meeting held not earlier than fourteen (14) days and not later than twenty-eight (28) days after service on the matter of a notice under **clause 22(c)**, confirms the resolution in accordance with this section. The meeting may be a telephonic meeting.
- (c) Where the Board passes a resolution under **clause 22(a)**, the Secretary shall, as soon as practicable, cause a notice in writing to be served on the member:
 - i. Setting out the resolution of the Board and the grounds on which it is based.
 - ii. Stating that the member may address the Board at a meeting to be held not earlier than fourteen (14) days not later than twenty- eight (28) days after service of the notice. The meeting may be a telephonic meeting.
 - iii. Stating the date, place and time of the meeting, and

- iv. Informing the member that they may do either or both of the following:
 - (a) attend and speak at the meeting.
 - (b) submit to the Board at or prior to the date of that meeting written representation relating to the resolution.
- (d) Subject to Section 50 of the *Associations Incorporation Act 1991* (ACT), at a meeting of the Board mentioned in Section 22, the Board shall:
 - i. Give to the member mentioned in **clause 22(a)** an opportunity to make oral representations;
 - ii. Give due consideration to any written representation submitted to the Board by that member at or prior to the meeting, and
 - iii. By resolution determine whether to confirm or to revoke the resolution of the under **clause 22(a)**.
- (e) Where the Board confirms a resolution under **clause 22(d)**, the Secretary shall, within seven (7) days after that confirmation, by notice in writing inform the member of that confirmation and of the member's rights of appeal under **clause 23**.
- (f) A resolution confirmed by the Board under **clause 22(d)** does not take effect:
 - i. 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
 - ii. Where within that period the member exercises the right of appeal, unless and until Pistol Australia confirms the resolution in accordance with **clause 23(d)**.

23. RIGHT OF APPEAL OF DISCIPLINED MEMBERS

- (a) A member may appeal to the National Council against a resolution of the Board, which is confirmed under **clause 22(d)**, within twenty-one (21) days after notice of the resolution is served on the member, by lodging with the Secretary, a notice to that effect.
- (b) Upon receipt of a notice under **clause 23(a)**, the Secretary shall notify the Board, which shall convene a meeting of the National Council of Pistol Australia to be held within twenty-one (21) days after the date, which the Secretary received the notice or as soon as possible after that date. The meeting may be a telephonic meeting.

- (c) Subject to Section 50 of the *Associations Incorporation Act 1991* (ACT, at the National Council Meeting convened under **clause 23(b)**):
- i. No business other than the question of the appeal shall be transacted;
 - ii. The Board and the members shall be given the opportunity to make representations in relation to the appeal orally or in writing, or both, and
 - iii. The National Council shall vote by secret ballot on the question of whether the resolution made under **clause 22(d)**, that the resolution is confirmed or revoked, In the case of a telephonic meeting the voting will be by postal vote to the National Office.
- (d) If the meeting passes a special resolution in favour of the confirmation of the resolution made under **clause 22(d)**, that resolution is confirmed with a two-thirds (2/3) majority.

24. NON-PROFIT AND DISSOLUTION

- (a) The income and property of Pistol Australia shall be applied solely towards the promotion of the objects of Pistol Australia, and no portion thereof shall be paid or transferred directly or indirectly by way of dividend, bonus or otherwise, howsoever by way of profit to members or relatives of members of Pistol Australia, provided that nothing herein shall prevent the payment in good faith or remuneration to any officer or servant of Pistol Australia or to any member of Pistol Australia for any service actually rendered to Pistol Australia, or reasonable and proper rental for premises by any member of Pistol Australia.
- (b) The members of Pistol Australia may at some meeting thereof to be specially called in that behalf dissolve or determine the same provided that Pistol Australia shall not be dissolved or determined without obtaining the votes or consents of two-thirds of the then existing members. Pistol Australia is prohibited from making any distribution whether in money, property or otherwise to its members.
- (c) Upon winding up or dissolution of Pistol Australia there remains after the satisfaction of all its debts and liabilities any assets whatsoever, such assets shall be distributed amongst organisations having similar objects to Pistol Australia and whose rules prohibit the distribution of their income and property amongst their members at or before the time of dissolution. Any such organisation so endowed that defaults on these conditions shall have distributed share of assets confiscated and distributed amongst the remaining organisations that have shared in such assets.

25. EXTRANEOUS MATTERS

- (a) Where any subject, dispute or matter affecting Pistol Australia, and not covered by this Constitution, is brought before Pistol Australia, the National Council shall have power

to effect a decision thereon. Any such decision or any directions arising from such decision shall be binding and shall become effective until varied by the National Council or until the next Annual General Meeting, whichever is earlier.

- (b) No decision made under this section shall contravene any other section of this Constitution.

26. VARIATION OF CONSTITUTION

- (a) This Constitution may be added to, amended, or repealed only at a General Meeting of Pistol Australia after due notice of not less than twenty-one (21) clear days provided that no such addition, amendment or repeal should be made except with the approval of at least three-quarters of the Delegates present and voting thereon.



PISTOL AUSTRALIA INCORPORATED

Phone: (02) 6281 1303

Email: pistol@pistol.org.au

Internet: www.pistol.org.au

PO Box 368, CURTIN ACT 2605

Unit 1

2 Phipps Close

DEAKIN ACT 2600