

NORTHERN TERRITORY FIREARMS COUNCIL INC.

CONSTITUTION

Adopted on 19th October 2015

**THIS IS THE ANNEXURE MARKED 'A' REFERRED TO IN THE STATUTORY DECLARATION
OF**

(Name of Public Officer) ALAN RONALD SPRIGG JP

MADE ON THE 10th **DAY OF** NOVEMBER **2015**

BEFORE ME Zhi Zhang of Duncan Bell Accountants 24 Cavenagh Street
(signature of witness on statutory declaration)

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NORTHERN TERRITORY FIREARMS COUNCIL INCORPORATED

CONSTITUTION

PART 1 – PRELIMINARY

1. Name

The name of the incorporated association is the Northern Territory Firearms Council Incorporated hereinafter referred to as “the Council”.

2. Objects and purposes

The Council will be established to establish a body for the integration of Northern Territory firearms owners, clubs or associations or other bodies whose aims, objects and purposes are acceptable to the Council. The objects and purposes are:

- (a) To institute a central representative association for the purpose of providing liaison between Council and other bodies whose aims, objects and purposes are acceptable to the Council.
- (b)
 - (i) To maintain, promote, develop and encourage private ownership and/or collecting of firearms and the sport of shooting and hunting throughout the Territory and the other Australian States and Territories.
 - (ii) To encourage shooting proficiency by supporting the National and International competitive target shooting sports.
- (c) To promote education and public awareness in the proper and safe ownership and use of firearms.
- (d)
 - (i) To disseminate knowledge relative to the laws pertaining to ownership and use of firearms in this Territory and the other States and Territories of Australia and to propose, support or oppose, any legislation as deemed to be in the best interests of the right of ownership and the use of firearms in the community.
 - (ii) To provide adequate representation on the prescribed tribunal and advisory council convened under the Firearms Act.

- (iii) To provide any information and assistance deemed suitable by the Council to assist firearms owners in appeals before the prescribed tribunal or authority.
- (e) To raise the sport of shooting and hunting in public esteem by the creation of better understanding between the public, landholders, firearms users and Government.
- (f)
 - (i) To support game conservation projects and to make assistance and information available.
 - (ii) To propose, support or oppose open or closed seasons and environmental rehabilitation consistent with game conservation.
 - (iii) To endeavour to ensure the continued existence of wildlife and to propose, support or oppose measures necessary for sustainable utilisation.
- (g) To make any technical and scientific knowledge relative to firearms freely available to any person or organisation as approved by the committee from time to time.
- (h) To do all such things as would be conducive to, or incidental to, the attainment, promotion and realisation of any or all of the above mentioned aims, objects and purposes of the Council.
- (i) To acquire or to have set aside land suitable for use by firearms owners for hunting and other activities conducive to the council's aims and objectives.

3. Minimum number of members

The Council must have at least six (6) members.

4. Definitions

In this Constitution, unless the contrary intention appears –

"Act" means the *Associations Act* and regulations made under that Act;

"Board" means the Board of Directors of the Council;

"Board member" means a member of the Board of Directors;

"Council" means the Northern Territory Firearms Council Incorporated;

"CV" means curriculum vitae or statement of relevant experience;

“delegate” means a representative selected by a member association of Council, or group or appointed by Council as defined in Part 3 and in the schedule;

“Executive Officer” means an employee of the Board delegated to undertake responsibilities as specified in the approved employment contract;

"financial institution" means an authorised deposit-taking institution within the meaning of section 5 of the *Banking Act 1959* of the Commonwealth;

"general meeting" means a general meeting of members convened in accordance with clause 44;

"member" means a member of the Council as defined in Part 3, Clause 9;

"register of members" means the register of the Council's members established and maintained under section 34 of the Act;

“register of delegates” means the register of the delegates to Council established and maintained under section 34 of the Act;

"special resolution" means a resolution notice of which is given under clause 467 and passed in accordance with section 37 of the Act.

PART 2 – CONSTITUTION AND POWERS OF COUNCIL

5. Powers of Council

(1) For achieving its objects and purposes, the Council has the powers conferred by sections 11 and 13 of the Act.

(2) Subject to the Act, the Council may do all things necessary or convenient for carrying out its objects or purposes, and in particular, may –

- (a) acquire, hold and dispose of real or personal property;
- (b) open and operate accounts with financial institutions;
- (c) invest its money in any security in which trust monies may lawfully be invested;
- (d) raise and borrow money on the terms and in the manner it considers appropriate;
- (e) secure the repayment of money raised or borrowed, or the payment of a debt or liability;
- (f) appoint agents to transact business on its behalf; and
- (g) enter into any other contract it considers necessary or desirable.

6. Effect of Constitution

This Constitution binds every member and the Council to the same extent as if every member and the Council had signed and sealed this Constitution and agreed to be bound by it.

7. Inconsistency between Constitution and Act

If there is any inconsistency between this Constitution and the Act, the Act prevails.

8. Altering the Constitution

(1) The Council may alter this Constitution by special resolution but not otherwise.

(2) If the Constitution is altered, the public officer must ensure compliance with section 23 of the Act.

PART 3 – MEMBERS

Division 1 – Membership

9. Membership and Patron

(1) The Council shall consist of the following:

- a) Full membership will be available to the Northern Territory associations and specialist bodies whose activities or uniqueness and primary aims, objectives, and purposes include the promotion of private ownership and/or use of firearms, and are acceptable to the council and are accepted from time to time by the committee and who pay the appropriate subscriptions or fees to the council.
- b) Full membership will be available to business, industry and scientific professional or ethnic groups as prescribed in Part 3, Section 3 of the Schedule whose primary aims, objects and purposes include those of the Council and are acceptable to the Council and are accepted from time to time and who pay the appropriate subscriptions or fees to the council.
- c) Full membership will be available to a maximum of two representatives of the non-aligned firearms owners (otherwise referred to as representatives from the general public), whose personal aims, objectives, objects and purposes include those of the Council and are acceptable to the Council and are accepted from time to time by the full Council and who pay the appropriate subscriptions or fees to the Council.
- d) Council Membership

(i) *Full Associations:*

Sporting Shooters Association of Australia (NT)

International Practical Shooting Confederation (NT)

Pistol NT

NT Rifle Association

Arms Collectors Association of the NT

NT Clay Target Association

NT Field and Game

Australian Deer Association (NT Branch)

(ii) *Training Providers:*

One Representative

(iii) *Full Commercial, Industry, Professional, or Ethnic:*

Trade Gunsmith

Commercial

Environment and Conservation

Northern Territory Professional Hunters Association

Security Industry Association NT

(iv) *Full Non-Aligned (Public) Members:*

Two independently nominated and selected

(v) *Regional Representatives comprising:*

Two from Alice Springs

One from Katherine

One from Tennant Creek

One from Nhulunbuy

e) Full members shall from the date of their acceptance by this Council be entitled to appoint one (1) delegate and an alternative delegate (authorised in the letter of recommendation referred to in the Schedule).

(2) Member associations or groups must nominate their delegates and alternative delegates to Council in accordance with the Selection Criteria at the Schedule. The outgoing Council will endorse the delegates nominated by associations, groups or regional panels prior to positions being declared vacant at each annual general meeting. Delegates must signify their agreement to the requirements of the *Associations Act* before taking up a position on the Council.

(3) To apply to become an additional member of the Council an association or interest group must –

(a) submit a written application for membership to the Council –

(i) in a form approved by the Council;

- (ii) detailing justification for inclusion, qualifications for membership and other relevant data, and
 - (iii) signed by the person and both of the members referred to in paragraph (b); and
- (b) be proposed by one member and seconded by another member.
- (4) The Council may appoint a patron at an Annual General Meeting.

10. Approval of Council

(1) The Council must consider any application for membership made under clause 9 at the next available Council meeting and must accept or reject the application at that meeting or the next.

(2) If an application is rejected, the applicant may appeal against the decision by giving notice to the Secretary within 14 days after being advised of the rejection.

(3) If an applicant gives notice of an appeal against the rejection of an application, the Council must reconsider the application at the next Council meeting after receipt of the notice of appeal.

(4) If after reconsidering an application the Council reaffirms its decision to reject the application, the decision is final.

11. Joining fee

(1) If an application for membership is approved by the Council, the applicant becomes a member on payment of the joining fee.

- (2) The joining fee is either –
- (a) a pro rata annual fee based on the remaining part of the financial year; or
 - (b) the amount determined from time to time by resolution at a general meeting.

12. Annual membership fees

(1) The annual membership fee is the amount determined from time to time by resolution at a general meeting.

(2) Each member must pay the annual membership fee to the Treasurer by the first day of each financial year or another date determined by the Board from time to time.

(3) A member whose subscription is not paid within 3 months after the due date ceases to be a member unless the Board determines otherwise.

Division 2 – Rights of members

13. General

(1) Subject to clause 14(2), a delegate may exercise the rights of membership of his or her association or group when his or her name is entered in the register of delegates.

(2) A right of membership of the Council –

- (a) is not capable of being transferred or transmitted to another person; and
- (b) terminates on the cessation of membership whether by death, resignation or otherwise.

14. Voting

(1) Subject to subclause (2) and clause 18, each delegate has one vote at general meetings of the Council.

(2) A delegate of a member is not eligible to vote until 10 working days after the relevant application has been accepted.

15. Notice of meetings and special resolutions

The Secretary must give all members notice of general meetings and special resolutions in the manner and time prescribed by this Constitution.

16. Access to information on Association

The following must be available for inspection by members:

- (a) a copy of this Constitution;
- (b) minutes of general meetings;
- (c) annual reports and annual financial reports.

17. Raising grievances and complaints

(1) A member and/or delegate may raise a grievance or complaint about a Board member, the Board or another member and/or delegate of the Council.

(2) The grievance or complaint must be dealt with by the procedures set out in Part 8.

Division 3 – Termination, death, suspension and expulsion

18. Termination of membership

Membership of the Council may be terminated by –

- (a) a notice of resignation addressed and posted to the Council or given personally to the Secretary or another council member;
- (b) non-payment of the annual membership fee within the time allowed under clause 12(3); or
- (c) expulsion in accordance with this Division.

19. Death of delegate or whereabouts unknown

If a delegate dies or the whereabouts of a delegate are unknown, the member association or group shall have the opportunity to replace the delegate.

20. Suspension or expulsion of delegates

(1) If the Council considers that a delegate should be suspended or expelled because his or her conduct is detrimental to the interests of the Council, the Council must give notice of the proposed suspension or expulsion to the delegate.

(2) The notice must –

(a) be in writing and include –

(i) the time, date and place of the council meeting at which the question of that suspension or expulsion will be decided; and

(ii) the particulars of the conduct; and

(b) be given to the delegate not less than 30 days before the date of the council meeting referred to in paragraph (a)(i).

(3) At the meeting, the Council must afford the delegate a reasonable opportunity to be heard or to make representations in writing.

(4) The Council may suspend or expel or decline to suspend or expel the delegate from the Council and must give written notice of the decision and the reason for it to the delegate.

(5) Subject to clause 22, the decision to suspend or expel a delegate takes effect 14 days after the day on which notice of the decision is given to the delegate.

21. Suspension or expulsion of members

(1) If the Council considers that a member should be suspended or expelled because its activity is detrimental to the interests of the Council, the Council must give notice of the proposed suspension or expulsion to the member.

(2) The notice must –

(a) be in writing and include –

(i) the time, date and place of the council meeting at which the question of that suspension or expulsion will be decided; and

(ii) the particulars of the activity; and

(b) be given to the member not less than 30 days before the date of the council meeting referred to in paragraph (a)(i).

(3) At the meeting, the Council must afford the member a reasonable opportunity to be heard or to make representations in writing.

(4) The Council may suspend or expel or decline to suspend or expel the member from the Council and must give written notice of the decision and the reason for it to the member.

(5) Subject to clause 22, the decision to suspend or expel a member takes effect 14 days after the day on which notice of the decision is given to the member.

22. Appeals against suspension or expulsion

(1) A delegate or member who is suspended or expelled under clause 20 or 21 may appeal against that suspension or expulsion by giving notice to the Secretary within 14 days after receipt of the Board's decision.

(2) The appeal must be considered at a general meeting of the Council and the delegate or member must be afforded a reasonable opportunity to be heard at the meeting or to make representations in writing prior to the meeting for circulation at the meeting.

(3) The delegates present at the general meeting must, by resolution, either confirm or set aside the decision of the Board to suspend or expel the delegate or member.

(4) The delegate or member is not suspended or does not cease to be a delegate or member until the decision of the Board to suspend or expel the party is confirmed by a resolution of the council delegates.

PART 4 – BOARD OF DIRECTORS

Division 1 – General

23. Role and powers

(1) The business of the Council must be managed by or under the direction of a Board of Directors herein referred to as “the Board”.

(2) The Board may exercise all the powers of the Council except those matters that the Act or this Constitution requires the Council to determine through a general meeting of members.

(3) The Board may appoint and remove staff.

(4) The Board will establish subcommittees consisting of the delegates of the Council as appropriate to consider issues of significance and recommend to the Board before the Board makes final decisions.

(5) The Board must report back to the Council at regular intervals, as determined by Council from time to time, on all activities undertaken by the Board including, but not limited to, financial planning, expenditure, strategic planning and relevant legislative amendments.

24. Composition of board

(1) The Board consists of –

(a) President;

(b) Vice-President;

(c) Treasurer;

(d) Three other board members elected from the Council; and

(e) The Council may co-opt non-voting members to the Board from outside the Council.

(2) Unless elected directly as a separate office holder, the Board must appoint one board member to be the Council's public officer.

25. Delegation

(1) The Board may delegate to a subcommittee or staff any of its powers and functions other than –

(a) this power of delegation; or

(b) a duty imposed on the Board by the Act or any other law.

(2) The delegation must be in writing and may be subject to the conditions and limitations the Board considers appropriate.

(3) The Board may, in writing, revoke wholly or in part the delegation.

Division 2 – Tenure of office

26. Eligibility of board members

(1) A board member must be a member who is 18 years or over.

(2) A board member must also meet the selection criteria provided in the Schedule.

(3) Board members must be elected to the Board at an annual general meeting or appointed under clause 33.

27. Nominations for election to board

(1) A delegate is not eligible for election to the Board unless the Secretary receives a written nomination for that delegate by another delegate or member not less than 7 days before the date of the next annual general meeting.

(2) The nomination must be signed by –

(a) the nominator and a seconder; and

(b) the nominee to signify his or her willingness to stand for election.

(3) A person who is eligible for election or re-election under this clause may –

(a) propose or second himself or herself for election or re-election; and

(b) vote for himself or herself.

28. Retirement of board members

(1) A board member holds office until the next annual general meeting unless the member vacates the office under clause 31 or is removed under clause 32.

(2) Subject to subclause (3), at an annual general meeting the office of each board member becomes vacant and elections for a new Board must be held.

(3) The Chairperson of the outgoing Board must preside at the annual general meeting until a new member is elected as Chairperson.

- (4) Members may serve consecutive terms on the Board.

29. Election by default

(1) If the number of persons nominated for election to the Board under clause 27 does not exceed the number of vacancies to be filled, the Chairperson must declare the persons to be duly elected as members of the Board at the annual general meeting.

(2) If vacancies remain on the Board after the declaration under subclause (1), additional nominations of board members may be accepted from the floor of the annual general meeting.

(3) If the nominations from the floor do not exceed the number of remaining vacancies, the Chairperson must declare those persons to be duly elected as members of the Board.

(4) If the nominations from the floor are less than the number of remaining vacancies, the unfilled vacancies are taken to be casual vacancies and must be filled by the new Board in accordance with clause 33.

30. Election by ballot

(1) If the number of nominations exceeds the number of vacancies on the Board, ballots for those positions must be conducted.

(2) The ballot must be conducted in a manner determined from time to time by resolution at a general meeting.

(3) The members chosen by ballot must be declared by the Chairperson to be duly elected as members of the Board.

31. Vacating office

The office of a board member becomes vacant if –

- (a) the board member –
- (i) is disqualified from being a board member under section 30 or 40 of the Act;
 - (ii) resigns by giving written notice to the Board;
 - (iii) dies or is rendered permanently incapable of performing the duties of office by mental or physical ill-health;
 - (iv) ceases to be a resident of the Territory; or
 - (v) ceases to be a member of the Council;

- (b) the member is absent from more than –
 - (i) 3 consecutive board meetings; or
 - (ii) 3 board meetings in the same financial year;of which meetings the member received notice and the Board has resolved to declare the office vacant; or

32. Removal of board member

(1) The Council, through a special general meeting of delegates, may remove any board member before the board member's term of office ends **OR** dissolve the Board.

(2) If vacancies arise through removal under subclause (1), an election must be held to fill the vacancies.

33. Filling casual vacancy on board

(1) If a vacancy remains on the Board after the application of clause 29 or if the office of a Board member becomes vacant under clause 31, the Board may appoint any delegate of the Council to fill that vacancy.

(2) However, if the office of public officer becomes vacant, a person must be appointed under section 27(6) of the Act to fill the vacancy.

Division 3 – Duties of board members

34. Collective responsibility of board

(1) As soon as practicable after being elected to the Board, each board member must become familiar with the Act and regulations made under the Act.

(2) The Board is collectively responsible for ensuring the Council complies with the Act and regulations made under the Act.

(3) As soon as practicable after being elected to the Board each board member must become familiar with other acts and regulations of significance to Council including the Firearms Act and the Territory Parks and Wildlife Conservation Act.

35. Chairperson and Vice-Chairperson

(1) Subject to subclauses (2) and (3), the President must preside at all general meetings and board meetings.

(2) If the President is absent from a meeting, the Vice-President must preside at the meeting.

(3) If the President and the Vice-President are both absent –

(a) the presiding member for that meeting must be a delegate elected by the other delegates present if it is a general meeting; or

(b) the meeting lapses if it is a board meeting and their absence recorded as per clause 31(b).

36. Secretary

(1) The Secretary must –

(a) coordinate the correspondence of the Council;

(b) ensure minutes of all proceedings of general meetings and of board meetings are kept in accordance with section 38 of the Act;

(c) maintain the register of members and delegates in accordance with section 34 of the Act;

(d) unless the delegates resolve otherwise at a general meeting – have custody of all books, documents, records and registers of the Council, other than those required by clause 37(5) to be in the custody of the Treasurer; and

(e) perform any other duties imposed by this Constitution on the Secretary.

(2) The Board may delegate the responsibilities of Secretary to the Executive Officer.

37. Treasurer

(1) The Treasurer must –

(a) receive all moneys paid to or received by the Council and issue receipts for those moneys in the name of the Council;

(b) pay all moneys received into the account of the Council within 5 working days after receipt;

(c) make any payments authorised by the Board or by a general meeting of the Council from the Council's funds; and

(d) ensure cheques are signed by him or her and at least one other board member, or by any 2 other board members authorised by the Board.

(2) The Treasurer must ensure the accounting records of the Council are kept in accordance with section 41 of the Act.

(3) The Treasurer must coordinate the preparation of the Council's annual statement of accounts.

(4) If directed to do so by the President, the Treasurer must submit to the Board a report, balance sheet or financial statement in accordance with that direction.

(5) The Treasurer has custody of all securities, books and documents of a financial nature and accounting records of the Council unless the members resolve otherwise at a general meeting.

(6) The Treasurer must perform any other duties imposed by this Constitution on the Treasurer.

38. Public officer

(1) The public officer must ensure that documents are filed with the Commissioner of Consumer Affairs in accordance with sections 23, 28 and 45 of the Act.

(2) The public officer must keep a current copy of the Constitution of the Council.

PART 5 – MEETINGS OF THE BOARD OF DIRECTORS

39. Frequency and calling of meetings

(1) The Board must meet together for the conduct of business each month and not less than 4 times in each financial year.

(2) The President, or at least half the board members, may at any time convene a special meeting of the Board.

40. Voting and decision making

(1) Each board member present at the meeting has a deliberative vote.

(2) A question arising at a board meeting must be decided by a majority of votes.

(3) If there is no majority, the person presiding at the meeting has a casting vote in addition to a deliberative vote.

41. Quorum

For a board meeting, one half of board members, excluding regional members constitute a quorum.

42. Procedure and order of business

(1) The procedure to be followed at a board meeting must be determined from time to time by the Board.

(2) The order of business may be determined by the members present at the meeting.

(3) Only the business for which the meeting is convened may be considered at a special meeting.

43. Disclosure of interest

(1) A board member who has a direct or indirect pecuniary interest in a contract, or proposed contract, with the Council must disclose the nature and extent of the interest to the Board in accordance with section 31 of the Act.

(2) The Secretary must record the disclosure in the minutes of the meeting.

(3) The Chairperson must ensure a board member who has a direct or indirect pecuniary interest in a contract, or proposed contract, complies with section 32 of the Act.

PART 6 – GENERAL MEETINGS

44. Convening general meetings

(1) The Council must hold its first annual general meeting within 18 months after its incorporation.

(2) The Council must hold all subsequent annual general meetings within 5 months after the end of the Council's financial year.

(3) The Council may hold regular general meetings in a manner determined by Council from time to time.

(4) The Council may at a general meeting, or at a special general meeting called for that purpose under (5) (b), deal with an appeal lodged under clause 22(1).

(5) The Board –

(a) may at any time convene a special general meeting;

- (b) must, within 30 days after the Secretary receives a notice under clause 22(1), convene a special general meeting to deal with the appeal to which the notice relates; and
- (c) must, within 30 days after it receives a request under clause 45(1), convene a special general meeting for the purpose specified in that request.

45. Special general meetings

(1) Half the number of delegates constituting a quorum for a general meeting may make a written request to the Board for a special general meeting unless otherwise provided in the Schedule.

(2) The request must –

- (a) state the purpose of the special general meeting; and
- (b) be signed by the delegates making the request.

(3) If the Board fails to convene a special general meeting within the time allowed –

- (a) for clause 44(5)(b) – the appeal against the decision of the Council is upheld; and
- (b) for clause 44(5)(c) – the members who made the request may convene a special general meeting as if they were the Board.

(4) If a special general meeting is convened under subclause (3)(b), the Council must meet any reasonable expenses of convening and holding the special general meeting.

(5) The Secretary must give to all members not less than 21 days notice of a special general meeting.

(6) The notice must specify –

- (a) when and where the meeting is to be held; and
- (b) the particulars of and the order in which business is to be transacted.

46. Annual general meeting

(1) The Secretary must give to all delegates and members not less than 30 days notice of an annual general meeting unless otherwise provided in the Schedule.

(2) The notice must specify –

- (a) when and where the meeting is to be held; and
 - (b) the particulars of and the order in which business is to be transacted.
- (3) The order of business for each annual general meeting is as follows:
- (a) first – the consideration of the accounts and reports of the Board;
 - (b) second – the election of those positions on Council not already determined by member associations or groups in accordance with the selection criteria listed in the schedule;
 - (c) third – the election of new board members;
 - (d) fourth – any other business requiring consideration by the Council at the meeting.

47. Special resolutions

(1) A special resolution may be moved at any general meeting of the Council.

(2) The Secretary must give all members not less than 21 days notice of the meeting at which a special resolution is to be proposed unless otherwise provided in the Schedule.

(3) The notice must include the resolution to be proposed and the intention to propose the resolution as a special resolution.

48. Notice of meetings

(1) The Secretary must give a notice under this Part by –

- (a) serving it on a member; or
- (b) sending it by post to a member at the address of the member appearing in the register of members.

(2) If a notice is sent by post under subclause (1)(b), sending of the notice is taken to have been properly effected if the notice is addressed and posted to the member by ordinary prepaid mail.

49. Quorum at general meetings

At a general meeting, one third of delegates (excluding regional delegates) present in person constitutes a quorum.

50. Lack of quorum

(1) If within 30 minutes after the time specified in the notice for the holding of a general meeting a quorum is not present –

- (a) for an annual general meeting or special general meeting convened under clause 45(1) – the meeting stands adjourned to the same time on the same day in the following week and to the same place;
- (b) for a meeting convened under clause 44(5)(b) – the members who are present in person or by proxy may proceed with hearing the appeal for which the meeting is convened; or
- (c) for a meeting convened under clause 44(5)(c) – the meeting lapses.

(2) If within 30 minutes after the time appointed by subclause (1)(a) for the resumption of an adjourned general meeting a quorum is not present, the delegates who are present in person or by proxy may proceed with the business of that general meeting as if a quorum were present.

(3) The Chairperson may, with the consent of a general meeting at which a quorum is present, and must, if directed by the delegates at the meeting, adjourn that general meeting from time to time and from place to place.

(4) There must not be transacted at an adjourned general meeting any business other than business left unfinished or on the agenda at the time when the general meeting was adjourned.

(5) If a general meeting is adjourned for a period of 30 days or more, the Secretary must give notice of the adjourned general meeting as if that general meeting were a fresh general meeting.

51. Voting

(1) Subject to clauses 14(2) and 18, each member present in person or by proxy at a general meeting is entitled to a deliberative vote.

- (2) At a general meeting –
 - (a) an ordinary resolution put to the vote is decided by a majority of votes made in person or by proxy; and
 - (b) a special resolution put to the vote is passed if two thirds of the members who are present in person or by proxy vote in favour of the resolution.

(3) A poll may be demanded by the Chairperson or by 3 or more members present in person or by proxy.

(4) If demanded, a poll must be taken immediately and in the manner the Chairperson directs.

52. Proxies

A member may appoint in writing another member to be the proxy of the appointing member to attend and vote on behalf of the appointing member at any general meeting. Proxy votes are not acceptable in a board meeting.

PART 7 – FINANCIAL MANAGEMENT

53. Financial year

The financial year of the Council is the period of 12 months ending on 30 June.

54. Funds and accounts

(1) The Council must open an account with a financial institution from which all expenditure of the Council is made and into which all of the Council's revenue is deposited.

(2) Subject to any restrictions imposed by the Council at a general meeting, the Board may approve expenditure on behalf of the Council within the limits of the budget.

(3) All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments must be signed by 2 board members.

(4) All funds of the Council must be deposited into the financial account of the Council no later than 5 working days after receipt or as soon as practicable after that day.

(5) With the approval of the Board, the Treasurer may maintain a cash float provided that all money paid from or paid into the float is accurately recorded at the time of the transaction.

55. Accounts and audits

The responsibility of the Board under clause 34(2) for ensuring compliance with the Act includes meeting the requirements of Part 5 of the Act and regulations made for that Part relating to –

- (a) the keeping of accounting records;
- (b) the preparation and presentation of the Council's annual statement of accounts; and
- (c) the auditing of the Council's accounts.

PART 8 – GRIEVANCE AND DISPUTES

56. Grievance and disputes procedures

(1) This clause applies to disputes between –

- (a) a member and another member;
- (b) a delegate and another delegate; or
- (c) a delegate and the Board.

(2) Within 14 days after the dispute comes to the attention of the parties to the dispute, they must meet and discuss the matter in dispute, and, if possible, resolve the dispute.

(3) If the parties are unable to resolve the dispute at the meeting, or if a party fails to attend that meeting, then the parties must, within 10 days after the meeting, hold another meeting in the presence of a mediator.

(4) The mediator must be –

- (a) a person chosen by agreement between the parties; or
- (b) in the absence of agreement –
 - (i) for a dispute between a delegate or a member and another delegate or member – a person appointed by the Board; or
 - (ii) for a dispute between a delegate and the Board or a board member – a person who is a mediator appointed or employed by the department administering the Act.

(5) A member of the Council can be a mediator.

(6) The mediator cannot be a party to the dispute.

(7) The parties to the dispute must, in good faith, attempt to settle the dispute by mediation.

(8) The mediator, in conducting the mediation, must –

- (a) give the parties to the mediation process every opportunity to be heard;
- (b) allow due consideration by all parties of any written statement submitted by any party; and

(c) ensure natural justice is accorded to the parties to the dispute throughout the mediation process.

(9) The mediator must not determine the dispute.

(10) If the mediation process does not result in the dispute being resolved, the parties may seek to resolve the dispute in accordance with the Act or otherwise at law.

PART 9 – MISCELLANEOUS

57. Common seal

(1) The common seal of the Council must not be used without the express authority of the Board and every use of that common seal must be recorded by the Secretary.

(2) The affixing of the common seal of the Council must be witnessed by any 2 of the following:

(a) the President

(b) the Vice President

(c) the Secretary;

(d) the Treasurer.

(3) The common seal of the Council must be kept in the custody of the Secretary or another person the Board from time to time decides.

57. Distribution of surplus assets on winding up

(1) If on the winding up or dissolution of the Council, and after satisfaction of all its debts and liabilities, there remains any assets, the assets must not be distributed to the delegates or former delegates.

(2) The surplus assets must be given or transferred to another Association incorporated under the Act that –

(a) has similar objects or purposes;

(b) is not carried on for profit or gain to its individual members; and

(c) is determined by resolution of the members.

SCHEDULE TO THE CONSTITUTION

PART 3 – ADDITIONAL DETAILS

SELECTION CRITERIA FOR DELEGATES TO COUNCIL

General Criteria for all Delegates

- Represent the interests of their member Association or sector within the broad context of the full range of issues confronting the firearms community
- Understand the broader politics of firearms and associated issues at both local, national and international levels
- Be a current holder of an NT Firearm Licence and been continually involved in firearms for the past 5 years
- Be articulate and able to express complex views/policies/etc in a coherent and intelligent manner
- Be prepared to abide by the requirements of the *Associations Act* and
- Selection should take into account personal capabilities, personal commitment, means to carry out the responsibilities of the position and support of their constituents.

1. Shooting Associations

- Selected by these Associations taking into account the general criteria listed above and accompanied by a letter of recommendation from the Association.

2. Training Provider

- To be selected by a majority of firearms training providers registered in the NT taking into account the general criteria listed above and accompanied by a letter of recommendation from the group **OR** in the absence of a nomination Council may appoint a suitable delegate.

3. Commercial, Industry, Professional or Ethnic

- **Trade gunsmith/armourer** to be selected by a majority of gunsmiths/armourers accredited in accordance with the Firearms Act taking into account the general criteria listed above and accompanied by a letter of recommendation from the group **OR** in the absence of a nomination Council may appoint a suitable delegate
- **Commercial representative** to be selected by a majority of registered gun dealers in the NT **OR** by an appropriate dealer's association representing the majority of gun dealers in the NT, incorporated in the NT and endorsed by Council, taking into account the general criteria listed above and accompanied by a letter of recommendation from the group or Association.

- **Environment and conservation** – a person to be appointed by Council with the following qualifications/experience outlined in a written statement or CV in addition to the general criteria listed above:
 - Detailed and up to date knowledge of current environmental trends and issues of relevance to Council
 - Professional qualifications or equivalent in environmental management and
 - Demonstrated current experience in working in a relevant environmental management area.
- **Northern Territory Professional Hunters Association** – selected by this Association taking into account the general criteria listed above and accompanied by a letter of recommendation from the Association.
- **Security Industry Association** – selected by this Association taking into account the general criteria listed above and accompanied by a letter of recommendation from the Association.

4. Non-Aligned (Public) Members

- Appointed by Council after taking into account the general criteria listed above and also a written statement by the applicant or CV demonstrating his or her abilities to:
 - Articulate to council current and prevailing views held by the general public on firearms and related issues
 - Provide objective and dispassionate assessments of Council objectives and initiatives from a non-aligned community perspective and
 - Proven ability to liaise with government at all levels.

5. Regional Representatives

- Selection to be from a panel of nominees chosen and presented by the firearms clubs and associations of the centres taking into account the general criteria listed above and accompanied by a letter of recommendation from the group.