

RULES OF ASSOCIATION Of TROUT GUIDES AND LODGES TASMANIA INCORPORATED.

Name of association

1. The name of the Association is as follows: Trout Guides and Lodges Tasmania Incorporated

Interpretation

2. In these rules "**Act**" means the Associations Incorporation Act 1964;

3. "**affiliate member**" means a member who has applied for membership on the criteria set out in rule 5A.(5) and admitted to membership as such;

"**Association**" means the association referred to in rule 1

"**auditor**" means the person appointed as the auditor of the Association under rule 9;

"**basic objects of the Association**" means the objects and purposes of the Association as stated in rule 4(1);

"**committee**" means a committee as defined by the Act;

"**full member**" means a trout guide, lodge or other member that has paid full fees for membership.

"**general meeting**" includes

(a) the annual general meeting; and

(b) any special general meeting;

"**house guide**" means a member who has applied for membership on the criteria set out in rule 5A.(4) and admitted to membership as such;

"**life member**" means a member qualifying under the criteria set out in rule 5A.(6) and admitted to membership as such;

"**lodge**" means a member who has applied for membership on the criteria set out in rule 5A.(3) and admitted to membership as such;

"**member**" means all or any of the following as the context allows:

(a) life member;

(b) trout guide;

(c) lodge;

(d) other full member

(e) house guide and

(f) affiliate member.

and the membership of the Association as at the date of incorporation of the Association shall be identical to the membership of the previously un-incorporated association known as the Tasmanian Professional Trout Guides Association.

"ordinary business of the annual general meeting" means the business specified in rule 11(5);

"ordinary committee member" means a member of the committee to whom rule 23(1) (b) relates;

"special general meeting" means any general meeting other than the annual general meeting.

"Tourism Tasmania" means that Department of the Government of the State of Tasmania from time to time responsible for regulating and enhancing the tourism industry in that State;

"trout guide" means a member who has applied for membership on the criteria set out in rule 5A.(1) and admitted to membership as such;

"voting member" means a full member. (amdt. 14th July 2007)

Association's Office

3. The office of the Association is to be the Residential address of the President of the day or any other place as determined by the committee.

Objects and purposes of Association

4.(1) The basic objects of the Association are as follows:

(a) to be a self - regulated body that represents all Professional Trout Fishing guides in Tasmania and attain recognition as such by all Governments;

(b) to set appropriate standards and codes of conduct to ensure the protection of clients and the trout fishery;

(c) ensure that clients of trout fishing guides have a safe, enjoyable and productive trout fishing holiday, thereby assisting in making Tasmanian angling a significant tourist industry;

(d) to further the interests of wild trout fishing in Tasmania;

(e) participate, collaborate and cooperate with Governments in decision-making concerning the trout fishery and promotion of guided trout fishing in Tasmania;

(f) strive to protect the environment for future generations and encourage sound conservation practices and

(g) ensure that all suitable persons who offer professional trout guiding services in Tasmania become members of the Association.

(2) In addition to the basic objects of the Association, the objects and purposes of the Association include the following:

(a) the purchase, taking on lease or in exchange, and the hiring or otherwise acquiring of any real or personal property necessary or convenient for any of the objects or purposes of the Association;

(b) the buying, selling and supplying of, and dealing in, goods of all kinds;

(c) the construction, maintenance and alteration of buildings or works necessary or convenient for any of the objects or purposes of the Association;

(d) the accepting of any gift for any one or more of the objects or purposes of the Association;

(e) the taking of any step the committee or the members in general meeting consider expedient for the purpose of procuring contributions to the funds of the Association;

(f) the printing and publishing of any newspapers, periodicals, books, leaflets or other documents the committee or the members in general meeting consider desirable for the promotion of the objects and purposes of the Association;

(g) the borrowing and raising of money in any manner and on terms

(i) the committee thinks fit; or

(ii) approved or directed by resolution passed at a general meeting;

(h) subject to the provisions of the Trustee Act 1898, the investment of any moneys of the Association not immediately required for any of its objects or purposes in any manner the committee determines;

(i) the making of gifts, subscriptions or donations to any of the funds, authorities or institutions to which section 78(1)(a) of the Income Tax Assessment Act 1936 of the Commonwealth relates;

(j) the establishment and support, or aiding in the establishment and support, of associations, institutions, funds, trusts, schemes and conveniences calculated to benefit servants or past servants of the Association and their dependants, and the granting of pensions, allowances or other benefits to servants or past servants of the Association and their dependants, and the making of payments towards insurance in relation to any of those purposes;

(k) the establishment and support, or aiding in the establishment or support, of any other association formed for any of the basic objects of the Association;

(l) the purchase or acquisition, and undertaking, of all or any part of the property, assets, liabilities and engagements of any association with which the Association is amalgamated in accordance with the provisions of the Act and the rules of the Association;

(m) the doing of any lawful thing incidental or conducive to the attainment of the basic objects of the Association or of any of the objects and purposes specified in this rule.

Membership of Association

5. (1) A person who is nominated and approved for a class of membership as provided in these rules is eligible to be a member of the Association on payment of the annual subscription fee and levies (if any) fixed under these rules.

(2) All persons who are members of the incorporated association at the time of incorporation of the Association are admitted to membership in the class of membership enjoyed by them immediately prior to incorporation. The register of members held by the secretary on the day of incorporation shall be sufficient evidence of the original membership of the Association.

(3) A person who is not a member of the Association or being a member of the Association who wishes to change class of membership, must apply to the committee in writing on the prescribed application form addressed to the secretary of the Association, accompanied by the first year's membership fee (or increase in membership fee as the case may be) which is returnable if the Application is unsuccessful.

(4) As soon as practicable after the receipt of an Application, the secretary is to notify all members of details of the application. Members will have 14 days to notify the secretary of their support or opposition to the application.

(5) Following the expiry of 14 days, the committee shall decide on the application. In the case of an objection, the committee shall not approve the application unless each member of the committee supports it.

(6) On an application being approved by the committee, the secretary

(a) is to notify the applicant, in writing, that he or she has been approved; and

(b) upon receipt of the sum payable as the first year's subscription, is to enter the nominee's name in a register of members.

(7) A member of the Association may resign from the Association by giving written notice of resignation by post to the secretary.

(8) On receipt of a notice from a member under sub rule (6), the secretary is to remove the name of the member from the register of members.

(9) A person

(a) becomes a member of the Association in any case of membership when his or her name is entered in the register of members under the relevant class; and

(b) ceases to be a member of the Association when his or her name is removed from the relevant class or classes of membership in the register of members.

(10) Any right, privilege or obligation of a person as a member of the Association

(a) is not capable of being transferred or transmitted to another person; and

(b) terminates on the cessation of the membership.

(11) If the Association is wound up -(a) every member of the Association; and

(b) every person who, within the period of 12 months immediately preceding the commencement of the winding up, was a member of the Association is liable to contribute

(c) to the assets of the Association for payment of the debts or liabilities of the Association; and

(d) for the costs, charges and expenses of the winding up; and

(e) for the adjustment of the rights of the contributories among themselves.

(12) Any liability under sub rule (10) is not to exceed nil.

(13) A former member is not liable to contribute under sub rule (10) in respect of any debt or liability of the Association contracted after he or she ceased to be a member.

Classes of Membership 5A.(1) Trout Guide Members. Applicants for trout guide membership must:

- (a) have a sound knowledge of and practical experience in trout fishing in Tasmania;
- (b) have a minimum of three full seasons trout fishing in Tasmania;
- (c) have appropriate Passenger Transport Operator accreditation for their vehicle(s) if their vehicle(s) is/are to be used to carry clients;
- (d) have all appropriate Marine & Safety Tasmania certification to operate water borne equipment, covering both vessel and operator, including a Management Plan. (amdt. 14th July 2007)
- (e) have Public Liability Insurance of a minimum amount of \$10,000,000.00 or such amount as the committee may from time to time by resolution stipulate and including areas of cover as the Association may from time to time by resolution stipulate;
- (f) have a recognised Workplace Level Two First Aid certificate, or equivalent;
- (g) be successfully assessed by two members of the committee and one appropriate representative from Tourism Tasmania, as providing a professional trout guiding service and
- (h) have such other qualifications as may be determined by the Association from time to time.

(2) Lodge members. Applicants for lodge membership must:

- (a) be an owner or manager of an accommodation house employing a residential guide or contracting for the services of a full member;
- (b) comply with sub rules (c), (d), (e) and (f) of rule 5A(1); and
- (c) have such other qualifications as may be determined by the Association from time to time.

(3) Other Full Members. Such other individuals or businesses that may seek full membership and the Executive considers appropriate to so grant.

(4) House Guides. Applicants for membership as house guides (amdt. 14th July 2007) must:

- (a) agree to work as a trout guide only for trout guide members or lodge members;
- (b) not seek their own clients;
- (c) must comply with sub rules (a), (b), (c), (f), (g), and (i) (h) of rule 5A(1).

(5) Affiliate members. Applicants for affiliate membership must:

- (a) be a corporation, entity, one or more individuals or partnership deriving income from or having an interest in trout fishing;

(b) have such other qualifications as may be determined by the Association from time to time.

(6) Life members. The Association may from time to time award life membership to persons with outstanding service to the Association or the objects of the Association. Life membership is a honorary appointment only. Life members wishing to continue working need also to maintain membership as appropriate.

Income and property of Association

6. (1) The income and property of the Association is to be applied solely towards the promotion of the objects and purposes of the Association.

(2) No portion of the income and property of the Association is to be paid or transferred to any member of the Association.

(3) The Association is not to:

(a) appoint a person who is a member of the committee to any office in the gift of the Association to the holder of which there is payable any remuneration by way of salary, fees or allowances; or

(b) pay to any such person any remuneration or other benefit in money or money's worth, other than the repayment of out-of-pocket expenses.

(4) Notwithstanding rule 6(3) hereof a servant or member of the Association may be paid:

(a) remuneration in return for services rendered to the Association or for goods supplied to the Association in the ordinary course of business; or

(b) interest at a rate not exceeding reasonable commercial rates on money lent to the Association; or

(c) a reasonable and proper sum by way of rent for premises let to the Association.

Accounts of receipts and expenditure

7. (1) True accounts are to be kept of-

(a) all money received and expended by the Association and the matter in respect of which the receipt or expenditure takes place; and

(b) the property, credits and liabilities of the Association.

(2) The accounts are to be open to inspection by the members of the Association subject to any reasonable restrictions as to time and manner of inspecting the Association may impose.

(3) The treasurer of the Association is to keep all general records, accounting books and records of receipts and expenditure connected with the operations and business of the Association in the form and manner the committee directs.

(4) The accounts, books and records are to be kept at the Association's office or at any other place the committee decides.

Banking and finance

8. (1) The treasurer of the Association, on behalf of the Association, is to

(a) receive all money paid to the Association; and

(b) immediately after the receipt issue official receipts.

(2) The committee is to cause to be opened with any bank, building society credit union or other financial institution the committee selects an account in the name of the Association into which all money received is to be paid as soon as possible after receipt.

(3) The committee may

(a) receive from the Association's financial institution the cheques drawn by the Association on any of its accounts with the financial institution; and

(b) release and indemnify the financial institution from and against all claims, actions, suits or demands that may be brought against the financial institution arising directly or indirectly out of those cheques.

(4) Except with the authority of the committee, a payment of any sum exceeding \$2 is not to be made from the funds of the Association otherwise than by cheque drawn on the Association's account.

(5) The committee may provide the treasurer with a sum to meet urgent expenditure, subject to any conditions in relation to the use and expenditure the committee may impose.

(6) Cheques are not to be drawn on the Association's account except for the payment of expenditure that has been authorised by the committee.

(7) All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments are to be signed by two committee members.

Auditor

9. (1) At each annual general meeting of the Association, the members present are to appoint a person as the auditor of the Association.

(2) The auditor is to hold office until the annual general meeting next after that at which he or she is appointed, and is eligible for reappointment.

(3) The first auditor may be appointed by the committee before the first annual general meeting, and, holds office until the first annual general meeting, unless earlier removed by a resolution of the members at a general meeting, when that meeting may appoint an auditor to act until the first annual general meeting.

(4) If an appointment is not made at an annual general meeting, the committee is to appoint an auditor for the current financial year of the Association.

(5) Except as provided in sub rule (3), the auditor may only be removed from office by special resolution.

(6) If a casual vacancy occurs in the office of auditor during the course of a financial year of the Association, the committee may appoint a person as the auditor to hold office until the next succeeding annual general meeting.

Audit of accounts

10. (1) The auditor is to examine the accounts of the Association at least once in each financial year of the Association.

(2) The auditor is to

(a) certify as to the correctness of the accounts of the Association; and

(b) report to the committee.

(3) In the report and in certifying to the accounts, the auditor is to state if

(a) he or she has obtained the required information; and

(b) in his or her opinion, the accounts are properly drawn up so as to exhibit a true and correct view of the financial position of the Association

(i) according to the information at his or her disposal and the explanations given; and

(ii) as shown by the books of the Association; and

(c) the rules relating to the administration of the funds of the Association have been observed.

(4) The treasurer of the Association is to cause to be delivered to the auditor a list of all the accounts, books and records of the Association.

(5) The auditor may

- (a) have access to the accounts, books, records, vouchers and documents of the Association; and
 - (b) require from the servants of the Association any information and explanations he or she considers necessary for the performance of the duties as auditor; and
 - (c) employ persons to assist in investigating the accounts of the Association; and
 - (d) in relation to the accounts of the Association, examine any member of the committee or any servant of the Association.
- (6) The committee shall within 21 days of receiving the auditors report notify the members as to whether the report is accepted and provide the member with a copy of the report.

Annual General Meeting

11. (1) The Association is to hold an annual general meeting each year.

(2) The annual general meeting is to be held on any day after the close of the financial year of the Association but not later than the 31st July, as the committee determines.

(3) The annual general meeting is to be in addition to any other general meetings that may be held in the same year.

(4) The notice convening the annual general meeting is to specify the purpose of the meeting.

(5) The ordinary business of the annual general meeting is to be as follows:

(a) attendance and apologies;

(b) to confirm the minutes of the last preceding annual general meeting and of any general meeting held since that meeting;

(c) to receive from the committee, and servants of the Association reports on the transactions of the Association during the last preceding financial year;

(d) to elect the officers of the Association and the ordinary committee members;

(e) to appoint the auditor and determine his or her remuneration;

(f) to determine the remuneration of servants of the Association.

(g) determine membership fees and levies.

(h) receive the auditor's report, if available.

(6) The annual general meeting may transact special business of which notice is given in accordance with these rules.

Special general meetings

12. (1) The committee may convene a special general meeting of the Association at any time.

(2) The committee, on the requisition in writing of at least 3 committee members or at least 5 voting members, may convene a special general meeting of the Association.

(3) A requisition for a special general meeting

(a) is to state the objects of the meeting; and

(b) is to be signed by the requisitionists; and

(c) is to be deposited at the office of the Association; and

(d) may consist of several documents, each signed by one or more of the requisitionists.

(4) If the committee does not cause a special general meeting to be held within 21 days from the day on which a requisition is deposited at the office of the Association, the requisitionists, or any of them, may convene the meeting within 3 months from the day of the deposit of the requisition.

(5) A special general meeting convened by requisitionists is to be convened in the same manner as nearly as possible as the committee convenes meetings.

(6) All reasonable expenses incurred by requisitionists in convening a special general meeting are to be refunded by the Association.

Notices of general meetings

13.(1) The secretary of the Association, at least 14 days before the date fixed for holding a general meeting of the Association, is to notify in writing all members of the Association:

(a) specifying the place, day and time for the holding of the meeting; and

(b) the nature of the business to be transacted at the meeting.

Business and quorum at general meetings

14. (1) All business transacted at a general meeting, except the ordinary business of the annual general meeting, is special business.

(2) Business is not to be transacted at a general meeting unless a quorum of voting members is present at the time the meeting is considering that business.

(3) A quorum for the transaction of the business of a general meeting is one third of voting members present and entitled to vote.

(4) If a quorum is not present one hour after the appointed time for the commencement of a general meeting, the meeting

(a) if convened on the requisition of members, is to be dissolved; or

(b) in any other case, is to be adjourned to the same day in the next week at the same time at the same place.

(5) If at an adjourned meeting a quorum is not present one hour after the time appointed for the commencement of the meeting, the meeting is to be dissolved.

(6) The chairperson, by written notice or at the time of the adjournment, may specify another place to which a meeting is to be adjourned.

President to preside at general meetings

15. (1) The president, or in his or her absence, the vice-president, is to preside as chairperson at every general meeting of the Association.

(2) If the president and vice-president are absent from a general meeting, the voting members present are to elect one of their number to preside as chairperson.

Adjournment of general meetings

16. (1) The chairperson of a general meeting at which a quorum is present may, with the consent of the meeting, adjourn the meeting from time to time and place to place, but no business is to be transacted at an adjourned meeting other than the business left unfinished at the meeting at which the adjournment took place.

(2) If a meeting is adjourned for 14 days or more, the notice of the adjourned meeting is to be given in the same manner as the notice of the original meeting.

(3) It is not necessary to give any notice of an adjournment or of the business to be transacted at an adjourned meeting.

Determination of questions arising at general meetings

17. (1) A question arising at a general meeting of the Association is to be determined on a show of hands.

(2) Unless before or on the declaration of the result of the show of hands a poll is demanded, a declaration by the chairperson that a resolution has, on a show of hands, been carried, or carried unanimously, or carried by a particular majority, or lost, and an entry to that effect in the minute book of the Association is evidence of the fact, without proof of the number or proportion of the votes recorded in favour of, or against, that resolution.

Votes

18. (1) On any question arising at a general meeting of the Association, a voting member has one vote only.

(2) All votes are to be given personally. Only voting members have a vote.

(3) In the case of an equality of voting on a question, the chairperson has a second or casting vote.

Taking of poll

19. If at a meeting a poll on any question is demanded

(a) it is to be taken at that meeting in the manner the chairperson directs; and

(b) the result of the poll is taken to be the resolution of the meeting on that question.

When poll to be taken

20. (1) A poll that is demanded on the election of a chairperson, or on a question of adjournment, is to be taken immediately.

(2) A poll that is demanded on any other question is to be taken at any time before the close of the meeting as the chairperson directs.

Affairs of Association to be managed by a committee

21. (1) The affairs of the Association are to be managed by a committee of management constituted as provided in rule 23.

(2) The committee

(a) is to control and manage the business and affairs of the Association; and

(b) may exercise all the powers and perform all the functions of the Association, other than those powers and functions that are required by these rules to be exercised by general meetings of members of the Association; and

(c) has power to do anything that appears to the committee to be essential for the proper management of the business and affairs of the Association.

(3) Unless otherwise decided by the committee, the president shall be the sole spokesperson on all official matters and policies.

(4) Subject to these rules, the president shall be responsible for the smooth running of the committee and the Association.

Officers of the Association

22. (1) The officers of the Association are as follows:

(a) President;

(b) Vice-President;

(c) Secretary

(d) Treasurer;

(e) Promotion Officer.

(2) The provisions of rule 24, so far as they are applicable and with the necessary modifications, apply in relation to the election of persons to any of the offices referred to in sub rule (1).

(3) Each officer of the Association is to hold office until the annual general meeting next after the date of election, and is eligible for re-election.

(4) If a casual vacancy in any office referred to in sub rule (1) occurs, the committee may appoint one of its members to the vacant office, to hold the office up to and including the conclusion of the annual general meeting next following the date of the appointment.

(5) The Offices of President 22(1)(a), Vice President 22(1)(b), and Secretary 22(1)(c) shall be held by separate members in line with rule 24. The positions of Treasurer * and / or Promotions Officer * may be held as a second office, however, no person shall hold more than two offices at any one time

Constitution of the committee

23. (1) The committee consists of the following members elected at the annual general meeting of the Association in each year:

(a) the officers of the Association and

(b) and other committee members so as to total, including officers of the Association, a minimum of 6 and a maximum of 8 committee.

(2) An ordinary committee member is to hold office until the annual general meeting next after the date of election, and is eligible for re-election.

(3) If a casual vacancy occurs in the office of ordinary committee member, the committee may appoint a member of the Association to fill the vacancy until the conclusion of the annual general meeting next following the date of the appointment.

Election of numbers of committee

24. (1) Nominations of candidates for election as officers of the Association or as ordinary committee members are to be

(a) made in writing by the candidate; and

(b) delivered to the secretary of the Association at least 10 days before the date fixed for the holding of the annual general meeting.

(2) If insufficient nominations are received to fill all vacancies on the committee

(a) the candidates nominated are taken to be elected; and

(b) further nominations are to be received at the annual general meeting.

(3) If the number of nominations received is equal to the number of vacancies to be filled, the persons nominated are taken to be elected.

(4) If the number of nominations exceeds the number of vacancies to be filled, a ballot is to be held.

(5) The ballot for the election of officers and ordinary committee members is to be conducted at the annual general meeting in the usual manner as directed by the committee.

Vacation of office

25. For the purpose of these rules, the office of an officer of the Association or of an ordinary committee member becomes vacant if the officer or committee member

(a) dies; or

(b) becomes bankrupt or applies to take or takes advantage of any law relating to bankrupt or insolvent debtors or compounds with his or her creditors, or makes any assignment of his or her estate for their benefit; or

(c) becomes of unsound mind; or

(d) resigns office in writing addressed to the committee; or

(e) ceases to be resident in the State; or

(f) fails, without leave granted by the committee, to attend 3 consecutive meetings of the committee; or

(g) ceases to be a member of the Association; or

(h) fails to pay all arrears of subscription due, within 14 days after receiving a notice in writing signed by the secretary stating that he or she has ceased to be a financial member of the Association.

Special Duties and Powers of Committee

25A. The committee must refer any breaches of any Government Legislation or Regulation by members or persons concerning trout fishing and/or guided trout fishing to the appropriate authorities.

Meetings of the committee and of subcommittees

26. (1) The committee is to meet at such times and at such places as the committee determines.

- (2) Special meetings of the committee may be convened by the president or any 3 of its members.
- (3) Notice is to be given to members of the committee of any special meeting.
- (4) Any 4 members of the committee constitute a quorum for the transaction of the business of a meeting of the committee.
- (5) Business is not to be transacted unless a quorum is present.
- (6) If half an hour after the time appointed for the meeting a quorum is not present, the meeting is to be adjourned to the same place and at the same hour of the same day in the following week.
- (7) At a meeting of the committee, the following is to preside:
 - (a) the president, or in his absence the vice-president;
 - (b) if the president and the vice-president are absent, any one of the remaining members of the committee as may be chosen by the members present.
- (8) Any question arising at a meeting of the committee or of any subcommittee appointed by the committee is to be determined
 - (a) on a show of hands; or
 - (b) if demanded by a member, by a poll taken in any manner the person presiding at the meeting determines.
- (9) Each member present at a meeting of the committee or of any subcommittee appointed by the committee (including the person presiding at the meeting) is entitled to one vote.
- (10) If there is an equality of votes on any question, the person presiding has a second or casting vote.
- (11) Written notice of each committee meeting is to be served on each member of the committee by
 - (a) delivering it at a reasonable time before the meeting; or
 - (b) sending it by post or email addressed to his or her usual or last-known address in time to reach him or her in due course before the date of the meeting.
- (12) Any question may be determined without a meeting of the committee by the unanimous assent of the committee to a written resolution circulated among the members for their respective signatures. Any two or more separate documents containing resolutions in identical terms signed

by one or more of the members shall be deemed to constitute one document containing the resolutions in those terms.

(13) A meeting of the committee may be convened by telephone conference call or other same-time electronic link-up insofar as such meetings are properly convened and recorded.

Disclosure of interest in contracts

27. (1) A member of the committee who is interested in any contract or arrangement made or proposed to be made with the Association is to disclose the interest

(a) at the first meeting of the committee at which the contract or arrangement is first taken into consideration, if the interest then exists; or

(b) in any other case, at the first meeting of the committee after the acquisition of the interest.

(2) If a member of the committee becomes interested in a contract or arrangement after it is made or entered into, he or she is to disclose the interest at the first meeting of the committee after he or she becomes so interested.

(3) A member of the committee is not to vote as a member of the committee in respect of any contract or arrangement in which he or she is interested and any such vote is not to be counted.

Subcommittees

28. (1) The committee may

(a) appoint a subcommittee from the committee; and

(b) prescribe the powers and functions of that subcommittee.

(2) The committee may co-opt any person as a member of a subcommittee without voting rights, whether or not the person is a member of the Association.

(3) A quorum at a meeting of the subcommittee is 3 appointed members.

Urgent Issues

29. (1) The officers of the Association may issue instructions to the secretary and the servants of the Association in matters of urgency connected with the management of the affairs of the Association during the period between meetings of the committee.

(2) The officers are to report on any instructions issued under this rule to the next meeting of the committee.

Annual subscription and levies

30. (1) The annual subscription payable by members is to be determined at each annual general meeting.

(2) The membership fee for house guides shall be 5% of the membership fees for voting members (to the nearest dollar).

(3) Life members are not liable for an annual membership fee but otherwise are liable for any other class of membership, which they hold.

(4) The membership fee for Affiliate members shall be 20% of the membership fees for voting members (to the nearest dollar).

(5) All membership fees and levies shall be due and payable within one month of the meeting of the Association determining the amounts thereof.

(6) All members shall be notified of the membership fees and levies payable by them by the Secretary.

(7) Members who fail to pay membership fees or levies by the due date will immediately thereafter forfeit all rights of membership and will be treated as if they had resigned from the Association PROVIDED THAT if any member subsequently pays his or her membership fees or levies prior to the end of the financial year, the committee may in its discretion decide to reinstate that person's membership.

(8) Members so rejoining will be required to pay a rejoining fee, being 20% of the trout guide or lodge membership fee, regardless of what type of membership they are taking up.

Financial year

31. The financial year of the Association is the period beginning on 1st July in one year and ending on the 30th June the next following year.

Notices

32. A notice may be served by or on behalf of the Association on any member

(a) personally;

(b) by sending it through the post in a prepaid envelope addressed to the member at his or her usual or last-known address; or

(c) by facsimile transmission to the last known facsimile number;

Expulsion of members

33. (1) The committee may expel a member from the Association if, in the opinion of the committee, the member is guilty of conduct detrimental to the interests of the Association.

(2) The expulsion of a member under sub rule (1) does not take effect until whichever of the following is the later date:

- (a) the expiration of 14 days after the service on the member of a notice under sub rule (3);
- (b) if the member exercises his right of appeal under this rule, the conclusion of the special general meeting convened to hear the appeal.

(3) If the committee expels a member from the Association, the secretary of the Association, without undue delay, is to cause to be served on the member a notice in writing

- (a) stating that the committee has expelled the member; and
- (b) specifying the grounds for the expulsion; and
- (c) informing the member of a right to appeal against the expulsion under rule 34.

Appeal against expulsion

34. (1) A member may appeal against an expulsion under rule 33 by delivering or sending by post to the secretary of the Association, within 14 days after the service of a notice under rule 33(3), a requisition in writing demanding the convening of a special general meeting for the purpose of hearing the appeal.

(2) On receipt of a requisition

- (a) the secretary is to immediately notify the committee of its receipt; and
- (b) the committee is to cause a special general meeting of members to be held within 21 days after the date on which the requisition is received.

(3) At a special general meeting convened for the purpose of this rule

- (a) no business other than the question of the expulsion is to be transacted; and
- (b) the committee may place before the meeting details of the grounds of the expulsion and the committee's reasons for the expulsion; and
- (c) the expelled member is to be given an opportunity to be heard; and
- (d) the voting members are to vote by secret ballot on the question whether the expulsion should be lifted or confirmed.

(4) If at the special general meeting a majority of the voting members present vote in favour of the lifting of the expulsion

- (a) the expulsion is to be taken to have been lifted; and
 - (b) the expelled member is entitled to continue as a member of the Association.
- (5) If at the special general meeting a majority of the voting members present vote in favour of the confirmation of the expulsion
- (a) the expulsion takes effect; and
 - (b) the expelled member ceases to be a member of the Association.

Disputes

35. (1) A dispute between a member of the Association in the capacity as a member and the Association is to be determined by arbitration in accordance with the provisions of the Commercial Arbitration Act 1986.
- (2) This rule does not affect the operation of rule 34.

Seal of Association

36. (1) The seal of the Association is to be in the form of a rubber stamp, inscribed with the name of the Association encircling the word "Seal".
- (2) The seal of the Association is not to be affixed to any instrument except by the authority of the committee.
- (3) The affixing of the seal is to be attested by the signatures of 2 members of the committee.
- (4) Attestation under sub rule (3) is sufficient for all purposes that the seal was affixed by authority of the committee.
- (5) The seal is to remain in the custody of the secretary.

Winding Up

- 37.(1) Upon the winding up of the Association, all assets, funds, and holdings shall, after the payment of all expenses and liabilities, not be paid for or distributed among the members of the Association, but shall be given or transferred to one or more other funds, authority or institution which:
- (a) shall have objects similar to or allied with the basic objects of the Association;
 - (b) shall be a non-profit organisation exempt from income tax under Section 23 of the Income Tax Assessment Act 1936;

(c) have a Memorandum of Association or Constitution, which shall prohibit the distribution of its income in property amongst its members to an extent as least as great as imposed on the association by virtue of these rules;

(d) shall be approved by the Commissioner of Taxation as a fund authority or institution for the purposes of Section 78 (1)(a) of the Income Tax Assessment Act 1936, as amended.

(2) such funds, authorities or institutions shall be decided by the members of the Association at or before the time of the winding up of the company and in default thereof by application to the Supreme Court of Tasmania or the Federal Court of Australia for determination;

Code of Ethics

38.(1) The Association may by general meeting adopt a code of ethics.

(2) All members of the Association must comply with the code of ethics as applicable from time to time.

(3) The code of ethics adopted by the Association as at the date of incorporation shall be the code of ethics dated the 18th August 1997, a copy of which is annexed hereto.

(4) The code of ethics shall not form part of the rules of the Association.

Certified to be a true and accurate copy of the Rules of the Association.

Signed Barry Hickman Public Officer

Dated

Annex: 1. Code of Ethics