



Western Australia

Royal Agricultural Society Act 1926

**Royal Agricultural Society Uniform By-laws  
1941**



## Royal Agricultural Society Uniform By-laws 1941

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## Royal Agricultural Society Uniform By-laws 1941

### 1. Citation and interpretation

- (1) These by-laws are the *Royal Agricultural Society Uniform By-laws 1941*<sup>1</sup>.
- (2) In these by-laws —  
*committee* means the committee of a society constituted under by-law 2;  
*society* means an agricultural society registered under the Act.  
*[By-law 1 inserted: Gazette 25 Jan 2005 p. 340.]*

### 2. Office bearers

- (1) The general management of the affairs of the society shall be vested in a committee, which shall consist of a president and such other office bearers, as the members at a properly constituted meeting of members shall from time to time decide.
- (2) Office bearers comprising the committee shall be financial members of the society.
- (3) Patrons and vice-patrons shall not be members of the committee and need not necessarily be members of the society.  
*[By-law 2 amended: Gazette 25 Jan 2005 p. 340.]*

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**3. Nomination and method of election of office bearers**

- (1) Office bearers of the society shall be nominated prior to or at the annual general meeting. No unfinancial member shall be nominated as an office bearer. Office bearers shall be elected at the annual general meeting of the society.
- (2) Should the number required, and no more, be so nominated, the chairman of the meeting shall declare all candidates elected.
- (3) Should the number nominated exceed the number required, a ballot shall be taken.
- (4) Should a less number than required be nominated, the committee at its next meeting shall fill such vacancies.
- (5) The meeting shall appoint a returning officer and 2 scrutineers to assist in the conduct of the ballot.

*[By-law 3 amended: Gazette 25 Jan 2005 p. 340.]*

**4. Voting for office bearers**

Members shall vote in each instance for the required number of candidates, and any voting paper on which are recorded votes for more or less than the required number of members for any office or committee shall be informal to that extent, but any such informality shall not affect the legality of the voting paper in instances where votes for a member or members for other offices or committees are properly recorded on the same voting paper.

*[By-law 4 amended: Gazette 25 Jan 2005 p. 340.]*

**5. Terms of office**

- (1) Office bearers shall commence to hold office upon the first day of the month following the meeting at which they are elected.
- (2) The president shall retire annually but shall be eligible for re-election.

- (3) One-third of the committee, or such number being not less than one-third, as the members of the society at a properly constituted meeting shall decide, shall retire each year and shall be eligible for re-election.
- (4) The treasurer, if such office be provided for, shall retire annually and shall be eligible for re-election.
- (5) The auditor, who shall not be a member of the committee, shall retire each year and shall be eligible for re-election.

*[By-law 5 amended: Gazette 25 Jan 2005 p. 340.]*

## **6. Special vacancies**

- (1) Vacancies in the number of office bearers caused by death, resignation, absence without leave, or otherwise, and occurring at any time between 2 annual general meetings, shall be notified by the secretary to the committee at its next meeting thereafter, and the secretary shall notify such vacancies in writing to each of the members of the committee not present at such meeting and all such vacancies shall be filled by the committee at the next following meeting. Any member so appointed shall, previous to such appointment, signify to the secretary his willingness to accept such appointment, but any person so chosen shall retain office only so long as the member in whose place he is appointed would have retained the same if no vacancy had occurred. Provided, however, that when any such vacancy has been filled by the appointment thereto of any other office bearer of the society, the notification of the next meeting of the committee to be given in pursuance of by-law 8 shall specify the vacancy so created, and the committee may at such meeting fill the same.
- (2) In the case of any vacancy arising in the office of auditor through any cause prior to the date of the annual meeting, such vacancy shall be filled by the committee, and such person or firm so appointed to fill such vacancy shall hold office until the first day of the month following the annual meeting.

*[By-law 6 amended: Gazette 25 Jan 2005 p. 340.]*

**7. Committee meetings**

Meetings of the committee shall be held at such times as the chairman considers necessary; provided, however, that meetings of the committee shall be held at least twice annually, and at all committee meetings 4 shall form a quorum.

**8. Convening of committee meetings**

- (1) The secretary shall convene meetings of the committee by notifying each member of the committee in such manner as the committee shall decide.
- (2) The chairman may convene a special meeting of the committee at any time, and in such case the secretary shall give to all members such notification as the committee shall decide.

*[By-law 8 amended: Gazette 25 Jan 2005 p. 340.]*

**9. Absence from committee meetings**

If any of the elected members be absent without leave for 3 consecutive ordinary meetings of the committee, he shall cease to be an office bearer.

**10. Election of members**

- (1) Subject as hereinafter provided, any person paying to the society the amount of the annual subscription may be enrolled as a member and entitled to the privileges of membership: provided that, when any subscription shall be paid in the name of any firm or company, one member only of such firm or one nominee of such company may exercise the rights and privileges of membership and may be elected to any office.
- (2) Notwithstanding anything herein contained, the secretary, on the instructions of the committee, shall have the right to refund within 2 calendar months any money so received and to refuse to accept any person as a member of the society.



*[By-law 10 amended: Gazette 25 Jan 2005 p. 340.]*

**11. Privileges of members**

The privileges of membership of the society shall consist of power to vote at any general meeting of members, free admission to the show grounds (on production of member's ticket or badge) at any time when the society is holding a show, and any other privileges which the members at a properly constituted meeting shall from time to time decide.

**12. Subscriptions**

The annual subscription shall be fixed by the members at a properly constituted meeting, and shall continue to be payable until altered by any subsequent general meeting. The date of payment thereof shall also be fixed at a properly constituted meeting of members and may be altered from time to time as the members think fit.

**13. Expulsion**

If any member of the society has been guilty of any breach of these by-laws for any misconduct, he may be called upon to show cause to the committee why he should not be expelled from the society. The committee may appoint a day for the hearing of the matter of which at least 7 days' notice shall be given to the member. If, at the hearing, the committee is satisfied of the truth of the charge and that it is of sufficient gravity, it shall have power to expel such member from the membership of the society. In lesser offences a fine not exceeding \$20, or some other penalty which in the opinion of the committee is adequate in the circumstances, may be imposed.

*[By-law 13 amended: Act No. 113 of 1965 s. 8.]*

**14. Resignation of members**

The resignation of any member shall be by written notice to the secretary, but no such resignation shall relieve any member from payment of any subscription or other moneys due by him to the society at the time of such resignation, and such subscription or other moneys shall be deemed to be a debt due to the society and may be recoverable at law.

**15. Arrears of subscription**

Any member who shall be 6 months in arrears in payment of his subscription shall not be entitled to hold or continue to hold any office in the society or to any privileges of membership. Any member who shall be 12 months in arrears in the payment of his subscription shall be deemed to have resigned his membership, and his name may be struck off the roll of members.

**16. Register of members**

An alphabetical list of the names of all members of the society shall always be kept in the office of the society.

**17. Secretary**

- (1) The appointment and dismissal of the secretary shall be dealt with by the committee only.
- (2) The society shall appoint a secretary, and such appointment shall be notified to the Royal Agricultural Society in writing under the hand of the chairman.
- (3) Any office bearer of the society may be appointed to the position of secretary, in which case the person so appointed shall be deemed to have resigned from the office previously held by him and the vacancy shall be filled in accordance with by-law 6.
- (4) Nothing in these by-laws, however, shall prevent one person holding the combined offices of secretary and treasurer of the society.

- (5) The society may appoint joint secretaries, should it so desire, without its being necessary to alter these by-laws to that effect.

*[By-law 17 amended: Gazette 25 Jan 2005 p. 340.]*

**18. General meetings**

A general meeting of members (6 to form a quorum) shall be held during each year, at such time and place as may be appointed by the committee. Such meeting shall —

- (a) elect the office bearers of the society in accordance with by-law 2;
- (b) elect the auditor of the society;
- (c) consider the annual report and yearly statement of accounts;
- (d) attend to any other business with which it is competent to deal under these by-laws.

**19. Summoning of special general meeting**

A special general meeting shall be called (6 to form a quorum) at any time by the secretary, on the direction of the president, or on the requisition in writing of 6 financial members; but no business shall be transacted at any such meeting other than that for which it has been called.

**20. Voting powers of chairman**

The chairman of any general or special general meeting shall have a deliberative vote, and, in case of equality of votes, a casting vote also.

**21. Notices of meeting**

- (1) Notice of any general or special general meeting shall be posted or delivered to members 14 days at least prior to the time fixed for such meeting.

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- (2) The accidental omission to give notice of any such meeting or the non-receipt of any such notice shall not invalidate any resolution passed at any such meeting.

*[By-law 21 amended: Gazette 25 Jan 2005 p. 340.]*

**22. Auditor**

The auditor shall hold office from and including the first day of the month following the date of the meeting at which such election takes place.

**23. How questions are to be decided**

Subject to the proviso hereinafter contained, all matters (except the election of office bearers) to be dealt with at general meetings shall be determined on the voices, unless a division be called for.

**24. Committee**

- (1) The committee shall have the control and management of the income and expenditure of the funds of the society, and also the entire management and superintendence of all the society's other affairs and concerns, and also the appointment and management of its officers and servants.
- (2) The president shall preside at all meetings of the committee. In the absence of the president, the members present shall elect a chairman from among their number. The chairman presiding at any meeting shall have a deliberative and, in the case of equality of votes, a casting vote also.

*[By-law 24 amended: Gazette 25 Jan 2005 p. 340.]*

**25. Rescinding resolutions**

No motion, the effect of which, if carried, would be to rescind any resolution previously passed by the committee during the same year shall be entertained, unless notice of intention to move the same shall have been given in writing to the secretary

at least 14 days prior to the holding of the meeting of the committee at which it is proposed to move such resolution.

**26. Sale of property**

No real property belonging to the society shall be sold, except by the authority of a majority of members present, at an annual general meeting or at a special general meeting called for the purpose and of which purpose notice was stated in the notice convening such meeting.

**27. Borrowing powers**

- (1) The committee may, with the sanction of a resolution passed by members in general meeting or in any special meeting called for the purpose, raise money by bank overdraft or by the issue of debentures, or by such other means as may be approved of at such meeting, and, if necessary, may secure the payment thereof by any mortgage or charge upon the property of the society, or by such other means as the members by such resolution shall decide.
- (2) The notice convening any general or special meeting at which it is intended to seek the foregoing power from members shall set out the intention of the committee to seek such power, and such notice shall be posted or delivered to each member not less than 14 days before which the meeting is convened.

*[By-law 27 amended: Gazette 25 Jan 2005 p. 340.]*

### Notes

- <sup>1</sup> This reprint is a compilation as at 18 November 2005 of the *Royal Agricultural Society Uniform By-laws 1941* and includes the amendments made by the other written laws referred to in the following table. The table also contains information about any reprint.

### Compilation table

| Citation   | Gazettal                 | Commencement  |
|--|--------------------------|---|
| Untitled by-laws <sup>2</sup>  | 13 Jun 1941<br>p. 815-17 | 13 Jun 1941   |
| <i>Decimal Currency Act 1965</i> (Act. No. 113 of 1965)<br>assented to 21 Dec 1965   |                          | Act other than s. 4-9: 21 Dec<br>1965 (see s. 2(1));<br>s. 4-9: 14 Feb 1966 (see s. 2(2)) |
| <i>Royal Agricultural Society Amendment<br/>By-laws 2005</i>   | 25 Jan 2005<br>p. 339-40 | 25 Jan 2005   |
| <b>Reprint 1: The <i>Royal Agricultural Society Uniform By-laws 1941</i> as at 18 Nov 2005</b><br>(includes amendments listed above) |                          |   |

- <sup>2</sup> Now known as the *Royal Agricultural Society Uniform By-laws 1941*; citation changed (see note under bl. 1).

## Defined terms

*[This is a list of terms defined and the provisions where they are defined.  
The list is not part of the law.]*

| <b>Defined term</b> | <b>Provision(s)</b> |
|---------------------|---------------------|
| committee .....     | 1(2)                |
| society .....       | 1(2)                |