

1 CONSTITUTION OF THE GEELONG AMATEUR RADIO CLUB INCORPORATED (N° 10446).

1. NAME AND PURPOSE

- 1.1 The name of the incorporated association is: GEELONG AMATEUR RADIO CLUB INCORPORATED (In these rules called "the Club").
- 1.2 The club shall operate as a non-profit organisation.
- 1.3 The purpose of the club is to promote amateur radio as a hobby.

2. INTERPRETATION

- 2.1 "Committee" means the Committee of Management of the Club.
"Financial Year" means the year ending on the 30th April.
"General Meeting" means a general meeting of members convened in accordance with Rule 9
"Special General Meeting" means a general meeting of members convened in accordance with Rule 10.
"Member" means a member of the Club.
"Ordinary Member of the Committee" means a member of the Committee who is not an officer of the Club under Rule 21.
"The Act" means the Associations Incorporation Act 1981.
"The Regulations" means the regulations under the Act.
- 2.2 Words or expressions contained in these rules shall be interpreted in accordance with the provisions of the Acts Interpretations Act 1958 and the Act as in force from time to time.
- 2.3 In these rules, any reference to the singular is also a reference to the plural and any reference to the male gender is also a reference to any other gender.

3. MEMBERSHIP OF THE CLUB

- 3.1 A person who has an interest in amateur radio as a hobby can be nominated for membership and, if approved for membership as provided in these rules, is eligible to be a member of the Club on payment of the annual subscription payable under these rules.
- 3.2 A person who is not a member of the Club at the time of the incorporation of the Club (or who was a member at the time but has ceased to be a member) shall not be admitted to membership
 - (a) unless he is nominated as per Rule 3.3; and
 - (b) his admission as a member is approved by the Committee.
- 3.3 A nomination of a person for membership of the Club shall:
 - (a) be made in writing in the form set out in Appendix 1.
 - (b) be lodged with the Secretary of the Club, and
 - (c) be accompanied by the first year's membership fee; no nomination fee shall be payable.
- 3.4 As soon as practicable after the receipt of a nomination, the Secretary shall refer the nomination to the Committee.
- 3.5 Upon a nomination being referred to the Committee, the Committee shall determine whether to approve or to reject the nomination.



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- 6 Upon nomination being approved by the Committee, the committee shall, with as little delay as possible, notify the nominee, that he is approved for membership of the Club. In the event that the application is unsuccessful, all monies received shall be returned to the applicant.
- 7 The treasurer shall enter the name of the nominee in the register of members kept by him and, upon the name being so entered, the nominee becomes a member of the Club.
- 8 A right, privilege, or obligation of a person by reason of his membership of the Club: -
(a) is not capable of being transferred to another person;
(b) terminates upon the cessation of his membership whether by death or resignation or otherwise.
- 9 The Committee may nominate such persons as it deems fit as Life Members of the Club. The nomination shall be voted on by secret ballot at an Annual or Special General Meeting and must be carried by at least a 70% majority.
- 10 In becoming a member of the Club, the person agrees to abide by the Club's constitution, rules and bylaws.

4. ANNUAL SUBSCRIPTION

- 4.1 An annual subscription shall be levied upon all members of the Club and shall be of such an amount as decided by the Committee and approved by a General Meeting.
- 4.2 All annual subscriptions are payable in advance and fall due on the first day of the financial year.
- 4.3 A person shall be removed from membership of the Club if he remains unfinancial for more than three months.
- 4.4 Life members shall not be levied an annual subscription.
- 4.5 New applicants who are admitted to membership during the course of the financial year shall pay a full year's membership. The amount payable in the second year of membership shall be calculated on a pro-rata basis of the membership period of the first year.

5. REGISTER OF MEMBERS

- 5.1 The treasurer shall keep and maintain a register of members in which shall be entered the full name, address and date of entry of the name of each member and the register shall be available for inspection by members at the clubrooms on normal club meeting nights.
- 5.2 If a person's membership terminates for any reason whatsoever, the treasurer shall make in the register of members an entry recording the date of and reason for the termination of that membership.



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6. RESIGNATION OF A MEMBER

- 6.1 A member of the Club may resign from the Club by first giving one month's notice in writing to the Secretary of his intention to resign and upon the expiration of that period of notice, the member shall cease to be a member.

7. EXPULSION OF A MEMBER

- 7.1 Subject to these rules, the Committee may by resolution, expel or suspend a member from membership of the Club for a specified period, if the Committee is of the opinion that the member: -
- (a) has refused or neglected to comply with these rules; or
 - (b) has refused or neglected to comply with the bylaws of the club as decided by the Committee and approved by a general meeting.
 - (c) has been guilty of conduct unbecoming of a member or prejudicial to the interests of the Club.
- 7.2 A resolution of the Committee under Rule 7.1: -
- (a) does not take effect unless the Committee, at a meeting held between 14 and 29 days after the service on the member of a notice under Rule 7.3 confirms the resolution in accordance with this rule; and
 - (b) where the member exercises a right of appeal to the Club under this rule, the resolution does not take effect unless the Club confirms the resolution in accordance with this Rule.
- 7.2 Where the Committee passes a resolution under Rule 7.1, the Secretary shall, as soon as practicable, cause to be served on the member a notice in writing: -
- (a) setting out the resolution of the Committee and the grounds on which it is based;
 - (b) stating that the member or his representative may address the Committee at a meeting to be held between 14 and 28 days after service of the notice;
 - (c) stating the date, place and time of that meeting;
 - (d) informing the member that he may do one or more of the following:
 - (i) attend that meeting;
 - (ii) give the Committee before the date of that meeting a written statement seeking the revocation of the resolution
 - (iii) not later than 24 hours before the date of the meeting, lodge with the Secretary a notice to the effect that he wishes to appeal to the Club, at a General Meeting, against the resolution
- 7.4 At a meeting of the Committee held in accordance with Rule 7.2, the Committee shall: -
- (a) give the member or his representative an opportunity to be heard;
 - (b) give due consideration to any written statement submitted by the member; and
 - (c) by resolution determine whether to confirm or revoke the resolution.
- 7.5 Where the Secretary receives a notice under Rule 7.3, the Committee shall be informed and the Committee shall convene a General Meeting of the Club to be held within 21 days after the date on which the Secretary received the notice.



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- 7.6 At a general meeting of the Club convened under Rule 7.5:-
- (a) no business other than the question of the appeal shall be transacted;
 - (b) the Committee may place before the meeting details of the grounds for the resolution and the reasons for the passing of the resolution;
 - (c) the member shall be given an opportunity to be heard; and
 - (d) the members present shall vote by secret ballot on the resolution;
 - (e) the resolution will only be confirmed if two-thirds of the members vote in person or by proxy in its favor and in any other case, the resolution is revoked.

8. ANNUAL GENERAL MEETING

- 8.1 The Club shall in each calendar year convene an Annual General Meeting of its members in accordance with the Act.
- 8.2 The Annual General Meeting shall be held in each year at a convenient date, place and time in April as the Committee decides.
- 8.3 The Annual General Meeting shall be specified as such in the notice convening it.
- 8.4 The ordinary business of the Annual General Meeting shall be:-
- (a) to read and confirm the minutes of the last annual general meeting.
 - (b) to receive from the Committee reports on the transactions of the Club during the last preceding financial year.
 - (c) to transact special business of which notice is given in accordance with these rules.
 - (d) to transact other general business.
 - (e) to elect officers of the Club and the ordinary members of the Committee; and
 - (f) to receive and consider the statement submitted by the Club in accordance with the Act.

9. GENERAL MEETINGS

- 9.1 The Committee shall convene General Meetings of the Club to be held at least every two months.
- 9.2 The business of General Meetings shall be to:
- (a) receive and adopt the minutes of the previous General Meeting;
 - (b) receive and adopt the reports of the office bearers;
 - (c) to receive and accept correspondence;
 - (d) to transact any business on notice; and
 - (e) to transact any other general business.
 - (f) to review, amend and enact bylaws.



10. SPECIAL GENERAL MEETINGS

- 10.1 The Committee may convene a Special General Meeting of the Club if a question of urgent importance arises or when, but for this rule, more than 15 months would elapse between Annual General Meetings.
- 10.2 The Committee shall, on receiving a requisition in writing signed by at least 4 members of the Club, convene a Special General Meeting of the Club.

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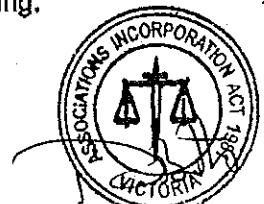
- 10.3 The requisition for a Special General Meeting shall state the objects of the meeting and shall be sent to the Secretary at the address of the Club.
- 10.4 If the Committee does not cause a Special General Meeting of the Club to be held within one month of the date on which the requisition is sent to the Secretary, any of the members making the requisition may convene a Special General Meeting, in a manner as nearly as possible to other general meetings, to be held not later than 3 months after that date.
- 10.5 No business other than that set out in the notice convening the meeting shall be transacted at the meeting.

11. NOTICE OF MEETINGS

- 11.1 The Secretary of the Club shall, at least 14 days before the date fixed for holding an Annual General Meeting or Special General Meeting of the Club, cause to be sent to each member of the Club at his address appearing in the register of members, a notice stating the place, date and time of the meeting and the nature of the business to be transacted.
- 11.2 The Secretary shall, at least 7 days before the date fixed for holding a General Meeting of the Club, cause to be sent to each member of the Club at his address appearing in the register of members, a notice stating the place, date and time of the meeting.
- 11.3 A member desiring to bring any business before a General Meeting may give notice of that business in writing to the Secretary, who shall include that business in the agenda of the next General Meeting.

12. PROCEEDINGS AT MEETINGS

- 12.1 No item of business shall be transacted at any meeting of the Club unless a quorum of members entitled to vote under these rules is present during the time when the meeting is considering that item.
- 12.2 At any meeting of the Club, 10 or more members personally present being members entitled to vote under these rules at a meeting of the Club, shall constitute a quorum.
- 12.3 If within half an hour of the appointed time for the commencement of any General Meeting, a quorum is not present, the meeting shall stand adjourned to the same day in the next week at the same time and place, unless otherwise specified by the Chairman at the time of the adjournment or by written notice to members given before the day to which the meeting is adjourned.
- 12.4 If at an adjourned meeting a quorum is not present within half an hour after the time appointed for the commencement of the meeting, the members present (being not less than 5) shall be a quorum.
- 13.1 The President shall preside as chairman at a meeting of the Club.
- 13.2 If the President is unable to preside as chairman, the members present shall elect one of the other members of the Committee to preside as Chairman at the meeting.



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- 13.3 If no Committee member is present, the members present shall elect one of their number to preside as Chairman at the meeting.
- 14.1 The Chairman of a 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 shall be transacted at an adjourned meeting other than the business left unfinished at the meeting at which the adjournment took place.
- 14.2 Where a meeting is adjourned for 15 days or more, a notice of the adjourned meeting shall be given as for a General Meeting.
- 14.3 Except as provided in Rules 14.1 and 14.2, it is not necessary to give notice of an adjournment or of the business to be transacted at an adjourned meeting.
- 15.1 A question arising at a meeting of the Club shall be determined by a show of hands and unless before or on the declaration of the show of hands a poll is demanded, a declaration by the Chairman 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 Club is evidence of the act, without proof of the number or proportion of the votes recorded in favor or against, that resolution.
- 15.2 A question arising as in the case of rule 15.1 can only be carried by a clear majority of those financial members present.
- 16.1 Upon any question arising at a meeting of the Club, a member has one vote only.
- 16.2 All votes shall be given personally or by proxy.
- 16.3 In the case of an equality of voting on a question, the Chairman of the meeting is entitled to exercise a second or casting vote.
- 17.1 If at a meeting a poll is demanded by not less than 3 members, it shall be taken at the meeting in such a manner as the Chairman may direct and the resolution of the poll shall be deemed to be a resolution of the meeting on that question.
- 17.2 A poll that is demanded on the election of a Chairman or on a question of an adjournment shall be taken forthwith and a poll that is taken on any other question shall be taken at such time before the close of the meeting as the Chairman may direct.
- 18 A member is not entitled to vote at any general meeting unless all moneys due and payable by him to the club have been paid, other than the amount of the annual subscription payable in respect of the current financial year, provided that membership has not been terminated due to Rule 4.3.
- 19.1 A member shall be entitled to appoint another member as his proxy by notice given to the Secretary no later than the start of the meeting in respect of which the proxy is appointed.
- 19.2 A notice of proxy shall be in form set out in appendix 2.
- 20.1 The affairs of the Club shall be managed by a Committee of Management constituted as provided in Rules 21 and 22.



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20.2 The Committee: -

- (a) shall control and manage the business and affairs of the Club;
- (b) may, subject to these rules, the regulations and the Act, exercise all such powers and functions as may be exercised by the Club other than those powers and functions that are required by these rules to be exercised by general meetings of the members of the Club; and
- (c) subject to these rules, the regulations and the Act, has power to perform all such acts and things as appear to the Committee to be essential for the proper management of the business and affairs of the Club.

20.3 A majority of the members of the Committee shall be holders of an Amateur Class Licence.

21.1 The officers of the Club shall be: -

- (a) a President;
- (b) a Secretary; and
- (c) a Treasurer.

21.2 In the event of a casual vacancy in any office referred to in Rule 21.1, the Committee may appoint one of its members to the vacant office and the member so appointed may continue in office until the conclusion of the Annual General Meeting next following the date of his appointment.

22.1 Subject to the provisions of the Act, the Committee shall consist of:

- (a) the officers of the Club; and
- (b) two ordinary members.

22.2 Each member of the Committee shall, subject to these rules, be elected at the Annual General Meeting of the Club in each year and shall hold office until the Annual General Meeting next following the date of his election but is eligible for re-election.

22.3 In the event of a casual vacancy occurring in the office of an ordinary member of the Committee, the Committee may appoint a member of the Club to fill the vacancy and the member so appointed may continue in office until the conclusion of the Annual General Meeting next following the date of his appointment.

23. ELECTION OF OFFICERS

23.1 Written nominations of candidates for election as officers of the Club or as ordinary members of the Committee shall be:-

- (a) signed by two members of the Club;
- (b) accompanied by the written consent of the candidate; and
- (c) be delivered to the Secretary of the Club.

23.2 Further nominations shall be received at the Annual General Meeting, provided that: -

- (a) each nomination is seconded by another member of the Club; and
- (b) the nominee consents to the nomination.

23.3 If only one nomination is received for each vacancy to be filled, the persons nominated shall be deemed to be elected.

23.4 If the number of nominations exceeds the number of vacancies to be filled, a ballot shall be held.



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- 23.5 The ballot for the election of officers and ordinary members of the Committee shall be conducted at the Annual General Meeting in such usual and proper manner as the Committee may direct.
- 23.6 A nomination of a candidate for election under this rule is not valid if that candidate has been elected to another office at the same election.
- 23.7 The appointment of the Public Officer of the Club shall be qualified by the provisions of the Act.
- 23.8 A member may not serve as president for more than two consecutive one-year terms at a time.

24. VACANCY.

- 24.1 For the purposes of these rules, the office of an officer of the Club or of an ordinary member of the Committee becomes vacant if the officer or member: -
- (a) ceases to be a member of the Club;
 - (b) becomes an insolvent under administration within the meaning of the Companies (Victoria) Code; or
 - (c) resigns his office by notice in writing to the Secretary.
- 24.2 The office of the Public Officer shall become vacant for any reason provided for in the Act.

25. PROCEEDINGS OF COMMITTEE

- 25.1 The Committee shall meet at least 3 times in each year at such place and such times as the Committee may determine.
- 25.2 Special meetings of the Committee may be convened by the President or by any 2 of the members of the Committee.
- 25.3 The Secretary shall cause notice of a meeting or special meeting of the Committee to be sent, within a reasonable time before the meeting, to each member of the Committee.
- 25.4 Notice of any special meeting shall specify the nature of the business to be transacted and no other business shall be transacted at such a meeting.
- 25.5 Any 4 members of the Committee constitute a quorum for the transaction of business of a meeting of the Committee.
- 25.6 No business shall be transacted unless a quorum is present and if within half an hour of the time appointed for the meeting a quorum is not present the meeting shall stand adjourned to the same place and at the same time of the same day of the following week unless the meeting was a special meeting in which case it lapses.
- 25.7 At meetings of the Committee:-
- (a) the President shall preside; or
 - (c) if the President is absent, one of the remaining members of the Committee, chosen by the members present, shall preside.



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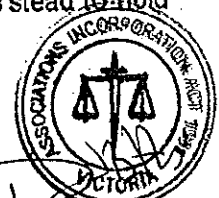
- 25.8 Questions arising at a meeting of the Committee or of any sub-committee appointed by the Committee shall be determined by a show of hands or, if demanded by a member, by a poll taken in such manner as the person presiding at the meeting may determine.
- 25.9 Each member present at the meeting of the Committee or of any subcommittee appointed by the Committee (including the person presiding at the meeting) is entitled to one vote and, in the event of an equality of votes on any question, the person presiding may exercise a second or casting vote.

26. DUTIES OF OFFICERS

- 26.1 The President shall preside over meetings and shall organise meetings and Committee meetings as required. He shall co-ordinate activities and act as spokesperson of the Club.
27. The Secretary shall: -
(a) conduct the correspondence of the Club;
(b) keep minutes of the resolutions and proceedings of each meeting and each Committee meeting in books provided for that purpose together with a record of the names of persons present at Committee meetings; and
(c) keep in his custody or keep under his control all books, documents and securities of the Club.
28. The Treasurer shall: -
(a) collect and receive all moneys due to the Club and make all payments authorised by the Club;
(b) keep correct accounts and books showing the financial affairs of the Club with full details of all receipts and expenditure connected with the activities of the Club;
(c) make available for inspection by members at all general meetings of the Club, the accounts and books referred to in clause (b);
(d) at each General and Committee Meeting, submit a statement showing the financial position of the Club;
(e) make up the balance sheet of the Club to the 31st of March, and present it to the following Annual General Meeting;
(f) at the beginning of each financial year, in conjunction with the Committee, prepare a budget as an estimate of the projected income and expenditure of the Club for the financial year. This budget is to be presented and discussed at the next General Meeting after the Annual General Meeting;
29. The Public Officer of the Club shall:
(a) be responsible for fulfilling the requirements of the Act with respect to the Club;
(b) keep in his custody a copy of the Act, and shall procure, with the costs to be paid by the Club, any amendments to the Act;
(c) make available for inspection by the members of the Club, a copy of the Act; and
(d) perform such other duties as may be required by these rules.

30. REMOVAL OF A MEMBER OF COMMITTEE

- 30.1 The Club, at a General Meeting, may by resolution remove any member of the Committee before the expiration of his term of office and appoint another member in his stead to hold office until the expiration of the term of the first-mentioned member.



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- 30.2 Where the member to whom a proposed resolution referred to in Rule 30.1 makes representations in writing to the Secretary or President of the Club (not exceeding a reasonable length) and requests that they be notified to the members of the Club, the Secretary or President may send a copy of the representations to each member of the Club or, if they are not so sent, the member may require that they be read out at the meeting.
- 30.3 Any member of the Committee who is absent from 3 consecutive meetings of the Committee without sufficient reason, as determined by the other Committee members, may, according to Rule 30.1, be removed from office.

31. CHEQUES

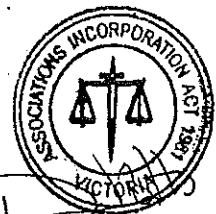
- 31.1 All cheques, drafts, promissory notes and other negotiable instruments shall be signed by two members of the Committee.

32. SEAL

- 32.1 The Common Seal of the Club shall be kept in the custody of the Secretary.
- 32.2 The Common Seal shall not be affixed to any instrument except by the authority of the Committee and the affixing of the Common Seal shall be attested by the signatures either of two members of the Committee or of one member of the Committee and of the Public Officer of the Club.

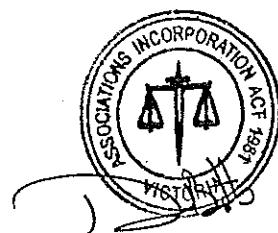
33. ALTERATION OF RULES AND STATEMENT OF PURPOSES

- 33.1 The Club may only alter these rules by Special Resolution in accordance with the Act.
- 33.2 The Public Officer of the Club shall, within one month after the passing of a Special Resolution altering these rules, lodge with the Registrar of Incorporated Associations notice in writing of the special resolution setting out particulars of the alteration together with a declaration signed by at least two members of the Committee of the Club to the effect that the special resolution was passed in accordance with the Act.
- 33.3 A notice lodged under Rule 33.2 shall be accompanied by the prescribed fee.
- 33.4 An alteration of these rules is of no effect until Rule 33.2 has been complied with in respect of that alteration.
- 33.5 In accordance with the Act, a resolution of the Club is a Special Resolution if it passed by a majority of not less than three-fourths of such members of the Club as being entitled to vote under these rules.
- 33.6 In accordance with the Act, at any meeting at which a Special Resolution is submitted, a declaration by the Chairman that the resolution has been carried shall be conclusive evidence of the fact, unless a poll is demanded.



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- 37.8 The mediator, in conducting the mediation, must-
- (a) give the parties to the mediation process every opportunity to be heard; and
 - (b) allow due consideration by all parties of any written statement submitted by any party; and
 - (c) ensure that natural justice is accorded to the parties to the dispute throughout the mediation process.
- 37.9 The mediator must not determine the dispute.
- 37.10 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 otherwise at law.



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34. NOTICES

- 34.1 A notice may be served by or on behalf of the Club upon any member either personally or by sending it by post to the member at his address shown in the Register of Members.
- 34.2 Where a document is properly addressed pre-paid and posted to a person as a letter, the document shall, unless the contrary is proved, be deemed to have been given to the person at the time at which the letter would have been delivered in the ordinary course of post.

35. WINDING UP OR CANCELLATION

- 35.1 In the event of the winding up of, or the cancellation of the incorporation of the Club, in accordance with the provisions of the Act, the assets of the Club are to be realised and, after the discharge of all liabilities, the remaining funds shall be donated to the Wireless Institute of Australia, Victorian Division.

36. FUNDS

- 36.1 The funds of the club shall be derived from annual subscriptions, donations and such other sources as the Committee determines.
- 36.2 The club will not accept any funds from the tobacco industry.

37. DISPUTES

- 37.1 The grievance procedure set out in this rule applies to disputes under these Rules between -
- (a) a member and another member; or
 - (b) a member and the club.
- 37.2 The parties to the dispute must meet and discuss the matter in dispute, and, if possible, resolve the dispute within 14 days after the dispute comes to the attention of all of the parties.
- 37.3 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, hold a meeting in the presence of a Mediator.
- 37.4 The mediator must be -
- (a) a person chosen by agreement between the parties; or
 - (b) in the absence of agreement -
 - (i) in the case of a dispute between a member and another member, the committee of the club or
 - (ii) in the case of a dispute between a member and the club, a person who is a member of the Dispute Settlement Centre of Victoria (Department of Justice).
- 37.5 A member of the club can be a mediator.
- 37.6 The mediator cannot be a member who is a party to the dispute.
- 37.7 The parties to the dispute must, in good faith, attempt to settle the dispute by mediation.



Appendix 2

GEELONG AMATEUR RADIO CLUB INC. (No. 10446)

FORM OF APPOINTMENT OF PROXY

I,

of

being a member of the **GEELONG AMATEUR RADIO CLUB INC.**

appoint

of

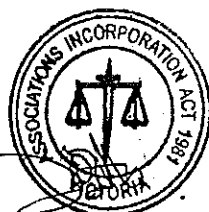
being a member of that Incorporated Association, as my proxy to vote for me on my behalf at the general meeting of the Club (annual general meeting or special general meeting, as the case may be) to be held on

..... 19..... and at any adjournment of that meeting.

My proxy is authorised to vote in favor of / against (delete as appropriate) the resolution (insert details).

Signed

Date



Appendix 1

GEELONG AMATEUR RADIO CLUB INC. (No. 10446)

CLUBROOMS:

Storrer St
East Geelong, Vic.

POSTAL ADDRESS:

P.O. Box 520
Geelong Vic. 3220

MEMBERSHIP APPLICATION

I,
of
..... Phone

wish to apply for membership of the Geelong Amateur Radio Club Inc. in the following membership category :-

FULL () PENSIONER/STUDENT () JUNIOR () FAMILY ()

In the event of my admission as a member, I agree to abide by the constitution and rules of the Club.

Signature of Applicant Date

Applicants Callsign. (if held) Grade of Call

We, the undersigned, being financial members of the Geelong Amateur Radio Club Inc.,
hereby propose and second the above applicant for membership of the Club.

Signature of Proposer Callsign

Signature of Seconder Callsign



ASSOCIATIONS INCORPORATION ACT
1981 VICTORIA

I hereby certify this be a true
copy of the Form Constitution
being a document kept by the
Registrar of Incorporated
Associations



Deputy/Registrar of Incorporated
Associations

Dated this: 16 August 2011 .

