

W.A. Model Aircraft Sport Centre Inc. By-Laws (May 2012)

By-law 1.

Confirmation of AWA and MAAA membership

The Club Committee, its authorized representative or any nominated safety officer, shall have the power to confirm, by whatever means deemed appropriate, the A.W.A. Inc/M.A.A.A Inc. membership status of any and all Members as defined in Sub - rule 2 of the Constitution.

By-law 2.a

Complimentary visits by AWA associate or MAAA associate members

That unless the Executive decides otherwise , individual A.W.A. Inc. Associate Members or M.A.A.A. Inc. Associate Members from interstate Clubs or Associations, shall be permitted three (3) complimentary flying visits in any financial year. On each and every occasion, the Visitors Book shall be signed by the visitor and counter signed by a Member, who will in so counter signing, acknowledge that he or she accepts full responsibility for the said visitor for the duration of the visit. After completing three complimentary flights, a visitor must then join the WAMASC Club by payment of appropriate fees.

By-law 2.b.

Complimentary visits by non AWA or MAAA members

Non A.W.A. Inc. or M.A.A.A. Inc. Associate Members (e.g. trial flight for prospective members) will be permitted two (2) complimentary visits on the preceding principal (By-law 2.a.) with the proviso that they be accompanied by either a safety officer or a competent Member designated by a safety officer at all times whilst the visitor is in control of an aircraft.

By-law 3.

Payment of joining fees

That unless the Committee decides otherwise, any Member who allows his or her membership fees to fall into arrears for a period of twelve (12) months or more, shall be required to pay the full joining fees on re-joining.

Editorial changes made to By-Laws to conform with Constitution adopted by special resolution at special council meeting 9th March 2011. Updates and amendments approved by Committee in May 2011 and subsequent. Pre-Constitutional change By-Laws held for historical purposes by Secretary.

By-law 4.

Smoking

That unless the Committee decides otherwise, smoking is not permitted within 5 metres of any building, pits area, petrol powered machine or non-consenting member. (4/8/99)

By-law 5.

Paid Tuition

That all Paid Tuition can be carried out from Monday to Friday excluding Public Holidays at the discretion of the Committee. Prior written permission is to be sort from Committee to sanction this activity. (4/8/99) When such official approval is granted by Committee, a WAMASC card identifying this permission shall be issued to members that have been given approval to conduct paid tuition. (2/8/2000)

By-law 6.

An Emergency Contacts Board outside the transmitter compound with phone numbers for Whiteman Fire Contact, Hospital & Police is to be maintained in good order.

By-law 7.

Transmitter frequency

All flying will be conducted at WAMASC employing transmitter frequencies in the 36 MHz band with a 20 KHz frequency spacing. (4/4/2001) and the 2.4 GHz band (14/8/2009).

By-law 8.

Discipline

The following policy is to be followed when a member is deemed to be causing problems. WAMASC must be notified in writing by a member by making a signed formal complaint giving all details of the complaint.

WAMASC Committee will then decide what (if any) action must then be taken pursuant to its obligations under the Constitution Part 9: Expulsion and Penalties or Part 10: Suspension of Member as appropriate. (6/1/2002)

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By-law 9.

Safety Officers

Any MAAA qualified Flying Instructor or adult member who has attained Bronze Wings can also act as a Safety Officer with the full authority of the WAMASC Committee. The Chief Safety Officer for leaseholder purposes is the President/Chairperson unless this position is formally delegated to another member.

By-law 10.

Definitions of Projects:

- (a) Projects under \$1500(15/8/2009) are Minor Projects.
- (b) Projects over \$1500 (15/8/2009) are Major Projects.
- (c) Field Displays/Open-days are not covered under these procedures. (Refer to display procedures/committee for display procedures).
- (d) Emergency repairs are not covered under these procedures.

Major Project Submissions:

- (a) Major Project Submissions must be forwarded (email or postal) to all Committee Member WAMASC Secretary's upon completion.
- (b) There must be at least one calendar month between the time a Major Project Submission was mailed to Committee Members and WAMASC Secretary before the Submission is called to be voted upon.
- (c) Submissions can only be voted on at a WAMASC Committee Meeting.
- (d) No Submissions can be tabled at a WAMASC Executive Meeting.
- (e) WAMASC at a Committee meeting can accept, or reject the submission.
- (f) The WAMASC Committee shall direct the commencement and enactment date of the Submission by the Chairperson signing the Submission with a start date only after a vote in favour of the Submission.

Minor Project Submissions:

- (a) Minor Project submissions can be tabled at any WAMASC Executive Meeting.
- (b) Submissions can be voted on at a WAMASC Executive Meeting.
- (c) A WAMASC Executive meeting can accept, reject or return the Submission.

The WAMASC Executive shall direct the commencement of the Submission (with the project starting on the date or schedule specified in the submission) by the Chairperson signing the Submission after a vote in favour of the Submission

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By Law 11

Use of Noticeboards

The following rules shall apply for the use of State Centre Notice Boards.

The noticeboard(s) in the public area is/are only to be used for advertisements and other notices of interest to members. No detailed club matters, minutes or determinations of a sensitive nature are to be posted on this board.

The noticeboard within the transmitter compound is for use by committee for posting sensitive or confidential members only matters not appropriate for post on the outside noticeboard in public view.

Advertisements and other notices placed on the public area noticeboard(s) by members:

1. Shall bear the full name and contact phone number of the poster
2. Shall include the date the notice was posted on the noticeboard
3. Shall have a 60 day life after which they shall be removed
4. Not bearing any one or all of the full name, contact details or date requirements shall be immediately removed from the notice board.

By Law 12 (ratified 02 May 2012)

Procedures for conduct of an Appeal against decisions under Rule 9.5 or 10.5.

These instructions are to be followed when a Committee of Peers pursuant to Clause 9.5 or 10.5 of the Constitution is required by committee to hear an appealed matter.

These procedures do not apply to disciplinary outcomes of the MAAA resulting from matters dealt by that body. For appeal procedures against those matters reference should be made to MAAA MOP 28 for guidance.

An application for an appeal setting out the reasons upon which the appeal is being made may be lodged through the Secretary within seven (7) days of disciplinary action being served upon a member. The grounds for an appeal must be legitimate. An appeal cannot be granted simply because the member does not agree with the outcome.

It must be borne in mind that a Committee of Peers primary function is to determine that procedural fairness was achieved in the matter at hand for the member seeking redress. The Committee of Peers is not charged with re-hearing the matter nor determining if the penalty was just, only that the decision was fairly arrived at. To do this the President, The Club Committee and or the Committee of Peers shall comply with the following:

- (i) The Committee of Peers shall be comprised of up to seven members or an uneven number decided by the executive in order that a decision can be reached without impasse.

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- (ii) All Committee of Peers members including the person chairing shall have one substantive vote only.
- (iii) In order to avoid an impasse, the members comprising the Committee of Peers shall be able to vote on the matter at hand in the affirmative to legitimise the decision process or in the negative to dismiss the decision process as faulty. No abstention votes are acceptable.
- (iv) One additional member shall be appointed to advise the Peers on National Rules, State and Club Constitutional and By-Laws matters and shall be appointed by the Club President to the Committee of Peers. The adviser does not have a vote in the proceedings and is only there to assist the Peers with interpretation of points contained within those documents.
- (v) One additional member shall be appointed (if requested by the Committee of peers) as Scribe for the hearing and shall faithfully record all proceedings. It is preferable that the scribe augment his/her note taking with the use of a suitable audio recording device. Such written and electronic records shall be transferred to the Club Secretary's custody after the proceedings have been declared closed and shall remain the property of the Club. The Scribe does not have a vote.
- (vi) The appointment of members of the Committee of Peers shall be by volunteering. Such volunteers' names shall be placed in a hat (sic) and the appropriate number to man the Committee plus two reserves shall be drawn out until reaching the agreed number in (i) of members to serve on that committee plus their reserves.
- (vii) Should the appellant also be a member of an affiliated member legacy club, then a maximum of two volunteers only from the appealing member's affiliated legacy club may be appointed to the seven member Committee of Peers or a maximum of one affiliate club member for any appointment of a lesser number of Committee of Peers than seven.
- (viii) The member seeking appeal shall be apprised only of the identity of his/her peers selected to hear the appeal (but not the identities of the reserves) and shall have the once only right to change any two members of the Committee of Peers prior to convening of the hearing without giving reasons for such change to the President. If this is required then the two reserves shall be called for duty. Excepting if the reserves then infringe the requirements of (vii) then further volunteer names shall be drawn until the limitations of (vii) can be met. This privilege is not reversible, recognises that it is a benefit for the member and anonymity of reserves promotes fairness and reinforces the gravity and import of this once only privilege.

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- (ix) All selected Committee of Peers members (and reserves) shall be financial members of the State Centre club of at least twelve months standing, have reached the age of majority, not hold a position on the club committee and not have participated in the original finding against the member.
- (x) In the event an affirmative vote is decided, no further action is required and the Committee of Peers is then dissolved.
- (xi) In the event a negative vote is decided, the Club Committee will be required to review and take whatever remedial action is needed in order to resolve and correct the matter.
- (xii) The Committee of Peers decision will be final and cannot be overturned by the Club executive or committee.
- (xiii) The appellant cannot appeal a determination made by a Committee of Peers.

Conduct of proceedings

- A) Prior to convening for the hearing, the Committee of Peers members shall elect a Chairperson from among their number.
- B) The Chairperson shall preside over all matters and maintain decorum throughout the hearing and decide the order of business.
- C) The meeting will be convened.
- D) The hearing is not a spectacle and will not entertain visitors if the appellant does not wish them to be present. The Chairperson can remove any member at any time for disrupting proceedings.
- E) A person wishing to speak shall raise their hand and after being recognised by the Chair, the Chairperson shall yield the floor to that speaker.
- F) The Chair can reclaim the floor at any time by giving such notice to a speaker after which the speaker has two minutes to conclude his/her point. When two minutes has lapsed, the speaker will immediately yield the floor to the Chair without delay and resume his seat.
- G) The Chair is then in a position to use the floor himself or recognise another petitioner to speak.
- H) The Chairperson shall ask the appellant to table his evidence before the committee and answer any and all questions that may be put to him/her by that committee in a truthful manner.
- I) Should any statement by the appellant be determined by the Committee of Peers to be false, the hearing will immediately be aborted and the original finding shall stand.
- J) The appellant may not table statements from other members, but can call other members as witnesses should the Chair deem it necessary to clarify a point. Once that point has been clarified to the Committee's satisfaction, the witness shall be asked to leave the chamber.

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- K) Should any statement by the witness member be revealed to be false, the hearing will immediately be aborted and the original finding shall stand.
- L) The hearing venue will be cleared and the Committee of Peers will retire and reach a decision.
- M) The appellant will be recalled and advised of the outcome.
- N) The Hearing will be closed.
- O) The Chair of the appeal should convey to WAMASC Secretary in writing, within seven (7) days, the decision reached so that the matter may be closed. This letter shall be tabled as “Correspondence In” at the next scheduled committee meeting.

By-Law 13. (ratified 02 May 2012)

Social Membership - non-flying parents and non-flying guardians of junior members.

Due to legislative requirements for working with children, the West Australian Model Aircraft Sports Centre (Inc.) Club is unable to offer services to unsupervised minors. Should a minor be accepted to undertake flight training and is not part of a Family Membership pairing (parent also flying) the following requirements apply:

- (i) A junior member’s parent or guardian who does not wish to fly shall become a Social Member as defined in the Constitution.
- (ii) The Parent or Guardian shall enter and remain within the pits to supervise their ward for the duration of their ward’s visit.
- (iii) The parent or guardian may not venture out to any other part of the precinct referred to as “airside” without a Safety Officer escort. “Airside” is defined as and includes but is not necessarily limited to the area bounded by the lease perimeter to the south, east and west and by the fence adjacent to the taxiway separating the pits from the 30 metre buffer zone of the airfield.
- (iv) While within the defined pits area or airside, the ward shall:
 - be in company at all times with either their parent/guardian when not flying,
 - their designated flight instructor for the duration of each instructional flight, but remain in view of their parent/guardian
 - and then return immediately to their parent/guardian upon completion of each such instructional flight.
- (v) Social Member fee is set from time to time by the committee and is currently \$20 per year.

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