

**VICTORIAN RACING PIGEON UNION INCORPORATED**  
**Associations Incorporation Rules as at March 2019**

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## PART 1—PRELIMINARY

### 1 Name

The name of the incorporated association is "Victorian Racing Pigeon Union Incorporated". (In these rules called the VPU).

### 2 Purposes

The purposes for which The Victorian Racing Pigeon Union Incorporated is established are: -

- (1) To encourage the breeding and racing of racing pigeons;
- (2) To ensure high standards of care and welfare of racing pigeons;
- (3) To encourage the staging of combined races between all affiliated Clubs and from time to time with other racing pigeon associations;
- (4) To encourage an interest in and increase participation in the sport of pigeon racing;
- (5) To promote the highest ideals of sportsmanship and honesty in the sport of pigeon racing;
- (6) For the protection and improvement of pigeon racing and encouragement of Federation races.

### 3 Financial year

The financial year of the VPU is each period of 12 months ending on 31<sup>st</sup> December

### 4 Definitions

In these Rules—

*absolute majority*, of the Committee, means a majority of the committee members currently holding office and entitled to vote at the time (as distinct from a majority of committee members present at a committee meeting);

*associate member* means a member referred to in rule 14(1);

*Chairperson*, of a general meeting or committee meeting, means the person chairing the meeting as required under rule 46;

*Committee* means the Committee having management of the business of the VPU;

*committee meeting* means a meeting of the Committee held in accordance with these Rules;

*committee member* means a member of the Committee elected or appointed under Division 3 of Part 5;

*disciplinary appeal meeting* means a meeting of the members of the VPU convened under rule 23(3);

*disciplinary meeting* means a meeting of the Committee convened for the purposes of rule 22;

*disciplinary subcommittee* means the subcommittee appointed under rule 20;

*financial year* means the 12 month period specified in rule 3;

*general meeting* means a general meeting of the members of the VPU convened in accordance with Part 4 and includes an annual general meeting, a special general meeting and a disciplinary appeal meeting;

*member* means a member of the VPU;

***member entitled to vote*** means a member who under rule 13(2) is entitled to vote at a general meeting;

***season*** means the racing programme for that year

***special resolution*** means a resolution that requires not less than two thirds of the members voting at a general meeting, whether in person or by proxy, to vote in favour of the resolution;

***Secretary-Treasurer of the VPU*** means

- (i) Where a person holds office under these Rules as Secretary-Treasurer of the VPU – to that person; and
- (ii) In any other case, to the public officer of the VPU.

***the Act*** means the **Association’s Incorporation Reform Act 2012** and includes any regulations made under that Act;

***the Registrar*** means the Registrar of Incorporated Associations.

Words or expressions contained in these rules shall be interpreted in accordance with the provisions of the Acts Interpretation Act 1984 and the Act as in force from time to time.

## **PART 2—POWERS OF VPU**

### **5 Powers of VPU**

- (1) Subject to the Act, the VPU has power to do all things incidental or conducive to achieve its purposes.
- (2) Without limiting sub rule (1), the VPU may—
  - (a) acquire, hold and dispose of real or personal property;
  - (b) open and operate accounts with financial institutions;
  - (c) invest its money in any security in which trust monies may lawfully be invested;
  - (d) raise and borrow money on any terms and in any manner as it thinks fit;
  - (e) secure the repayment of money raised or borrowed, or the payment of a debt or liability;
  - (f) appoint agents to transact business on its behalf;
  - (g) enter into any other contract it considers necessary or desirable.
- (3) The VPU may only exercise its powers and use its income and assets (including any surplus) for its purposes.

### **6 Not for profit organisation**

- (1) The VPU must not distribute any surplus, income or assets directly or indirectly to its members.
- (2) Sub rule (1) does not prevent the VPU from paying a member—
  - (a) reimbursement for expenses properly incurred by the member; or
  - (b) for goods or services provided by the member—if this is done in good faith on terms no more favourable than if the member was not a member.

## PART 3—MEMBERS, DISCIPLINARY PROCEDURES AND GRIEVANCES

### Division 1—Membership

#### 7 Membership

The VPU shall consist of financial members of affiliated Clubs who shall be governed by the Committee.

#### 8 Eligibility to be a member

Any person who supports the purposes of the VPU is eligible for membership.

#### 9 Application for membership

- (1) (a) Any Club desirous of becoming affiliated shall make application to the VPU Secretary-Treasurer and shall supply a list of at least six of its member's names and locations on the night of application.
- (b) Any person desirous of becoming a member shall make application to the appropriate Club Secretary who shall forward the application together with loft location.
- (2) All Clubs must submit a list of their office bearers to the VPU Secretary-Treasurer for the current year prior to the old bird series. These positions shall include President, Secretary and Clock Chairman.
- (3) All racing partnerships should have the name of the flyer whose location is being flown from as the first name in such a partnership.

#### 10 Consideration of application

- (1) Where a Club has made an application to the VPU Secretary-Treasurer a vote will be taken for their admission at the following Committee meeting. The Committee, whose decision will be final, shall consider the application for acceptance. In the event of an application being rejected, three months' notice in writing must be given before such Club can be again submitted for membership.
- (2) Where a person has made an application to the VPU Secretary-Treasurer a vote will be taken for their admission at the following Committee meeting. In the event of an applicant being rejected, three months' notice in writing must be given before such person can be again submitted for membership.
- (3) The Committee must notify the Club in writing of its decision as soon as practicable after the decision is made.
- (4) No Club may have as a member; an expelled person of another recognised homing Club or Federation except as approved by the Committee. Any affiliated Club that retains as a member any expelled person from a recognised homing Club or Federation, after being given due notice, shall cease to be an affiliated Club of the VPU.
- (5) No reason need be given for the rejection of an application.

#### 11 New membership

- (1) If an application for membership by a Club or person is approved by the Committee—
  - (a) the resolution to accept the membership must be recorded in the minutes of the committee meeting; and
  - (b) the Secretary-Treasurer must, as soon as practicable, enter the name and address of the new member, and the date of becoming a member, in the register of members.
- (2) A Club or person becomes a member of the VPU and, subject to rule 13(2), is entitled to exercise their rights of membership from the date, whichever is the later, on which—
  - (a) the Committee approves the Club or person's membership and
  - (b) the person pays the joining fee and membership fee

## **12 Annual subscription and fee on joining**

- (1) At each annual general meeting, the VPU must determine—
  - (a) the amount of the annual subscription (if any) for the following financial year; and
  - (b) the date for payment of the annual subscription.
- (2) The VPU may determine that a lower annual subscription is payable by associate members.
- (3) The VPU may determine that any new member who joins after the start of a financial year must, for that financial year, pay a fee equal to—
  - (a) the full annual subscription; or
  - (b) a pro rata annual subscription based on the remaining part of the financial year; or
  - (c) a fixed amount determined from time to time by the VPU.
- (4) The rights of a member (including the right to vote) who has not paid the annual subscription by the due date are suspended until the subscription is paid.

## **13 General rights of members**

- (1) A member of the VPU who is entitled to vote has the right—
  - (a) to receive notice of general meetings and of proposed special resolutions in the manner and time prescribed by these Rules; and
  - (b) to submit items of business for consideration at a general meeting; and
  - (c) to attend and be heard at general meetings; and
  - (d) to vote at a general meeting; and
  - (e) to have access to the minutes of general meetings and other documents of the VPU as provided under rule 80; and
  - (f) to inspect the register of members.
- (2) A member is entitled to vote if—
  - (a) the member is a member other than an associate member; and
  - (b) more than 10 business days have passed since he or she became a member of the VPU; and
  - (c) the member's membership rights are not suspended for any reason.
  - (d) all monies due and payable by the member to the VPU have been paid, other than the amount of the annual subscription payable in respect of the current financial year.
  - (e) only one financial member of any partnership is entitled to vote on any matter arising.

## **14 Associate members**

- (1) Associate members of the VPU include—
  - (a) any members under the age of 15 years; and
  - (b) any member who has not participated in racing pigeons for a continuous 2 seasons yet paid their annual membership fees.
- (2) An associate member must not vote but may have other rights as determined by the Committee or by resolution at a general meeting.

## **15 Rights not transferable**

The rights of a member are not transferable and end when membership ceases.

## **16 Ceasing membership**

- (1) The membership of a person ceases on resignation, expulsion or death.
- (2) Any Club or person retiring from the VPU before the end of the season must waive and forfeit all rights, monies, etc., deposited with the VPU and will be held liable for an equal part of any deficit on general expenses account.
- (2) If a person ceases to be a member of the VPU, the Secretary-Treasurer must, as soon as practicable, enter the date the person ceased to be a member in the register of members.

## **17 Resigning as a member**

- (1) A member may resign by notice in writing given to the VPU.
- (2) A member is taken to have resigned if—
  - (a) the member's annual subscription is more than 12 months in arrears; or
  - (b) where no annual subscription is payable—
    - (i) the Secretary-Treasurer has made a written request to the member to confirm that he or she wishes to remain a member; and
    - (ii) the member has not, within 3 months after receiving that request, confirmed in writing that he or she wishes to remain a member.

## **18 Register of members**

- (1) The Secretary-Treasurer must keep and maintain a register of members that includes—
  - (a) for each current member—
    - (i) the member's name;
    - (ii) the address for notice last given by the member;
    - (iii) the date of becoming a member;
    - (iv) if the member is an associate member, a note to that effect;
    - (v) any other information determined by the Committee; and
  - (b) for each former member, the date of ceasing to be a member.
- (2) Any member may, at a reasonable time and free of charge, inspect the register of members.

### **Division 2—Disciplinary action**

## **19 Grounds for taking disciplinary action**

The VPU may take disciplinary action against a member in accordance with this Division if it is determined that the member—

- (a) has failed to comply with these Rules; or
- (b) refuses to support the purposes of the VPU; or
- (c) has engaged in conduct prejudicial to the VPU; or
- (d) does not pay due respect to the Chairperson and uphold the dignity of the chair; or
- (e) disobeys the Chairperson's ruling and continues to do so; or

- (f) fails to comply with the VPU Code of Conduct; or
- \* (g) fails to comply with the Social Media Guidelines

## **20 Disciplinary subcommittee**

- (1) If the Committee is satisfied that there are sufficient grounds for taking disciplinary action against a member, the Committee must appoint a disciplinary subcommittee to hear the matter and determine what action, if any, to take against the member.
- (2) The members of the disciplinary subcommittee—
  - (a) may be Committee members, members of the VPU or anyone else; but
  - (b) must not be biased against, or in favour of, the member concerned.

## **21 Notice to member**

- (1) Before disciplinary action is taken against a member, the Secretary-Treasurer must give written notice to the member—
  - (a) stating that the VPU proposes to take disciplinary action against the member; and
  - (b) stating the grounds for the proposed disciplinary action; and
  - (c) specifying the date, place and time of the meeting at which the disciplinary subcommittee intends to consider the disciplinary action (the *disciplinary meeting*); and
  - (d) advising the member that he or she may do one or both of the following—
    - (i) attend the disciplinary meeting and address the disciplinary subcommittee at that meeting;
    - (ii) give a written statement to the disciplinary subcommittee at any time before the disciplinary meeting; and
  - (e) setting out the member's appeal rights under rule 23.
- (2) The notice must be given no earlier than 28 days, and no later than 14 days, before the disciplinary meeting is held.

## **22 Decision of subcommittee**

- (1) At the disciplinary meeting, the disciplinary subcommittee must—
  - (a) give the member an opportunity to be heard; and
  - (b) consider any written statement submitted by the member.
- (2) After complying with sub rule (1), the disciplinary subcommittee may—
  - (a) take no further action against the member; or
  - (b) subject to sub rule (3)—
    - (i) reprimand the member; or
    - (ii) fine the member; or
    - (iii) suspend the membership rights of the member for a specified period; or
    - (iv) expel the member from the VPU.
- (3) The suspension of membership rights or the expulsion of a member by the disciplinary subcommittee under this rule takes effect immediately after the vote is passed.



## **23 Appeal rights**

- (1) A person whose membership rights have been suspended or who has been expelled from the VPU under rule 22 may give notice to the effect that he or she wishes to appeal against the suspension or expulsion.
- (2) The notice must be in writing and given—
  - (a) to the disciplinary subcommittee immediately after the vote to suspend or expel the person is taken; or
  - (b) to the Secretary-Treasurer not later than 48 hours after the vote.
- (3) If a person has given notice under sub rule (2), a disciplinary appeal meeting must be convened by the Committee as soon as practicable, but in any event not later than 21 days, after the notice is received.
- (4) Notice of the disciplinary appeal meeting must be given to each member of the VPU who is entitled to vote as soon as practicable and must—
  - (a) specify the date, time and place of the meeting; and
  - (b) state—
    - (i) the name of the person against whom the disciplinary action has been taken; and
    - (ii) the grounds for taking that action; and
    - (iii) that at the disciplinary appeal meeting the members present must vote on whether the decision to suspend or expel the person should be upheld or revoked.

## **24 Conduct of disciplinary appeal meeting**

- (1) At a disciplinary appeal meeting—
  - (a) no business other than the question of the appeal may be conducted; and
  - (b) the Committee must state the grounds for suspending or expelling the member and the reasons for taking that action; and
  - (c) the person whose membership has been suspended or who has been expelled must be given an opportunity to be heard.
- (2) After complying with sub rule (1), the members present and entitled to vote at the meeting must vote by secret ballot on the question of whether the decision to suspend or expel the person should be upheld or revoked.
- (3) A member may not vote by proxy at the meeting.
- (4) The decision is upheld if not less than three quarters of the members voting at the meeting vote in favour of the decision.

### **Division 3—Grievance procedure**

## **25 Application**

- (1) The grievance procedure set out in this Division applies to disputes under these Rules between—
  - (a) a member and another member; or
  - (b) a member and the Committee; or

- (c) a member and the VPU; or
  - (d) a member and his or her Club.
- (2) A member must not initiate a grievance procedure in relation to a matter that is the subject of a disciplinary procedure until the disciplinary procedure has been completed.

## **26 Parties must attempt to resolve the dispute**

The parties to a dispute must attempt to resolve the dispute between themselves within 14 days of the dispute coming to the attention of each party.

## **\*27 Appointment of mediator**

- (1) If the parties to a dispute are unable to resolve the dispute between them within the time required by rule 26, the parties must within 10 days—
- (a) notify the Committee of the dispute; and
  - (b) agree to or request the appointment of a mediator; and
  - (c) attempt in good faith to settle the dispute by mediation.
- (2) The mediator must be—
- (a) a person chosen by agreement between the parties; or
  - (b) in the absence of agreement—
    - \* (i) if the dispute is between a member and another member then a person nominated by the Committee or the Committee or the VPU.
- (3) A mediator appointed by the Committee may be a member or former member of the VPU but in any case must not be a person who—
- (a) has a personal interest in the dispute; or
  - (b) is biased in favour of or against any party.

## **28 Mediation process**

- (1) The mediator to the dispute, in conducting the mediation, must—
- (a) give each party 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 throughout the mediation process.
- (2) The mediator must not determine the dispute.

## **\*29 Failure to resolve dispute by mediation**

If the mediation process does not resolve the dispute, then the current VPU committee shall determine the dispute after hearing the grievance dispute from both parties and may:

- (1) reprimand one or both members; and or
- (2) fine one or both members; and or
- (3) suspend the membership rights of one or both members for a specified period; or
- (4) expel one or both members from the VPU.

## **PART 4—GENERAL MEETINGS OF THE VPU**

### **30 Annual general meetings**

- (1) The Committee must convene an annual general meeting of the VPU held in the first week of March of each season.
- (2) The Committee may determine the date, time and place of the annual general meeting.
- (3) The ordinary business of the annual general meeting is as follows—
  - (a) to confirm the minutes of the previous annual general meeting and of any special general meeting held since then;
  - (b) to receive and consider—
    - (i) the annual report of the Committee on the activities of the VPU during the preceding financial year; and
    - (ii) the financial statements of the VPU for the preceding financial year submitted by the Committee in accordance with Part 7 of the Act;
  - (c) to elect the members of the Committee;
  - (d) to confirm or vary the amounts (if any) of the annual subscription and joining fee.
  - (e) presenting certificates and special prizes won during the past season; and
  - (f) such other business as may be necessary for the welfare of the VPU
- (4) The annual general meeting may also conduct any other business of which notice has been given in accordance with these Rules.

### **31 Special general meetings**

- (1) Any general meeting of the VPU, other than an annual general meeting or a disciplinary appeal meeting, is a special general meeting.
- (2) The Committee may convene a special general meeting whenever it thinks fit.
- (3) The President, or in his absence, the Vice-President, shall preside as Chairman at each general meeting of the VPU.
- (4) If the President and Vice-President are absent from a general meeting, the members present shall elect one of their numbers to preside as Chairman at the meeting.
- (5) The Committee shall have the power to deal with any business arising between meetings.
- (6) No business other than that set out in the notice under rule 33 may be conducted at the meeting.

### **32 Special general meeting held at request of Clubs**

- (1) The Committee must convene a special general meeting if a request to do so is made in accordance with sub rule (2) by at least four (4) Clubs.
  - (2) A request for a special general meeting must—
    - (a) be in writing; and
    - (b) state the business to be considered at the meeting and any resolutions to be proposed; and
    - (c) include the names and signatures of the Club President and Secretary-Treasurer requesting the meeting; and
    - (d) be given to the VPU Secretary-Treasurer.
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- (3) No business other than that set out in the notice under rule 33 may be conducted at the meeting.

### **33 Notice of general meetings**

- (1) The Secretary-Treasurer must give to each member of the VPU—
  - (a) at least 21 days' notice of a general meeting if a special resolution is to be proposed at the meeting; or
  - (b) at least 14 days' notice of a general meeting in any other case.
- (2) The notice must—
  - (a) specify the date, time and place of the meeting; and
  - (b) indicate the general nature of each item of business to be considered at the meeting; and
  - (c) if a special resolution is to be proposed—
    - (i) state in full the proposed resolution; and
    - (ii) state the intention to propose the resolution as a special resolution; and
  - (d) comply with rule 34(5).
- (3) A member desiring to bring any business before a meeting may give notice of that business in writing to the Secretary-Treasurer, who shall include that business in the notice calling for the next general meeting after the receipt of the notice.
- (4) A Notice of Motion to alter or rescind any Rule must first be forwarded to the Committee who shall make certain recommendations to a Special General Meeting called for the purpose or to the following Annual Meeting.
- (5) This rule does not apply to a disciplinary appeal meeting.

### **34 Proxies**

- (1) A member may appoint another member as his or her proxy to vote and speak on his or her behalf at a general meeting other than at a disciplinary appeal meeting.
  - (2) The appointment of a proxy must be in writing and signed by the member making the appointment.
  - (3) The member appointing the proxy may give specific directions as to how the proxy is to vote on his or her behalf, otherwise the proxy may vote on behalf of the member in any matter as he or she sees fit.
  - (4) If the Committee has approved a form for the appointment of a proxy, the member may use any other form that clearly identifies the person appointed as the member's proxy and that has been signed by the member.
  - (5) Notice of a general meeting given to a member under rule 33 must—
    - (a) state that the member may appoint another member as a proxy for the meeting; and
    - (b) include a copy of any form that the Committee has approved for the appointment of a proxy.
  - (6) A form appointing a proxy must be given to the Chairperson of the meeting before or at the commencement of the meeting.
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- (7) A form appointing a proxy sent by post or electronically is of no effect unless it is received by the Secretary – Treasurer of the VPU no later than 24 hours before the commencement of the meeting.

### **35 Use of technology**

- (1) A member not physically present at a general meeting may be permitted to participate in the meeting by the use of technology that allows that member and the members present at the meeting to clearly and simultaneously communicate with each other.
- (2) For the purposes of this Part, a member participating in a general meeting as permitted under sub rule (1) is taken to be present at the meeting and, if the member votes at the meeting, is taken to have voted in person.

### **36 Quorum at general meetings**

- (1) No business may be conducted at a general meeting unless a quorum of members is present.
- (2) The quorum for a general meeting is the presence (physically, by proxy or as allowed under rule 35) of at least twenty (20) of the members entitled to vote.
- (3) If a quorum is not present within 30 minutes after the notified commencement time of a general meeting—
  - (a) in the case of a meeting convened by, or at the request of, members under rule 32—the meeting must be dissolved;
  - (b) in any other case—
    - (i) the meeting must be adjourned to a date not more than 21 days after the adjournment; and
    - (ii) notice of the date, time and place to which the meeting is adjourned must be given at the meeting and confirmed by written notice given to all members as soon as practicable after the meeting.
- (4) If a quorum is not present within 30 minutes after the time to which a general meeting has been adjourned under sub rule (3)(b), the members present at the meeting (if not fewer than 3) may proceed with the business of the meeting as if a quorum were present.

### **37 Adjournment of general meeting**

- (1) The Chairperson of a general meeting at which a quorum is present may, with the consent of a majority of members present at the meeting, adjourn the meeting to another time at the same place or at another place.
- (2) Without limiting sub rule (1), a meeting may be adjourned—
  - (a) if there is insufficient time to deal with the business at hand; or
  - (b) to give the members more time to consider an item of business.
- (3) No business may be conducted on the resumption of an adjourned meeting other than the business that remained unfinished when the meeting was adjourned.
- (4) Notice of the adjournment of a meeting under this rule is not required unless the meeting is adjourned for 14 days or more, in which case notice of the meeting must be given in accordance with rule 33.

### **38 Voting at general meeting**

- (1) On any question arising at a general meeting—
  - (a) subject to sub rule (3), each member who is entitled to vote has one vote; and

- (b) members may vote personally or by proxy; and
  - (c) except in the case of a special resolution, the question must be decided on a majority of votes.
- (2) If votes are divided equally on a question, the Chairperson of the meeting has a second or casting vote.
  - (3) If the question is whether or not to confirm the minutes of a previous meeting, only members who were present at that meeting may vote.
  - (4) This rule does not apply to a vote at a disciplinary appeal meeting conducted under rule 24.

### **39 Special resolutions**

- (1) A special resolution is passed if not less than two thirds of the members voting at a general meeting (whether in person or by proxy) vote in favour of the resolution.
- (2) A special resolution is required—
  - (a) to remove a committee member from office;
  - (b) to alter these Rules, including changing the name or any of the Statement of Purposes of the VPU.

### **40 Determining whether resolution carried**

- (1) Subject to subsection (2), the Chairperson of a general meeting may, on the basis of a show of hands, declare that a resolution has been—
  - (a) carried; or
  - (b) carried unanimously; or
  - (c) carried by a particular majority; or
  - (d) lost—and an entry to that effect in the minutes of the meeting is conclusive proof of that fact.
- (2) If a poll (where votes are cast in writing) is demanded by three or more members on any question—
  - (a) the poll must be taken at the meeting in the manner determined by the Chairperson of the meeting; and
  - (b) the Chairperson must declare the result of the resolution on the basis of the poll.
- (3) A poll demanded on the election of the Chairperson or on a question of an adjournment must be taken immediately.
- (4) A poll demanded on any other question must be taken before the close of the meeting at a time determined by the Chairperson.

### **41 Minutes of general meeting**

- (1) The Committee must ensure that minutes are taken and kept of each general meeting.
- (2) The minutes must record the business considered at the meeting, any resolution on which a vote is taken and the result of the vote.
- (3) In addition, the minutes of each annual general meeting must include—
  - (a) the number of the members attending the meeting; and
  - (b) proxy forms given to the Chairperson of the meeting under rule 34(6); and

- (c) the financial statements submitted to the members in accordance with rule 30(4) (b) (ii); and
- (d) the certificate signed by the President certifying that the financial statements give a true and fair view of the financial position and performance of the VPU; and
- (e) any audited accounts and auditor's report or report of a review accompanying the financial statements that are required under the Act.

## **PART 5—COMMITTEE**

### **Division 1—Powers of Committee**

#### **42 Role and powers**

- (1) The business of the VPU must be managed by or under the direction of a Committee.
- (2) The Committee may exercise all the powers of the VPU except those powers that these Rules or the Act require to be exercised by general meetings of the members of the VPU.
- (3) The Committee may establish subcommittees consisting of members with terms of reference it considers appropriate.

#### **43 Delegation**

- (1) The Committee may delegate to a member of the Committee, a subcommittee, any of its powers and functions other than—
  - (a) this power of delegation; or
  - (b) a duty imposed on the Committee by the Act or any other law.
- (2) The delegation must be in writing and may be subject to the conditions and limitations the Committee considers appropriate.
- (3) The Committee may, in writing, revoke a delegation wholly or in part.

### **Division 2—Composition of Committee and duties of members**

#### **44 Composition of Committee**

- (1) The Officers of the VPU shall be -
  - (a) a President; and
  - (b) a Vice-President; and
  - (c) a Secretary-Treasurer-Treasurer; and
  - (d) an Assistant Secretary-Treasurer.

The duration of appointment of such officers shall be for twelve months with the exception of the Secretary-Treasurer where the appointment shall be for three years.
- (2) The Committee of the VPU shall consist of
  - (a) the Officers; and
  - (b) a further seven ordinary members who were nominated by their respective Clubs and duly elected by ballot by all affiliated VPU members under Rule 53.

All members of the committee, except for the Secretary-Treasurer and Assistant Secretary shall be honorary positions.

## **45 General Duties**

- (1) As soon as practicable after being elected or appointed to the Committee, each committee member must become familiar with these Rules and the Act.
- (2) The Committee is collectively responsible for ensuring that the VPU complies with the Act and that individual members of the Committee comply with these Rules.
- (3) Committee members must exercise their powers and discharge their duties with reasonable care and diligence.
- (4) Committee members must exercise their powers and discharge their duties—
  - (a) in good faith in the best interests of the VPU; and
  - (b) for a proper purpose.
- (5) Committee members and former committee members must not make improper use of—
  - (a) their position; or
  - (b) information acquired by virtue of holding their position so as to gain an advantage for themselves or any other person or to cause detriment to the VPU.
- (6) All the property of the VPU real and personal shall be vested in the VPU and managed by the current VPU committee. The committee shall deal with the property of the VPU as directed by a resolution of the members at an annual general meeting or a special meeting called for this purpose.
- (7) The Committee shall have the power to frame By-Laws for the conduct of all Federation and Special races, and the 'Federation' in such regulations shall be deemed to be identical with the VPU herein.
- (8) The VPU shall not be dissolved without the consent, in writing, of three-fourths of the Clubs affiliated as aforesaid, such consent to be given by a majority of the members of said respective clubs.
- (9) The Committee shall have the power to recommend changes to the Rules or Statement of Purposes of the VPU but no such alteration shall take effect until the same has been confirmed at the Annual Meeting or a Special General Meeting convened for the purpose. The Committee shall have the power to make By-Laws, Regulations and Conditions (not inconsistent with these Rules), as it may from time to time deem necessary. Half the elected members of the Committee shall form a quorum.
- (10) The Committee shall decide all questions and disputes of whatever kind arising not provided for in these Rules and By-Laws.
- (11) In addition to any duties imposed by these Rules, a committee member must perform any other duties imposed from time to time by resolution at a general meeting.

## **46 President and Vice-President**

- (1) It shall be the duty of the President to preside at all meetings of the VPU, to preserve order, to give a casting vote on all questions when required, sign the minutes of the previous meeting when confirmed by vote, he shall have a casting vote and he shall have power to call special meetings and sign cheques in conjunction with the Secretary-Treasurer and the Vice-President.
- (2) It shall be the duty of the Vice-President to attend all meetings and render assistance to the President on all occasions and to perform the duties of President in his stead, when he is absent, when he shall be vested with all the powers of the President.



- (3) If the President and the Vice-President are both absent, or are unable to preside, the Chairperson of the meeting must be—
  - (a) in the case of a general meeting—a member elected by the other members present; or
  - (b) in the case of a committee meeting—a committee member elected by the other committee members present.

#### **47 Secretary-Treasurer**

- (1) The Secretary-Treasurer must perform any duty or function required under the Act to be performed by the Secretary-Treasurer of an incorporated VPU.
- (2) The Secretary-Treasurer must—
  - (a) maintain the register of members in accordance with rule 18; and
  - (b) keep custody of the common seal (if any) of the VPU and, except for the financial records referred to in rule 70(3), all books, documents and securities of the VPU in accordance with rules 72 and 75; and
  - (c) subject to the Act and these Rules, provide members with access to the register of members, the minutes of general meetings and other books and documents; and
  - (d) perform any other duty or function imposed on the Secretary-Treasurer by these Rules.
  - (e) convene and attend all meetings, except such as he may be excused by the meeting from attending and keep an accurate account of all business transacted. He shall have charge of all property belonging to the VPU and shall keep in his custody or under his control all books, documents and securities of the VPU. He shall also produce a Balance Sheet, signed by Auditors, at the Annual Meeting, or at any time when he is requested to do so by the Committee. He shall also have for the information of the Committee a statement of the indebtedness of each affiliated club of the VPU at each meeting. He shall deposit all money in the Bank in the name of the Victorian Racing Pigeon Union and shall in conjunction with the President or Vice-President sign cheques. He shall also, at the Annual Meeting render a detailed statement, showing clearly the financial position of the VPU.
- (3) The Secretary-Treasurer must give to the Registrar notice of his or her appointment within 14 days after the appointment.

#### **48 Assistant Secretary-Treasurer**

- (1) The Assistant Secretary-Treasurer must—
  - (a) attend all meetings, and make an accurate record of the business transacted thereat. He shall also assist with the calculating of velocities in connection with VPU races.
  - (b) ensure that at least one other committee member has access to the accounts and financial records of the VPU.

#### **49 Auditors**

The Auditors shall prior to each annual meeting or at any time the VPU may direct, audit and examine all books, documents and balance sheets, and if correct, sign and certify to same accordingly.

#### **50 Ring Registrar**

It shall be the duty of the Ring Registrar to record each new season's ring issue and to keep an up-to-date record of the transferred pigeons and reported strays.

## **51 Clock Committee**

(1) (a) There shall be a clock committee comprising the President, Secretary-Treasurer and one member from each affiliated Club. Each member of the committee shall be appointed by his Club. The committee shall decide any question in respect to any time record. Three members of the committee shall form a quorum.

(b) All due respect shall be shown to the Chairman and members of the Clock Committee on clock setting and race days. A member whose conduct is deemed disorderly or offensive may be subject to disciplinary action.

## **52 Convoyer**

(1) It shall be the duty of the convoyer to take charge of race birds as soon as accessible and attend same until liberation. A VPU liberation report form will be completed for each race by the convoyer and given to the Secretary-Treasurer within 7 days.

### **Division 3—Election of Committee members and tenure of office**

## **53 Eligibility to be a Committee member**

(1) A member is eligible to be elected or appointed as a committee member if the member—

- (a) is 18 years or over; and
- (b) is entitled to vote at a general meeting; and
- (c) is nominated in writing to the Secretary-Treasurer by an affiliated Club of the VPU

## **54 Positions to be declared vacant**

(1) This rule applies to an annual general meeting of the VPU, after the annual report and financial statements of the VPU have been received.

(2) The Chairperson of the meeting must declare all positions on the Committee vacant and hold elections for those positions in accordance with rules 55 to 58.

## **55 Nominations**

(1) Nominations of members for committee shall be by their respective Clubs and duly elected by ballot by all affiliated VPU members.

(2) It is provided however that the neglect or failure of any affiliated Club to nominate a representative shall not in any way prejudice or limit the rights or powers of the Committee consisting of said Office bearers and such members who may have been nominated by their Clubs and elected by VPU ballot to the Committee.

(3) The name of each Club's nominees to the Committee shall be in the possession of the VPU Secretary-Treasurer by the 31st December of each year. Only three members per Club may be nominated.

(4) A member who is nominated for a position and fails to be elected to that position may be nominated for any other position for which an election is yet to be held.

## **56 Election of President etc.**

(1) At the annual general meeting, separate elections must be held for each of the following positions—

- (a) President;
- (b) Vice-President;
- (c) Secretary-Treasurer;
- (d) Assistant Secretary.

- (2) If only one member is nominated for the position, the Chairperson of the meeting must declare the member elected to the position.
- (3) If more than one member is nominated, a ballot must be held in accordance with rule 59.
- (4) On his or her election, the new President may take over as Chairperson of the meeting.

#### **57 Election of ordinary members**

- (1) The annual general meeting must by resolution decide the number of ordinary members of the Committee (if any) it wishes to hold office for the next year.
- (2) A single election may be held to fill all of those positions.
- (3) If the number of members nominated for the position of ordinary committee member is less than or equal to the number to be elected, the Chairperson of the meeting must declare each of those members to be elected to the position.
- (4) If the number of members nominated exceeds the number to be elected, a ballot must be held in accordance with rule 59.

#### **58 Election of Life Members**

Any Club desirous of nominating any VPU member for Life Membership must in the first instance submit such a nomination to the Committee for consideration. The Committee reserves the right not to recommend, without any reason, any nomination, but if any nomination is not recommended by the Committee then the Club making such a nomination shall be notified.

#### **59 Ballot**

- (1) If a ballot is required for the election for a position, the Chairperson of the meeting must appoint a member to act as returning officer to conduct the ballot.
  - (2) The returning officer must not be a member nominated for the position.
  - (3) Before the ballot is taken, each candidate may make a short speech in support of his or her election.
  - (4) The election must be by secret ballot.
  - (5) The returning officer must give a blank piece of paper to—
    - (a) each member present in person; and
    - (b) each proxy appointed by a member.
  - (6) If the ballot is for a single position, the voter must write on the ballot paper the name of the candidate for whom they wish to vote.
  - (7) If the ballot is for more than one position—
    - (a) the voter must write on the ballot paper the name of each candidate for whom they wish to vote;
    - (b) the voter must not write the names of more candidates than the number to be elected.
  - (8) Ballot papers that do not comply with sub rule (7) (b) are not to be counted.
  - (9) Each ballot paper on which the name of a candidate has been written counts as one vote for that candidate.
  - (10) The returning officer must declare elected the candidate or, in the case of an election for more than one position, the candidates who received the most votes.
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- (11) If the returning officer is unable to declare the result of an election under sub rule (10) because 2 or more candidates received the same number of votes, the returning officer must—
  - (a) conduct a further election for the position in accordance with sub rules (4) to (10) to decide which of those candidates is to be elected; or
  - (b) with the agreement of those candidates, decide by lot which of them is to be elected.

## **60 Term of office**

- (1) Subject to sub rule (3) and rule 62, a committee member holds office until the positions of the Committee are declared vacant at the next annual general meeting.
- (2) A committee member may be re-elected.
- (3) A general meeting of the VPU may—
  - (a) by special resolution remove a committee member from office; and
  - (b) elect an eligible member of the VPU to fill the vacant position in accordance with this Division.
- (4) A member who is the subject of a proposed special resolution under sub rule (3) (a) may make representations in writing to the Secretary-Treasurer or President of the VPU (not exceeding a reasonable length) and may request that the representations be provided to the members of the VPU.
- (5) The Secretary-Treasurer or the President may give a copy of the representations to each member of the VPU or, if they are not so given, the member may require that they be read out at the meeting at which the special resolution is to be proposed.

## **61 Vacation of office**

- (1) A committee member may resign from the Committee by written notice addressed to the Committee.
- (2) A person ceases to be a committee member if he or she—
  - (a) ceases to be a member of the VPU; or
  - (b) fails to attend 3 consecutive committee meetings (other than special or urgent committee meetings) without leave of absence under rule 72; or
  - (c) On the death or resignation of any Officer of the VPU or of any member of the Committee or if an Officer of the VPU or member of the Committee shall be removed from the office by a resolution of the Committee, the Committee shall appoint an Officer or Officers of the VPU or member or members of the Committee to fill any vacancy or vacancies so occurring. All such appointees shall hold office or be members of the Committee as the case may be until the next Annual meeting.
  - (d) otherwise ceases to be a committee member by operation of section 78 of the Act.

## **62 Filling casual vacancies**

- (1) The Committee may appoint an eligible member of the VPU to fill a position on the Committee that—
  - (a) has become vacant under rule 61; or
  - (b) was not filled by election at the last annual general meeting.
- (2) If the position of Secretary-Treasurer becomes vacant, the Committee must appoint a member to the position within 14 days after the vacancy arises.

- (3) Rule 60 applies to any committee member appointed by the Committee under sub rule (1) or (2).
- (4) The Committee may continue to act despite any vacancy in its membership.

#### **Division 4—Meetings of Committee**

### **63 Meetings of Committee**

- (1) The Committee must meet at least 6 times in each year at the dates, times and places determined by the Committee.
- (2) The date, time and place of the first committee meeting must be determined by the members of the Committee as soon as practicable after the annual general meeting of the VPU at which the members of the Committee were elected.
- (3) Special committee meetings may be convened by the President or by any 4 members of the Committee.

### **64 Notice of meetings**

- (1) Notice of each committee meeting must be given to each committee member no later than 7 days before the date of the meeting.
- (2) Notice may be given of more than one committee meeting at the same time.
- (3) The notice must state the date, time and place of the meeting.
- (4) If a special committee meeting is convened, the notice must include the general nature of the business to be conducted.
- (5) The only business that may be conducted at the meeting is the business for which the meeting is convened.

### **65 Urgent meetings**

- (1) In cases of urgency, a meeting can be held without notice being given in accordance with rule 64 provided that as much notice as practicable is given to each committee member by the quickest means practicable.
- (2) Any resolution made at the meeting must be passed by an absolute majority of the Committee.
- (3) The only business that may be conducted at an urgent meeting is the business for which the meeting is convened.

### **66 Procedure and order of business**

- (1) The procedure to be followed at a meeting of a Committee must be determined from time to time by the Committee.
- (2) The order of business may be determined by the members present at the meeting.

### **67 Use of technology**

- (1) A committee member who is not physically present at a committee meeting may participate in the meeting by the use of technology that allows that committee member and the committee members present at the meeting to clearly and simultaneously communicate with each other.
- (2) For the purposes of this Part, a committee member participating in a committee meeting as permitted under sub rule (1) is taken to be present at the meeting and, if the member votes at the meeting, is taken to have voted in person.

## **68 Quorum**

- (1) No business may be conducted at a Committee meeting unless a quorum is present.
- (2) The quorum for a committee meeting is the presence (in person or as allowed under rule 67) of a majority of the committee members holding office.
- (3) If a quorum is not present within 30 minutes after the notified commencement time of a committee meeting—
  - (a) in the case of a special meeting—the meeting lapses;
  - (b) in any other case—the meeting must be adjourned to a date no later than 14 days after the adjournment and notice of the time, date and place to which the meeting is adjourned must be given in accordance with rule 64.

## **69 Voting**

- (1) On any question arising at a committee meeting, each committee member present at the meeting has one vote.
- (2) A motion is carried if a majority of committee members present at the meeting vote in favour of the motion.
- (3) Sub rule (2) does not apply to any motion or question which is required by these Rules to be passed by an absolute majority of the Committee.
- (4) The President and Secretary-Treasurer shall not have any deliberate vote in any matter under discussion at any Committee meeting, but in the case of the President, he shall have a casting vote if necessary. It is further provided that the President and Secretary-Treasurer shall attend all Committee meetings when possible to act in any advisory capacity to the Committee
- (5) Voting by proxy is not permitted.

## **70 Conflict of interest**

- (1) A committee member who has a material personal interest in a matter being considered at a committee meeting must disclose the nature and extent of that interest to the Committee.
- (2) The member—
  - (a) must not be present while the matter is being considered at the meeting; and
  - (b) must not vote on the matter.
- (3) This rule does not apply to a material personal interest—
  - (a) that exists only because the member belongs to a class of persons for whose benefit the VPU is established; or
  - (b) that the member has in common with all, or a substantial proportion of, the members of the VPU.

## **71 Minutes of meeting**

- (1) The Committee must ensure that minutes are taken and kept of each committee meeting.
- (2) The minutes must record the following—
  - (a) the names of the members in attendance at the meeting;
  - (b) the business considered at the meeting;
  - (c) any resolution on which a vote is taken and the result of the vote;
  - (d) any material personal interest disclosed under rule 70.

## **72 Leave of absence**

- (1) The Committee may grant a committee member leave of absence from committee meetings for a period not exceeding 3 months.
- (2) The Committee must not grant leave of absence retrospectively unless it is satisfied that it was not feasible for the committee member to seek the leave in advance.

## **PART 6—FINANCIAL MATTERS**

## **73 Source of funds**

The funds of the VPU may be derived from joining fees, annual subscriptions, donations, fund-raising activities, grants, interest and any other sources approved by the Committee.

## **74 Management of funds**

- (1) Subject to any restrictions imposed by a general meeting of the VPU, the Committee may approve expenditure on behalf of the VPU.
- (2) The Committee may authorise the Secretary -Treasurer to expend funds on behalf of the VPU (including by electronic funds transfer) up to a specified limit without requiring approval from the Committee for each item on which the funds are expended.
- (3) All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments must be signed by the President and the Secretary –Treasurer.

## **75 Financial records**

- (1) The VPU must keep financial records that—
  - (a) correctly record and explain its transactions, financial position and performance; and
  - (b) enable financial statements to be prepared as required by the Act.
- (2) The VPU must retain the financial records for 7 years after the transactions covered by the records are completed.
- (3) The Secretary -Treasurer must keep in his or her custody, or under his or her control—
  - (a) the financial records for the current financial year; and
  - (b) any other financial records as authorised by the Committee.

## **76 Financial statements**

- (1) For each financial year, the Committee must ensure that the requirements under the Act relating to the financial statements of the VPU are met.
- (2) Without limiting sub rule (1), those requirements include—
  - (a) the preparation of the financial statements;
  - (b) if required, the review or auditing of the financial statements;
  - (c) the certification of the financial statements by the Committee;
  - (d) the submission of the financial statements to the annual general meeting of the VPU;
  - (e) the lodgement with the Registrar of the financial statements and accompanying reports, certificates, statements and fee.

## PART 7—GENERAL MATTERS

### 77 Common Seal

- (1) 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 VPU.
- (2) The Common Seal must be kept in the custody of the Secretary-Treasurer.

### 78 Registered address

The registered address of the VPU is—

- (a) the address determined from time to time by resolution of the Committee; or
- (b) if the Committee has not determined an address to be the registered address— the postal address of the Secretary-Treasurer.

### 79 Notice requirements

- (1) Any notice required to be given to a member or a committee member under these Rules may be given—
  - (a) by handing the notice to the member personally; or
  - (b) by sending it by post to the member at the address recorded for the member on the register of members; or
  - (c) by email or facsimile transmission.
- (2) Sub rule (1) does not apply to notice given under rule 65.
- (3) Any notice required to be given to the VPU or the Committee may be given—
  - (a) by handing the notice to a member of the Committee; or
  - (b) by sending the notice by post to the registered address; or
  - (c) by leaving the notice at the registered address; or
  - (d) if the Committee determines that it is appropriate in the circumstances—
    - (i) by email to the email address of the VPU or the Secretary-Treasurer; or
    - (ii) by facsimile transmission to the facsimile number of the VPU.

### 80 Custody and inspection of books and records

- (1) Members may on request inspect free of charge—
  - (a) the register of members;
  - (b) the minutes of general meetings;
  - (c) subject to sub rule (2), the financial records, books, securities and any other relevant document of the VPU, including minutes of Committee meetings.
- (2) The Committee may refuse to permit a member to inspect records of the VPU that relate to confidential, personal, employment, commercial or legal matters or where to do so may be prejudicial to the interests of the VPU.
- (3) The Committee must on request make copies of these rules available to members and applicants for membership free of charge.



(4) Subject to sub rule (2), a member may make a copy of any of the other records of the VPU referred to in this rule and the VPU may charge a reasonable fee for provision of a copy of such a record.

(5) For purposes of this rule—

*relevant documents* means the records and other documents, however compiled, recorded or stored, that relate to the incorporation and management of the VPU and includes the following—

(a) its membership records;

(b) its financial statements;

(c) its financial records;

(d) records and documents relating to transactions, dealings, business or property of the VPU.

### **81 Winding up and cancellation**

(1) The VPU may be wound up voluntarily by special resolution.

(2) In the event of the winding up or the cancellation of the incorporation of the VPU, the surplus assets of the VPU must not be distributed to any members or former members of the VPU.

(3) Subject to the Act and any court order made under section 133 of the Act, the surplus assets must be given to a body that has similar purposes to the VPU and which is not carried on for the profit or gain of its individual members.

(4) The body to which the surplus assets are to be given must be decided by special resolution.

### **82 Alteration of Rules**

These Rules and Regulations may be added to, appealed or amended by a majority of members at any Annual General Meeting or Special General Meeting called for that purpose. All new rules will be published annually in the VPU Year Book.

**Members are respectively requested to make themselves fully conversant with these Rules and Regulations**

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## PART 8–RACE CONDITIONS

### 83. Races

The Committee shall have the power to frame Regulations for the conduct of races between pigeons belonging to various Clubs in affiliation with the VPU, and 'Federation' and in respect of combined races with other Associations; and in such regulations, shall be deemed to be identical with the VPU herein.

### 84. Routes

It shall be the duty of the Committee to provide a series of races on four routes, West, North West, North and North East. They shall have the power to alter or vary the race schedule or race route or the day the race will be conducted at any time should the necessity arise. Race schedules for the subsequent year shall be presented to clubs not later than the AGM each year.

### 85. Liberation/Convoyer

The Committee shall have the power of appointing and remunerating the Convoyer and Supervisors, and making all arrangements and details as to the liberation of the birds.

### 86. Birds

All birds must fly to a member's loft, and be the absolute property of members in whose names they are raced, and be shown within six days of close of race alive, if required, to the appointed representative of the VPU, who shall have the power to liberate the birds at the member's loft, and which must return to the member's loft, in his presence. Any infraction of this rule shall annul all rights to prizes and to future competition in Federation Races. The VPU shall also be at liberty to send a representative to investigate the legitimate ownership of any pigeon, the expense of such investigation, as fixed by the VPU, to be borne by the defaulting member, and to be recoverable as and for liquidated damages.

### 87. Loss or Damage

The VPU shall not be responsible for any loss or damage of any birds at any time under any circumstances whatsoever.

### 88. Food and Water

The VPU, in all races, shall provide food and water for all race birds under their charge where necessary, and in accordance with the Code of Practice.

### 89. Food Mix

The birds are to be fed a balanced mixture of different grains whilst in the care of the convoyer.

### 90. Arrival at Race Point

All pigeons should arrive at the race point a minimum of three hours prior to being liberated in all VPU races, or within a time as decided by the liberation committee.

### 91. Ring Registration

Registration lists from all flyers for the forthcoming racing season is to be forwarded to Ring Registrar as soon as possible prior to the start of the Short and Long Distance series or at the Annual General Meeting for that season. Any registrations after the commencement of the series shall incur a fine of \$50.

**92. Rubber Ring**

Unless, in the opinion of the Committee, a clerical error has occurred, the numbers on the rubber race ring, produced in clock, must correspond with those on the entry form.

**93. Contacting the Convoyer**

Any competitor other than the VPU President and Secretary - Treasurer and any member of the liberation committee contacting the Convoyer or in any way interfering with the liberation of birds shall be debarred from the race and future competition in the VPU for such times as the Committee may determine.

**94. Birds for Liberation**

Any member of the VPU sending birds for liberation to the race point on the day of races, otherwise than through his Club, shall be disqualified for the remainder of the season.

**95. Basketing**

All birds competing in Federation races must be basketed as directed by the VPU.

**96. A bird unfit to compete**

No pigeon, which in the opinion of any member of the Committee or elected room steward, is in any way unfit to compete, and shall be allowed to compete in any race conducted by the VPU. Any pigeon showing signs of pigeon pox or other infectious disease shall be refused entry into race units.

**97. Inoculations**

- (1) Any member desiring to inoculate their racing pigeons with pigeon pox serum must complete the inoculation by the second weekend in May. Any birds inoculated after this date without the written approval of the VPU Committee will be ineligible to compete in that season's Old Bird Series.
- (2) All members must vaccinate all their pigeons for PMV1 on a yearly basis. Newly bred birds are to be vaccinated at approximately 25 days old and again with a booster after 4 weeks all in accordance with veterinary advice and manufacturer's recommendations. In any case, all newly bred race birds must be vaccinated at a minimum of 3 months prior to the first race and again at 2 months prior to the first race. Each year, prior to the commencement of racing, a flyer or partnership must produce a signed and witnessed VPU Committee approved document showing evidence of vaccination. Failure to submit such document will render the flyer ineligible to compete in that season's racing.

**98. Race Entries**

Statements as to entry numbers etc. for nominated races are to be forwarded to the VPU Secretary - Treasurer on the night of basketing. The VPU will accept late entries for nomination races at a cost of \$2.00 per bird extra to normal entry fees.

**99. Distribution of Prize money**

All Federation races will race for prize money as follows – 50% to open fed and 50% to section. Section prize money will be allotted pro rata to the number of birds sent in each section, which will comprise of a short section, long section and a section for flyers north of Donnybrook Road.

#### **100. Releases**

In all races where birds cannot be liberated on the scheduled day they can be held over for release on the following day or transported to another race point of equal or lesser distance for liberation. If release is not possible on the second day, a decision on what procedure is necessary is to be left in the hands of the Committee.

#### **101. Loft flying distances**

An official, to be appointed by the VPU, shall measure members flying distances, over any course decided upon, and only those measurements shall be accepted. The original measurements shall be held by the VPU, but the Secretary - Treasurer must supply a copy of same. All objections to the said measurements must be lodged with the Secretary - Treasurer within seven days of the race.

#### **102. Members from the same loft**

Up to two VPU members may compete and fly their birds to the same loft or premises. Each member must be a bona fide flyer in their own right and be a participating member at the VPU rooms during the racing season. Each member shall compete under the Rules of the VPU and within the Code of Conduct. Each new member will be subject to Rule 9.1 (b). Each member is entitled to compete under the same rules and fees that apply to members competing individually to their own loft or premises. Each VPU member must fly all the races they compete in during the season to the same loft or premises, unless they are incapable of doing so by a change of residence or otherwise, in which case the Committee may grant to fly their birds to another loft or premises.

#### **103. Race entry sheets**

Race entries must be made on an entry form recognised and approved by the VPU, and all marks on life rings and a correct description of birds entered, a verification slip containing an accurate description of all clocked birds and all markings on life rings must be produced with clock. An individual verification page must be completed for each bird clocked.

#### **104. Bird entry numbers**

There shall be a restriction on every member of the VPU of 50 birds to be entered for Federation events up to 400km and then a restriction of 30 birds for Federation events greater than 400; with the exception of a limit as specified on the race schedule for a particular race. The Committee may decide to reduce these entry numbers if there is insufficient transport available for the conveying of pigeons to a certain race point.

#### **105. Entry forms**

All entry forms must be presented with one bird on each line provided on the form. Entries to be in numerical order with no blank lines between entries. All members must fill their entry forms in ink only, or produce an approved computer printed form. The club Secretary - Treasurer or appointed person shall rule a line immediately below the last pigeon and sign their name below such line prior to basketing. The signature of the penciller must also be added after the entry form has been processed. Any alterations including liquid paper alterations to ring numbers will not be accepted. Alterations to ring prefixes will be permitted for rings other than VPU. The names or flyer numbers of the handlers, penciller and ringer must be recorded on the back of the entry form. If a bird is not listed on the original entry sheet, it can be entered via a separate VPU entry book if a \$2 fine is paid.

#### **106. Deemed winner**

The Federation prizes and awards will be awarded on the system of velocity proper i.e. the bird making the greatest velocity and complying with all the VPU Rules and Regulations to be deemed the winner.

**107. Same velocity**

If after the second decimal of any velocity two or more clocks are even, then such clocks shall be deemed to be of the same time, and are equal values of prize.

**108. Prize money**

Should only one flyer get a bird home within the time limit he or she shall be entitled to all the prize money, but should two or more competitors home birds within the limit then;

- (1) When a second competitor gets a bird home within the time limit he or she shall receive second prize money and share with the first competitor all the surplus money.
- (2) When a third competitor gets a bird home within the time limit he or she shall receive third prize money and share with the first and second competitor all the surplus money until all prizes are taken.
- (3) Section prize money will follow these same formulae.

**109. Closure of races**

Races up to 400kms shall close at dark on the day of liberation; from 401kms to 700kms, at dark on the day following the day of liberation; from 701kms to 850kms at dark on the third day following the day of liberation; over 851kms at dark on the fourth day following the day of liberation.

**110. Extending races**

In the event of the race not won within the specified time the Committee shall have the power to extend same. The race will close before the specified time if all Federation places have been won, however, Sections will remain open until filled or until the close of that race.

**111. Hours of darkness**

In the case of races extending over one day where there are no pigeons homing on the day of liberation, the closure of the race shall be sunset and re-opened at sunrise. In the event of a pigeon arriving after the official closure of the race, the race shall re-open on the clocking of that pigeon and close 30 minutes later. The same procedure to apply to all birds clocked prior to sunrise.

**112. Diplomas**

The place-getters in all Federation events shall receive VPU diplomas. These diplomas shall give the position won in the Federation race and also the particulars of the clocked bird.

**113. Impossible velocity**

Should any competitor be credited with having made a velocity that the Committee deems impossible on the day, then the Committee shall have absolute power to disqualify the said bird in the said race, although there may be no evidence to suggest or support any fraudulent practice of the competitor or any other person responsible for making or dispatching of the birds to or at the race point.

**114. Aggregate**

The VPU shall award a trophy to the winner of the Short Distance, Long Distance and combined Old bird aggregates.

**115. Eligibility for combined aggregate**

For members to be eligible to compete for the combined aggregate they must compete in both the Short Distance and Long Distance in the Old Bird series.

### **116. Aggregate points**

Aggregate points shall be awarded to all birds gaining a Federation position. In the case where a flyer takes two positions, the points gained by the second pigeon in the Federation result will become null and void.

### **117. Protests**

Protests of any description must be submitted in writing and received by the Secretary - Treasurer within 14 days of declaration of race. Within 14 days of such receipt the Committee shall meet and make a decision either upholding or dismissing the Protest and notify the Protestor of their decision.

### **118. Federation points**

There shall be 20 Federation positions awarded in the Short and Long Distance series, with prize money allocated to the first 15 positions only in the series. The VPU shall award a trophy to all federation winners.

### **119. Clocks**

- (1) All competitors in Federation Races must have a clock specially made for timing homing pigeons, the same to have the approval of the Committee and no alteration shall be allowed to any clock, other than may be sanctioned by the Committee.
- (2) All clocks used by competitors in Federation races must be set and sealed as decided by the Committee and shall have a number thereon. No competitor shall have more than one clock for each Federation race, and shall have the name of the competitor thereon.
- (3) In the event of a clock ceasing to function after a bird has been timed in, the clock Committee shall disqualify such clock from such race but the owner of such clock may take the stopped clock to the Club Clock Chairman who has the power to open such clock and transfer the rubber ring and thimble to another clock and stamp the time of such transfer. The time recorded at such transfer is then accepted as the time of arrival of the pigeon. The faulty clock to be retained by the club clock chairman and presented to the Clock Committee for inspection the same day.
- (4) All birds competing in any Club, Federation or Special race conducted by the VPU must carry a rubber race ring. Only one rubber race ring can be placed in the recognised thimble, which must be then put in the clock provided for that purpose. For thimble-less clocks only one rubber race ring can be placed in each clocking hole. If more than one rubber race ring is placed in the thimble or thimble-less clock hole that competitor will be disqualified and no time will be given to any bird flown by that competitor in that race.
- (5) The VPU Committee shall have the power to view any competitor's clock at any time during the progress of a race and impound same if found to be faulty. In the event that a flyer uses a clock specifically designed to be operated thimble-less and the Committee has approved that clock, that flyer does not have to use a thimble.
- (6) All computer thimble or thimbles less computer clocks are approved for use in VPU Federation events. As these clocks do not have a paper tape in them, the code number inserted for each particular race is to be recorded on the clock sheet at the time of clock setting and checked at the time of clock presentation. It is the sole responsibility of the flyer that uses this type of clock to produce a printer on race days so a readout can be retrieved for race calculations. In the event that it is impossible to produce a read out tape for a particular race then the flyer will be given no time.
- (7) Where dolometers are present on clocks they are to be checked annually. Dolometers are to be reset at zero for each race. Any clock on being returned with a dolometer reading of 5 or above will be penalized one minute for each full gradient of 5 showing on the dolometer. The penalty shall be added to the clocking time.

## **120. Clock Pullovers**

All clocks must be pulled over twice against the chronometer after clock production at a VPU clock production centre. In the event of a member clocking from a race but being unable to obtain a variation on the chronometer pull, the Chairman of the VPU Clock Committee may open the clock and obtain such variation. The clock to be produced at the VPU rooms with seal intact.

## **121. Fast and Slow Clocks**

- (1) All clocks to be started at actual time, obtained from a chronometer, and a record of the time kept. Hole 2 to be showing when leaving the rooms.
- (2) In the event of a clock when compared against the chronometer after clocking showing a variation in excess of five (5) seconds to the hour either way, fast or slow;
  - i) In the event of a fast clock the full proportion of variation (5 secs each hour) up to the time of clocking be deducted from the clocking time and any variation in excess of five (5) seconds shall remain the actual clocking time.
  - ii) In the event of a slow clock the full proportion of variation (5 secs each hour) up to the time of clocking shall be added to the clocking time and any variation in excess of five (5) seconds each hour shall be doubled and then added to the clocking time. The foregoing rules cannot be so construed as to prevent the Clock Committee from exercising the powers invested in it and any member whose clock varies in excess of ten (10) seconds to the hour must notify the VPU Secretary - Treasurer or a member of the Clock Committee before clocking.
- (3) All paper rolls must bear the name of the race, the club, flyer's name, number, setting date and two signatures, at least one a Clock Committee member. If paper roll is incomplete no time will be given.

## **122. Clocking birds for Federation**

In Federation events up to approximately 600km (known as the 400's), a competitor may clock Federated birds but only the first competing bird clocked shall under any circumstances be entitled to compete for the Federation event. In Federation events in excess of 600km (known as the 400's) a competitor may clock Federated birds with two birds being eligible for Federation positions with the second bird ineligible for either aggregate points or prize money which shall be awarded to those birds outside the top 20 positions that would have been in the top 20 save for the clocking of second pigeon/s.

## **123. Faulty Clocks**

- (1) Any competitor who shall, prior to the clocking of his bird, find the clock issued to him at fault, can have it replaced with a clock that has been set by the Clock Committee for the race, by the club clock chairman or representative, who shall be responsible for the production of the faulty clock, as required by the Committee.
- (2) In the event of any clock being found to be faulty on a race bird homing, the owner may, if permitted, clock his bird in any clock that has been set by the Clock Committee for the race. The faulty clock is to be produced to the VPU Clock Committee at clock checking for the race before such clock is used again.

## **124. Checking Clocks**

- (1) Any member, after clocking, desirous of having his clock checked and his variation recorded, may make application to the Chairman of the Clock Committee for such purpose. A fee for this service shall be \$10.00.
- (2) The VPU shall not accept responsibility for damage sustained to any clock under any circumstances at any time.

## CLOCK PRODUCTION

- 125.** Clocks produced at any of the approved clocking centre's whether electronic or manual cannot be read or pulled over unless there are a minimum of three (3) other participating flyers present. In the event of less than four (4) flyers clocking and producing their clocks at an outside clocking centre, those flyers must produce their electronic or manual clocks at the VPU rooms for processing .At all times the Chairman of the Clock committee or his delegate shall be present for the clock reading or pullover.”
- \*126.** In all old bird Federation races up to and including 600km (known as the 400's) races clocks are to be produced at clocking centres within two hours of clocking or as otherwise directed by the VPU Committee.
- \*127.** For all races over approximately 600km (known as the 400's), clocks are to be produced at the VPU rooms at 8:00pm on the day of liberation or on the day following the day of liberation or as otherwise directed by the Committee. The only occasions that these times can be exceeded are when a member is still within two hours of clocking.
- 128.** In races where birds are clocked on weekdays, clock production will be at the VPU rooms at 8:00pm or as otherwise directed.
- 129.** Failure to produce clocks at the nominated time without a valid reason, that competitor may not be granted any time for that race or fined a penalty of \$50.
- 130.** All clocks competing in Federation events must be produced at the clock checking rooms at the time appointed with all seals intact. Any competitor failing to comply with this Rule may be fined \$50.00 or not granted any time or both.

## GENERAL

- 131.** VPU members are reminded that it is a Federal offence to liberate pigeons within close proximity of any airport.
- 132.** All areas of the VPU rooms are smoke free areas in line with Government laws and duty of care.
- \*133. Hire of Rooms**  
A fee of \$100 will be charged for any financial VPU member of club using the VPU rooms for pigeon sales. A fee of \$300 will be charged for any non-VPU member or club wishing to hire the rooms. An extra fee of \$50 will be charged for setting up sale pens and the cleaning of rooms if required. Any pigeon shows or other non-profit activities conducted by clubs will not be charged for.
- 134. Stray Pigeons**
- (1) Any member, whose loft a pigeon other than his own may come, shall at once give notice to the Ring Registrar that he has such a bird. The Ring Registrar will immediately inform the owner of the lost bird.
  - (2) The Owner of the lost bird, upon being notified by the Ring Registrar as to its whereabouts, shall be compelled to arrange for the recovery or disposal of the said bird within seven (7) days of receipt of notice. If this Rule is not complied with by the Owner, as reported by the Ring Registrar to the Committee, then a \$50 fine shall apply to that Owner.



### **135. Racing another flyers pigeon**

Any member who races a pigeon not registered in their name shall be liable for disqualification up to 12 months.

### **136. Transfer Of Pigeons**

Any member wishing to transfer their ownership of a pigeon to another must notify the Ring Registrar on the prescribed form prior to the commencement of the racing schedule of the old bird series.

### **137. Life Rings**

(1) No life rings shall be issued by the VPU prior to the first day of July in each year.

(2) All VPU rings must be sold in multiples of ten, except for Special event rings, which may be sold individually.

(3) All birds competing in Federation races must be rung with an intact life ring not defaced in any way. Only VPU rings or rings approved by the VPU will be accepted. No overseas rings will be recognized by the VPU except for Rule 138. Any life ring other than VPU rings or Special Race rings will attract a surcharge of 50 cents for every ring upon registration of the flyer's ring list.

### **138. Overseas Rings**

South African rings specifically issued within Australia for the South African Million Dollar Race are eligible to compete in all VPU Federation races or those raced under the VPU rules and in that year of the ring for the VPU Produce Race.

### **139. Boundaries**

The boundaries of the Union shall be as follows. All that area west of longitude E145 06' 54" the North until the junction with Plenty Road and all that area west of Plenty Road until the junction with Darebin creek at Kingsbury, then west of Darebin Creek until it meets with Heidelberg Rd. North of Heidelberg Rd until Hoddle St, then west of Hoddle St/Punt Rd and north of Kerford Rd at St Kilda. The Northern Boundary shall be all that area south of Latitude S37 15' 23.04. There is no Western boundary.

### **\*140. Sections**

There will be five sections in the VPU namely north section, South section, Central section, West section, and the East section arrived at as follows. The North section to comprise of those members from the Kilmore and Wallan Clubs, South section those members from Pascoe Vale and Glenroy Clubs, Central section those members from Craigieburn, Northern Homing Club and Broadmeadows Club, West section those members who are west of the WPF's original eastern boundary and East section those members from Thomastown, Regent and Preston Clubs."

### **141. Bird of The Year**

The VPU shall award a trophy for the 'Champion Old Bird'. Points will be allocated to each bird obtaining a Federation position. The points given will be identical to those allocated for Aggregate points. The bird with the greater number of points will be declared the champion bird in each series.

## PART 9– USE OF EBS SYSTEMS

The use of Electronic Band Scanning systems (“EBSS”) is approved by the VPU for use in all races conducted by the VPU.

- 142.** In the event that the VPU Committee determines that an EBS System or a system design does not provide adequate security or presents a potential security question, the VPU may disapprove the use of that system. The disapproval of any system will be effective immediately upon resolution on the VPU executive Committee and the disapproval will be advised to members as soon as reasonably possible by personal notice.
- (1) The VPU reserves the right to withdraw the approval of any EBSS at any time, if a lack of security occurs with any particular system.
  - (2) If the VPU Clock Chairman, his designate, or any race official determines that a lack of security exists with any individual unit, he must notify the VPU Executive Committee and seek an immediate statement as to the validity of the continued system use. The VPU Clock Chairman, his designate or race official must provide a written statement of the reason for concern to the system owner and to the VPU Committee.
  - (3) Issues of the potential or actual adequacy or otherwise of security will be a matter for determination by the VPU Committee within its absolute discretion.
- 143.** Use of an EBSS by an individual VPU member must be notified to the VPU in writing by the member’s respective VPU affiliated club.
- 144.** A VPU affiliated club shall not make use of an EBSS mandatory, nor is it compulsory for a flyer to use EBSS for the whole season.

### **\*145. Particular EBS Systems**

A member is free to purchase any EBSS he chooses. A member is responsible for ensuring the system (hardware/software) is compatible with other systems used by the VPU or the member’s VPU affiliated club. The VPU or the club shall have no responsibilities for any system incompatibility.

“Benzing Live or equivalent”

- (i) The use of an EBS System that allows a competitor to evaluate his clock via the ‘Live System’ in a manner the same as or similar to ‘Benzing Live System’ is approved for use in the VPU.
- (ii) The VPU Clock Chairman must be satisfied with the integrity of any EBS System proposed to be used and its ability to carry out the functions and provide the required level of security. Approval of EBS Systems will be the responsibility of the VPU Clock Chairman. The only approved system at the time of implementation of this rule is ‘Benzing Live’ .
- (iii) The use of Benzing Live or any other future approved system within each VPU clocking centre will be a decision for the members of each individual Centre.
- (iv) Any Centre wishing to use an approved ‘Live’ System must have an email facility at the Centre, the email address encompassing the name of the Centre either wholly or in part.
- (v) The Centre Clock Chairman or his designate will be responsible for the receiving and printing of the emailed evaluation sheets.
- (vi) In the event of a competitors email evaluation sheet not arriving at his designated Centre, the competitor will be required to produce his electronic clock at his designated Centre within the

normal time frames as set out in Rules 125-128. No additional time to produce will be allowed. Failure to do so will result in no time being given.

(vii) To clarify and avoid confusion, where an email evaluation sheet does not arrive at a competitor's designated Centre within the normal time frames set out in Rules 125-128 due to a failure in the email system and the competitor's clock is not produced at his designated Centre within the normal time frames as set out in Rules 125-128, then no time will be given.

It would be advisable for any member, prior to purchasing an EBS system, to check with the VPU as to what systems are already in use.

### Use of EBS Systems by Members

#### **146. Serial numbers**

The serial number of each EBSS and the serial number of each antenna must be approved by and registered with the VPU prior to use.

#### **147. Installation**

Installation of the EBSS in a member's loft must be inspected and approved by the VPU Clock Chairman or his designate before being accepted for competition use within the VPU.

#### **148. Location of Antenna**

- (1) Every EBSS sensor antenna may be installed at the bird entrance where the birds will normally enter the loft. If placed on the outside entrance, the longest dimension of the antenna shall be touching the outer wall of the loft entry. Antennas may be placed on a "sputnik", as long as it is the normal bird entrance into the loft.
- (2) Every sensor/antenna must be sealed as a fixture at point of entry. Point of fixture shall be documented.
- (3) Multiple entries are permissible; however, the loft measurement will be from the closest entry to the majority of race points
- (4) No sensor/antenna may be employed or placed at the loft of another competitor or moved to any other position of the competitor's loft without prior application to, and approval by the VPU.

#### **149. Multiple Users**

Where an EBSS is configured for multiple users, members will be permitted to use one electronic clock for two individual flyers to the one loft.

### Racing Requirements

#### **150. Purchase**

System control modules or system keys and software used in EBS systems shall be purchased or procured by the system owner.

#### **151. Users of EBSS must:**

- (1) Use an electronic band scanning system that has a re-programmable electronic band.
- (2) Use electronic bands that have read/write chips. Currently the use of 64k/128k bit chips is approved for use.

#### **152. Holding modules or system keys**

The Clock Chairman or VPU Secretary - Treasurer shall secure all individual system control modules or system keys during competitive events. The use and operation of these security

controls shall only be permitted by the individuals specifically authorized by the VPU during competitive events.

**153. Bands**

It shall be the responsibility of each individual competitor to affix or attach electronic bands securely to each of his birds making sure that the band's locking mechanism is securely engaged.

**154. Handling Birds**

During the race entry logging or the basketing process, electronic banded pigeons shall not be handled by the competitor or a representative of the competitor. During the logging process, all band data must be reviewed to ensure band data accuracy by the VPU Clock Chairman or his designate.

**155. Printing Entry Sheet**

After all race birds have been entered in an EBSS, the VPU Clock Chairman or his designate shall print a list of the competitor's entries as verification of all birds entered. The printout shall be signed by the VPU Clock Chairman or his designate, and the competitor.

**156. Entry Sheet**

The printout serves as a race entry sheet. An additional copy shall be printed for the competitor. A normal race entry sheet may be supplied by the competitor and all entries may be checked by the person overseeing the logging of the birds as an additional proof of entry.

**157. Ties**

In the case where an electronic clock race sheet shows a tie, the first bird listed will receive the highest ranking of the tied birds and so forth, down the list.

**158. System failure**

If the data contained in an EBSS becomes defective, erases, or corrupted between race entry and the return of pigeons to the competitor's loft, all entries for that competitor shall be disqualified from any race results. The VPU Clock Chairman or his designate will verify the system failure.

**159. Continuous Clocking**

If the EBSS has a continuous clocking function, then that function is approved for use subject to normal clock presentation procedures.

**160. Malfunction/Repair/Relocation**

- (1) In the event of a malfunction of an EBSS and it being sent for repair, proof of repair must be produced before the EBSS can be used for competition again.
- (2) In the event of the removal of the sensor/antenna for any reason, the sensor/antenna reinstallation must be approved by the VPU before the EBSS can be used for competition again.

**161. Interference by another competitor**

If any competitor intentionally attempts to corrupt, interfere with, or destroy the electronic data of another competitor, then his entire entry shall be disqualified from competition at the discretion of the VPU Committee.

**162. Data**

When closing the race, the VPU Clock Chairman or his designate shall print out all data prior to transferring data from the EBSS to the computer. The printout will serve as a back-up document

for later reference if necessary. All data files should be stored on a back-up diskette in the event data reconstruction becomes necessary but none of the VPU, the VPU executive Committee, the VPU Clock Chairman or his designate or other race officials has any liability whatever for any act or omission including, without limitation, loss or corruption of any data. Use of an EBSS is at sole risk of the member or competitor using it.

**163. Non-Printout of Race Entry or Race result**

\*(1) Delete.

\*(2) Delete

General

**164. Right to Inspect**

The VPU Committee or its designate reserve the absolute right at any time, without prior notice to inspect the installation and operation of any EBSS being used by a competitor within the VPU.

**165. Forms**

Any application form adopted by the VPU Committee from time to time forms part of these rules and conditions.

**166. Amend these Rules**

The VPU Committee may from time to time amend these rules and conditions as it thinks fit and within its absolute discretion.

**167. These EBSS Rules**

These rules and conditions are supplementary to and must be read in conjunction with the current VPU racing and clock rules. To the extent of any inconsistency, the latter shall prevail.

**168.** Headings are inserted for convenience only and are not intended to assist interpretation.

**169. Interpreter of all these Rules**

Members acknowledge that The Committee shall be the interpreter of all these Rules and Regulations and the decision of the Committee upon any question of interpretation or upon any matter affecting the VPU and not provided for by these Rules and Regulations shall be final.

**170. Social Media Guidelines**

It is incumbent on all members to follow the Social Media Guidelines as set out under “Important Documents” on the VRPU website. Disregard for these guidelines shall invoke Rule 19 of these Rules.

These Rules and Regulations may be added to, appealed or amended by a majority of members at any Annual General Meeting or Special General Meeting called for that purpose. All new rules will be published annually in the VPU Year Book.

**Members are respectively requested to make themselves fully conversant with these Rules and Regulations.**

