

SOUTHERN FISHERMEN'S ASSOCIATION INC.

CONSTITUTION

This Constitution is the
Rules of Association for the
Southern Fishermen's Association Inc.
for the purposes of Section 23
Associations Incorporations Act, 1985

Sep 2000



SOUTHERN FISHERMENS ASSOC. INC.

Wild Fisheries with a future Established 1854

*Ethical Sustainable Harvest
Heritage Fishery*

SOUTHERN FISHERMEN'S ASSOCIATION INC
CONSTITUTION

CONTENTS

Page No.

1. Name	3
2. Interpretation	3
3. Objects and Purposes	3
4. Powers	4
5. Membership	5
6. Membership Subscription	6
7. Register of Members	6
8. Resignation of Members	6
9. Suspension or Termination of Membership	6
10. Officers of the Association	8
11. Duties of Officers	8
President,	8
Vice - President, Secretary, Treasurer,	9
Area Representative, Industry Director	10
12. Management Committee	10
13. Sub Committees	11
14. Voting and Voting rights	12
15. Management Committee Meetings	12
16. Disqualification of Committee Members	13
17. General Meetings - Annual and Special	13
18. Alterations to the Constitution	15
19. By-Laws and Protocols	15
20. Seal	15
21. Financial Institution	15
22. Auditor	16
23. Assets	16
24. Dissolution	16
25. Confidentiality and Public Statements	16
26. Indemnity	17

SOUTHERN FISHERMEN'S ASSOCIATION INC
CONSTITUTION

1. NAME

1.1. The name of the association is the Southern Fishermen's Association Incorporated.

2. INTERPRETATION

2.1. The registered rules shall bind the Association and every member to the same extent as if they had respectively signed and sealed them and agreed to be bound by all of the provisions thereof.

2.2. In these rules unless the contrary intention appears;

2.2.1. "Association" means The Southern Fishermen's Association Inc.

2.2.2. "Committee" means the Management Committee of the Association

2.2.3. "Executive" means President, Vice-President, Secretary & Treasurer.

2.2.4. "Meeting" means a general meeting of members of the Association convened in accordance with these rules.

2.2.5. "Member" means a full member, associate member or affiliate member of the Association unless specified.

2.2.6. "Fishery" means the Lakes and Coorong Fishery as designated in the scheme of Management (Lakes and Coorong Fishery) Regulations made pursuant to the Fisheries Act 1982.

2.2.7. The "Act" means the Associations Incorporation Act. 1985

2.2.8. The "Regulations" means the Associations Regulations, 1985

2.2.9. The "Environmental Management Plan" (EMP) is the governing document of the Association's Environmental Management System.

2.2.10. "Sub Committee" means a sub committee of the management committee and may also mean research, action, working, resource groups or committees.

3. OBJECTS AND PURPOSES

3.1. The objects of The Southern Fishermen's Association are:

3.1.1. To promote the development of the fishery by initiating and having an active role in Scientific, Economic and Social Research & Development.

3.1.2. To promote the environmentally sustainable fishing practices of the fishery using the Environmental Management Plan as the continuously improving framework.

3.1.3. To initiate and adopt other documents and proposals that enable the fishery to remain sustainable and profitable in perpetuity.

SOUTHERN FISHERMEN'S ASSOCIATION INC
CONSTITUTION

- 3.1.4. To promote Quality Assurance practices as adopted by the fishery
- 3.1.5. To ensure adherence to the South Australian Lakes and Coorong Code of Conduct.
- 3.1.6. To liaise with community groups, government departments and any other body or activity where the fishery may have a vested or common interest.
- 3.1.7. To unite the commercial fishermen, families and associates of the fishery in a body for their common benefit
- 3.1.8. To provide access to resources for the training and development of fishers
- 3.1.9. To protect the legal and moral rights of commercial fishers.
- 3.1.10. To promote awareness of current and new legislative requirements
- 3.1.11. To take increasing management responsibility for the fishery including the environmental as well as the harvestable resources.

4. POWERS

The powers of the Association are to:

- 4.1 Acquire, mortgage, maintain, improve, manage or dispose of real or personal property consistent with the objects of the Association.
- 4.2 administer any property on trust;
- 4.3 open, close and operate accounts at financial institutions;
- 4.4 raise and accept money by subscription, fee, levy, grant, subsidy, donation, appeal or otherwise for the purpose of carrying out the objects of the Association;
- 4.5 borrow and raise money in such a manner as the committee deems fit;
- 4.6 invest or otherwise deal with the funds and property of the Association as it deems fit;
- 4.7 expend funds for the purpose of carrying out the objects of the Association;
- 4.8 give such security for the discharge of liabilities incurred by the association as the association thinks fit;
- 4.9 appoint agents to transact any business of the association on its behalf
- 4.10 enter into any contract the association considers necessary or desirable;
- 4.11 attend generally to all matters affecting the welfare of the Association
- 4.12 authorise the ownership ,use, sale, dissemination, leasing and registration of all intellectual property of the Association.

SOUTHERN FISHERMEN'S ASSOCIATION INC
CONSTITUTION

- 4.13 subscribe to, become a member of and co-operate with any other association, whether incorporated or not, whose objects are altogether or in part similar to those of the Association provided that the Association shall not subscribe to or support with its funds any association, club or organisation which does not prohibit the distribution its income and property among its members to an extent at least as great as that imposed on the Association under or by virtue of rule 23.1.
- 4.14 authorise the use of all or any part of a registered logo, trademarks, slogans or copyright material of the Association to other individuals or organisations where it is deemed to be of benefit to, or in the interests of the Association to do so. The logos will be published in the current or any future version of the Environmental Management Strategy.

5. MEMBERSHIP

- 5.1. Application to join the association will be open to the following;
- 5.1.1. **Full membership** shall be open to all licensed commercial Fishers of the Lakes and Coorong Fishery and the Lake George Fishery. A license holder who is a member may nominate one other person to be an ordinary member. The person nominated shall be a life partner, business partner, employee or a child over 18 years of age, of the license holder. Ordinary members will be entitled to one vote.
 - 5.1.2. **Associate Membership** is open to all other partners, children over 18 years of age, employees or other associated parties of a commercial license holder who is a member. Associate members shall have no vote.
 - 5.1.3. **Affiliate membership** with no vote is open to other natural persons or organisations that have objects or interests altogether or in part similar to those of the Association.
- 5.2. Membership application forms shall be obtained from The Secretary.
- 5.3. A new membership application will be accompanied by the appropriate fee and returned to The Secretary. The fee will be refunded in the case of an unsuccessful application.
- 5.4. The Executive Committee will consider the application and advise the applicant the fate of their application within 30 days of receipt.
- 5.5. The applicant shall meet the requirements of the class of membership and the eligibility criteria as set out in the by-laws.
- 5.6. The Executive Committee may refuse to admit full, associate or affiliate membership to a natural person or organisation that it considers undesirable in the interests of the objects of the Association to do so.
- 5.7. Full and Associate members shall be entitled to all privileges granted by the committee.

MEMBERSHIP SUBSCRIPTION

- 5.8. The membership subscription for each class of membership shall be determined by the committee and adopted at the Annual General Meeting.
- 5.9. The membership renewal shall be payable within 30 days following the AGM.
- 5.10. A member whose subscription is not received within 30 days following the AGM will no longer be deemed a financial member and shall not be entitled to any privileges of membership. If subscription has still not been paid after a period of six months, membership will lapse and new membership application will be need to be submitted for consideration by the committee.
- 5.11. A member who sells their license, is expelled or resigns from the Association during the year will be refunded their membership subscription on a pro-rata basis upon written application to the committee within 3 months following the sale, expulsion or resignation. Such a person or organisation will no longer be eligible for any benefits of the Association.

6. REGISTER OF MEMBERS

- 6.1. A register shall be kept in which is entered the names, addresses and contact number of all members and the dates of their admission, and if applicable, commercial fishing licence number.
- 6.2. The register shall be open for inspection at all reasonable times by any member who has applied to the Secretary for such inspection. A minimum notice of 2 days shall be required.
- 6.3. The register will be available at all meetings of the association.

7. RESIGNATION

A member may resign from membership of the Association by giving written notice thereof to the Secretary or Public Officer of the Association. Such notice shall be effective at time of notice unless another date is specified.

8. SUSPENSION OR TERMINATION

- 8.1. If any license holder member;
- a) sells or forfeits their fishing licence,
membership will be automatically terminated.

or

 - b) is convicted of a breach of the fishing regulations,
 - c) misleads the Association, misappropriates or misuses funds,
real property or intellectual property of the Association

SOUTHERN FISHERMEN'S ASSOCIATION INC
CONSTITUTION

- d) fails to comply with the Association's policy protocols such as found in the Environmental Management Plan, Code of Conduct and any other written document adopted by the Association.
- e) is non-compliant with requirements to meet any certification process the Association formally adopts.
- f) if in the opinion of the Committee, a member has committed any act or offence or conducts activities contrary to the objects of the association which renders them unfit to be a member,
- g) is of unsound mind,

that member is liable to have their membership terminated by the Committee.

- 8.2. Except for clause 9.1.a, membership is to be altered to associate membership immediately, which removes all benefits of license holder membership, and their membership of the Association is to be reviewed by the Committee.
- 8.3. A meeting called for that purpose for which not less than fourteen days notice in writing is to be given to each member of the Committee and to the member in question. At that meeting the member in question will be given a proper opportunity to present a case.
- 8.4. A formal letter from the Executive Committee outlining the circumstances and reasons for a review of membership shall be sent to the member 14 days prior to the meeting.
- 8.5. If any other member in the opinion of the Committee, has committed any act or offence or conducts activities contrary to the objects of the association which renders them unfit to be a member, that member is liable to have their membership terminated by the Committee.
- 8.6. If the Committee decides an issue can be resolved satisfactorily, a time frame will be given to the member in question to resolve such an issue before a further review of the decision to terminate membership. Following such a review if in the opinion of the committee the issue has not been resolved then that membership will be terminated.
- 8.7. If the committee is satisfied that the issue has been resolved then full membership will be restored.
- 8.8. Any decision to alter, terminate or suspend any membership must be made through a secret ballot of the committee, after the preceding action has been taken. To alter, terminate or suspend a membership a two-thirds majority shall be required of those attending the committee meeting.
- 8.9. Votes shall be counted by a committee member, who shall be nominated by the person or organisation being considered.
- 8.10. The determination of the Committee shall be communicated to the member, and in case of an adverse determination the member shall cease to be a member 14 days after the committee has communicated their determination to that person/organisation.

SOUTHERN FISHERMEN'S ASSOCIATION INC
CONSTITUTION

8.11. It shall be open to that member to appeal to the committee against the expulsion. The intention to appeal shall be communicated to the secretary or public officer of the Association within 14 days after the determination of the committee has been communicated to that person/organisation.

8.12. The Secretary shall provide all necessary documentation, correspondence or other information to the Ombudsman who shall then arbitrate on the decision of the committee, either confirming or overturning the decision. The Ombudsman shall use the rules of natural justice in relation to any disputes. The decision of the Ombudsman shall be final.

9. OFFICERS

9.1. Officers of the Association shall be: President, Vice-President, Secretary and Treasurer.

9.2. The President shall act as Chairperson of any meeting and shall have a casting as well as a deliberative vote. Should another member undertake the role of Chairperson for any meeting that member would have a deliberative vote only, except in the case of a proxy vote so given by the President to that agent.

9.3. An Industry Director may be appointed at the Annual General Meeting.

9.4. The Public Officer of the Association, "a natural person of or above the age of eighteen years who is resident in the State" as required by the Association Incorporation Act, 1985,".

9.5. Signatories on financial institution accounts held by the Association shall be the Treasurer jointly with one of the following;

- a) Secretary
- b) President
- c) Any one of two other committee members nominated by the committee.

In the absence of the Treasurer, the Secretary shall sign with either 10.5 b or 10.5.c .

11. DUTIES OF THE OFFICERS

11.1. President

The President shall;

11.1.1. preside as chairperson at all General meetings and meetings of the Committee except where provided for in clause 11.2 and shall conduct the same with dignity and decorum being conscious only of the true objectives of the Association.

SOUTHERN FISHERMEN'S ASSOCIATION INC
CONSTITUTION

11.1.2. Be the Public Officer of the Association.

11.1.3. Represent the Association on any industry or relevant committees or boards where the committee deems necessary.

11.1.4. delegate attendance to committees or boards to any other Executive Officer.

11.2. Vice-President

11.2.1. The Vice-President shall carry out the duties of Chairperson should the President be absent.

11.3. Secretary

The Secretary shall;

11.3.1. be responsible for the register of members.

11.3.2. attend all general meetings and committee meetings of the Association except where provided for in clause 13.2.

11.3.3. call general meetings and meetings of the committee when directed to do so.

11.3.4. upon calling general meetings, advise each member in writing of the time and place of the meeting at least 14 days before the date of the proposed meeting or 21 days prior in the case of the Annual and Special General Meetings.

11.3.5. record accurate minutes of all committee and general meetings and enter them into a minute book within 14 days after the meeting.

11.3.6. be responsible for the custody of books, journals, and all documents what so ever belonging to the Association.

11.3.7. make all books of the Association available for inspection by the auditors or any member of the committee.

11.3.8. record and conduct correspondence and perform such other duties as the committee may from time to time direct.

11.3.9. shall be the Environmental Management Plan Co-ordinator and will be responsible for the co-ordination and administration of the EMP.

11.4. Treasurer

The Treasurer shall;

11.4.1. pay into the account of the Association at its bank all monies and cheques received on behalf of the association.

11.4.2. keep proper records of all monies received and expended by, or on behalf of the Association and all matters pertaining to such receipts, funds, liabilities and transactions of the Association.

SOUTHERN FISHERMEN'S ASSOCIATION INC
CONSTITUTION

11.4.3. prepare and submit to the Annual General Meeting of the Association in each year, a duly audited annual statement of accounts and balance sheet of the Association made up to and including the 30th day of June.

11.4.4. submit a financial statement whenever requested by the Secretary.

11.4.5. advise the Secretary of payment of membership subscriptions for entry in the register of members.

11.5. Area Representatives

The Area Representative shall;

11.5.1. be available to all members, at any reasonable time, who wish to raise issues or highlight activities relevant to that area of the fishery.

11.5.2. present an oral or written report to the Annual General Meeting or at the request of the committee.

11.5.2.1. The report should be comprehensive and could include;

- a) General - Condition of landings, safety issues
- b) Unusual occurrences - fish kills, pollution
- c) Compliance issues
- d) Conflicts between other user groups and licence holders
- e) Other issues identified by the representative

11.5.2.2. Reports can be made at any other time that the representative feels necessary. The nature of such reports may need to be confidential or directed to the Ombudsman.

11.5.3. be prepared to take a role in management of the Association.

11.5.4. appoint a deputy (or proxy) to attend meetings in their absence.

11.5.5. be responsible for dissemination of information to the membership.

11.6. Industry Director

The Industry Director;

11.6.1. shall represent the Association on the South Australian Fishing Industry Council (SAFIC) Board.

12. MANAGEMENT COMMITTEE

12.1. The Association shall have a Management committee to oversee the operations and activities of the Fishery.

12.2. Committee members shall be full members of the Association.

SOUTHERN FISHERMEN'S ASSOCIATION INC
CONSTITUTION

- 12.3. The Committee shall consist of the President, Vice- President, Secretary, Treasurer and an area representative from each of the following:
- a) Coorong
 - b) Goolwa
 - c) Lakes Albert & Alexandrina
 - d) Ocean Beach
 - e) Women's Industry Network
- 12.4. The management and control of the Association and its affairs and property is vested in the committee, which may exercise all powers and discretions of the Association which are not otherwise, by any means, required to be so exercised by the Association in general meeting, and it shall take such measures as may be necessary or desirable to further the objectives of the Association, but it shall not act contrary to any resolution passed by the members of the Association in general meeting.
- 12.5. The committee shall be elected by the members at the Annual General Meeting.
- 12.6. A retiring committee member shall be eligible to stand for re-election without nomination. No person not being a retiring committee member shall be eligible to stand for election unless a member of the Association has nominated him/her.
- 12.7. Any person wishing to attend a committee meeting must be granted observer status by the Chairman.
- 12.8. The Committee may appoint any full member to fill a casual vacancy, and such a committee member shall hold office until the next Annual General Meeting.
- 12.9. The Committee shall appoint such officers and employees as are required to carry out the objects of the Association and may delegate any of its powers to such officers and employees.
- 12.10. The Committee shall fix the salaries or remuneration or honorariums when required.
- 12.11. A committee member may resign from the committee at any time by giving notice in writing to the Secretary. This notice shall take effect at the time such notice is received by the Secretary, unless a later date is specified, when it shall take effect at that later date.

13. SUB COMMITTEES

- 13.1. The committee shall have the power to appoint a sub-committee for a specific purpose. At least one of the executive officers shall be appointed to any sub committee. The President shall be an ex-officio member of all sub-committees.
- 13.2. The sub-committees shall keep a record of meetings and provide a copy to the Secretary, if the Secretary is not on said committee.

SOUTHERN FISHERMEN'S ASSOCIATION INC
CONSTITUTION

13.3. Any other person may be appointed to a sub-committee by the committee where the skills or expertise of that person are deemed necessary for the purpose of that sub-committee and shall have a voting right on that committee.

13.4. All sub-committees will be bound by the terms of reference drawn up by the management committee for each specific task.

14. VOTING AND VOTING RIGHTS

14.1. All elections and questions shall be decided by a simple majority of except in issues governed by the by-laws where a majority will be defined within those by-laws and also as provided for in clauses 9.2 and 18.1.

14.2. At all meetings voting shall be by a show of hands.

14.3. If so requested by three (3) or more members, who are present at the meeting at which the election or question is to be decided, voting shall be by secret ballot.

14.4. Only financial full members are entitled to cast a vote on issues arising from all meetings of the association which require a vote except in clause 10.2.

14.5. Where a person has been nominated as a proxy by a member and notification has been received in writing by the secretary prior to the commencement of a meeting that person will be deemed to have one vote.

14.6. A proxy vote on a single issue may also be nominated in writing on a form provided.

15. MANAGEMENT COMMITTEE MEETINGS

15.1. The Committee shall meet as often as is necessary to manage and control the affairs of the Association or any person employed by the association.

15.2. The method of calling or fixing dates for meetings of the Committee and the conduct of those meetings shall be determined by the Committee.

15.3. If a member of the Committee is unable to attend any meeting they may appoint a proxy, who must also be a full or associate member of the association, to attend and vote at the meeting.

15.4. A quorum for all committee meetings shall be half the number of the committee plus one including any appointed proxies.

15.5. If within thirty (30) minutes of the appointed commencement time of a committee meeting a quorum is not reached, the meeting shall stand adjourned and reconvened in no less than 7 days. If at the reconvened meeting a quorum is not present within 30 minutes of the time appointed for the meeting the members present shall form a quorum.

SOUTHERN FISHERMEN'S ASSOCIATION INC
CONSTITUTION

15.6. If the Secretary shall be absent from a Committee meeting, the Committee members present shall appoint one of their members to record accurate minutes of that meeting.

15.7. Observers at any committee meeting shall leave that meeting if requested to do so by the Chairperson.

16. DISQUALIFICATION OF COMMITTEE MEMBERS

16.1. The office of committee member shall become vacant if a committee member is:

- (a) disqualified by the Act;
- (b) expelled under these rules;
- (c) permanently incapacitated by ill health;
- (d) or absent from more than three consecutive meetings not withstanding that they may have been represented by a proxy, without a reason acceptable to the committee.

17. GENERAL MEETINGS - ANNUAL AND SPECIAL

17.1. The Annual General Meeting of the Association is to be held within 3 months of the close of the financial year.

17.2. Written notice of the AGM to be received by members at least twenty-one (21) days prior to the meeting date.

17.3. At any general meeting the number of ordinary members required to constitute a quorum shall be one third of financial members.

17.4. If within thirty (30) minutes of the appointed commencement time of a general meeting a quorum is not reached, the meeting shall stand adjourned and be reconvened in no less than 7 days. If at the reconvened meeting a quorum is not present within 30 minutes of the time appointed for the meeting the members present shall form a quorum.

17.5. No business requiring a vote shall be transacted at any general meeting unless a quorum of ordinary members is present at the time the business is transacted. An ordinary member in this instance includes a person attending as a proxy.

17.6. All meetings must start at the appointed time unless a quorum of members by simple majority choose to delay such a meeting.

17.7. The business to be transacted at every Annual General Meeting shall be;

- a) Confirm the minutes of the previous Annual General Meeting
- b) Receive and adopt the Presidents report
- c) Receive and adopt the Treasurers report and audited financial statement
- d) Receive and adopt the reports from the area representatives
- e) The election of members of the management committee

SOUTHERN FISHERMEN'S ASSOCIATION INC
CONSTITUTION

- f) The appointment of an auditor
 - g) The appointment of an Ombudsman
 - h) The appointment of an Industry Director
 - i) Adopt the membership subscriptions for the following year.
- 17.8. Following the conclusion of the AGM the meeting will close. The Chairperson will then declare open a general meeting to attend to other business of the Association.
- 17.9. The Secretary shall convene a special general meeting when;
- 17.9.1. Directed to do so by the Management committee, or
 - 17.9.2. On the requisition in writing to the Secretary and signed by not less than 5 ordinary members of the Association.
 - 17.9.3. The Secretary shall notify in writing all members of the Association the time and place of the special general meeting, stating nature of the business to be transacted at least 21 days prior to the date of the meeting.
 - 17.9.3.1. At least 14 days notice of a general meeting shall be given to the members. The notice shall set out where and when and what time the meeting will be held, and the particulars of the nature and order of the business to be transacted at the meeting.
- 17.10. An agenda must be distributed to members along with the notification of a meeting. Any item which may require a vote must be included and described in sufficient detail to give members a clear understanding of the item in question. All Items arising from general business requiring a vote shall be held over to the next meeting.
- 17.11. Where deemed by the Executive that an item raised at any meeting is of sufficient importance or involves a change in policy, the appropriate protocol shall be followed.
- 17.12. Order of business at a general meeting will be;
- a) Welcome
 - b) Apologies
 - c) Minutes of last meeting
 - d) Business Arising from Minutes
 - e) Correspondence
 - f) Financial Reports
 - g) General Business
- 17.13. No resolution of a General meeting shall be rescinded unless twenty one days notice is given to members.
- 17.14. The accidental or unavoidable omission to give notice of a meeting or the non-receipt of a notice by any member shall not invalidate the proceedings of the meeting.

SOUTHERN FISHERMEN'S ASSOCIATION INC
CONSTITUTION

17.15. The committee reserves the right to hold closed sessions when deemed necessary. Closed sessions shall include full members and any person/s at the discretion of the Chairperson including those required by the Chairperson to address such session and shall exclude all others.

18. ALTERATIONS TO THE CONSTITUTION

Subject to the provisions of the Associations Incorporation Act 1985, as amended or any other relevant act, these rules may be amended or repealed and new rules made from time to time by a special resolution of the members present at a special general meeting called for the purpose or at an annual general meeting for which proper notice of the proposed alteration has been given, by a two-thirds majority of members present.

19. BY-LAWS AND PROTOCOLS

19.1. Protocols, regulations or by-laws or amendments thereto may be made by the Executive Committee for the proper conduct of the affairs of the Association, subject to the approval by the members at a general meeting and shall remain in force until revoked at the direction of the members.

19.2. Any non member on a sub committee or any research, action, working, resource groups or committees are also bound by the protocols, regulations and by-laws of the association.

19.3. Following their approval, the terms of reference of any research, action, working or resource group or committee shall be considered as by-laws until such time as the group or committee is disbanded.

20. THE SEAL

20.1. The Association shall have a common seal upon which its corporate name shall appear in legible characters.

20.2. The seal shall not be used without the express authorisation of the Committee, and every use of the seal shall be recorded in the minute book of the Association.

20.3. The seal shall be kept in the custody of the Secretary or such other person as the committee may from time to time decide.

21. FINANCIAL INSTITUTION

The financial institution/s of the Association shall be chosen by the committee.

SOUTHERN FISHERMEN'S ASSOCIATION INC
CONSTITUTION

22. AUDITOR

22.1. The auditor shall be a person of sufficient expertise and/or qualifications that satisfy the committee requirements.

23. ASSETS

23.1. The income and property of the Association regardless of its origin shall be used and applied solely in the promotion of its objects and in the exercise of its powers as set out herein. No part of the assets of the association shall be given or transferred in any way to any member or members of the association except that payments made in good faith may be made to a member of the Association for services rendered to the Association or for any reasonable out-of-pocket expenses incurred by a member of the association acting under the authority of the Committee.

24. DISSOLUTION

24.1. In the event of the organisation being dissolved in accordance with the Associations Incorporation Act, 1985 the amount of which remains, following such dissolution and the satisfaction of all debts and liabilities shall be paid in accordance with its powers (and clause 23.1) to any organisation which has similar objects and which has rules prohibiting the distribution of assets and income to its members.

25. CONFIDENTIALITY & PUBLIC STATEMENTS

25.1. Association Business including written, verbal, photographic and electronic material is confidential until released by way of motion of the committee or General meeting or at the discretion of the President.

25.2. Public statements on behalf of and in the name of the Association shall be made only by the President, or in the President's absence or inability to act, by the Secretary or person authorised in the terms of reference of a research, action, working or resource group or committee, or such committee member or other person as the President, Executive or committee may authorise. Authorisation may be conditional or unconditional.

25.3. Association spokesperson shall notify committee in writing of the content and date of any public statements made by them on behalf of the Association.

25.4. The Secretary is empowered as Environmental Management Plan co-ordinator to make public statements on behalf of the Association on issues involving the EMP.

SOUTHERN FISHERMEN'S ASSOCIATION INC
CONSTITUTION

INDEMNITY

- 25.5. The members of the management committee and other officers of the Association and their respective heirs, executors and administrators and assigns shall be indemnified and saved harmless out of funds of the Association from and against all charges, costs, losses, damages and expenses which they may or any of them shall or may incur or sustain in or about the execution of their respective offices or in or about any contracts or agreements made by them for or on behalf of the Association or in the furtherance of the objects of the Association except such charges or expenses as shall be incurred or sustained by or through their own wilful default and none of them shall be answerable for the others of them nor for joining in any receipt for the sake of conformity only, nor for any banker, broker or any other person with whom any money or effects belonging to the Association shall or may be lodged for safe custody, sale, investment or otherwise nor for the insufficiency of any security on which any monies belonging to the Association may be placed out or invested nor any other misfortune.
- 25.6. Loss or damage which may happen in the execution of their respective office or in any other way in relation thereto except the same shall happen by or through their own wilful default respectively and no committee person or officer of the Association shall be liable to repay any money which they did not personally receive and misappropriate.