



Swan River Pioneers

1829 - 1838 Inc

By-Laws

**Adopted at the Annual General Meeting 3 May 2017
Fees amended at the Annual General Meeting - 8 September 2024**

Swan River Pioneers 1829 – 1838 (Inc) By-Laws

Version Log:

Version	Approved	Date
1	AGM	3 RD May 2017
2 (Fees changes)	AGM	8 September 2024

Table of Contents

BY-LAW PURPOSE.....	4
BY-LAWS.....	4
Membership.....	4
Committee	5
Certificate of Descendancy.....	5
Fees and Charges.....	6

BY-LAW PURPOSE

The purpose of this document is to establish by-laws as provided for by Rule 64 of the Association's Rules. The Association may, by resolution at a general meeting, make, amend or revoke by-laws.

The Association was incorporated exercising the option of on-line registration and adopting the Model Rules as published by the Department of Commerce (July 2016) as its own rules. By-laws may be made for procedural and administrative matters for the orderly operations of the Association.

A by-law must be consistent with the Associations Incorporation Act 2015, the regulations and the Association's Rules.

Hierarchy of Precedence

The following shall represent the hierarchy of precedence for by-laws and policies within Swan Pioneers 1829 – 1838 Inc.:

- Laws and legislation of the Commonwealth of Australia
- Laws and legislation of the State of Western Australia
- Swan Pioneers 1829 – 1838 Inc. By-laws
- Swan Pioneers 1829 – 1838 Inc. policies, procedures, guidelines and practices.

BY-LAWS

The following by-laws were made by resolution at a general meeting of Swan Pioneers 1829 – 1838 Inc. on the day specified in the Version Log on page 2 of this document.

Membership

By-law 1 Rule 8 provides that the Association consists of ordinary members and any associate members provided for under the Rules. By-laws may provide for specific qualifications for membership.

1.1 Ordinary Member – whose ancestors settled or were born in the Swan River Colony between 1 June 1829 and 31 December 1838, or who has an interest in the pioneers;

1.2 Certified Ordinary Member – is any ordinary member whose ancestors settled or was born in the Swan River Colony between 1 June 1829 and 31 December 1838 and has proved this line of descent in accordance with these bylaws;

1.3 Joint Ordinary Membership (1.1 or 1.2)– is available for two people living at the same address and only one newsletter to be delivered to that address;

1.3 Associate Member – is an organisation with an interest in or is researching the history of the Swan River Colony between 1829 and 1838; and

1.4 Application for membership shall be made on the form prescribed by the management committee.

Committee

By-law 2 Rule 27(1) the committee members consist of: the office holders and at least one ordinary committee member. Sub-rule (3) the following are the office holders of the Association: **chairperson, deputy chairperson, secretary and treasurer;** and those made in this by-law. By-laws may establish extraordinary officers and specify their duties, who may be ordinary committee members.

2.1 Chairperson and deputy chairperson shall be titled President and Vice President;

2.2 Certificate Registrar is the **Examiner of Proofs**, responsible for proving the lines of descent of a certified descendant of a pioneer and registering and issuing certificates of descendance;

2.3 Editor is responsible for the publication of the association newsletter;

2.4 Membership Secretary is responsible for processing membership applications and renewals and maintaining the register of members; refer Part 3 of the Rules; and

2.5 The Committee shall comprise the officer holders of the Association specified in Rule 27(3), office holders specified in by-law 2 and not more than two (2) ordinary committee members who are not office holders of the Association.

Certificate of Descendance

By-law 3 Any person, whether or not a member of the Association, may be issued with Certificates of Descendance upon provision of and proof of evidence of their line of descent in accordance with these by-laws.

3.1 Certified Descendant of a Pioneer – is any person whose ancestors settled or was born in the Swan River Colony between 1 June 1829 and 31 December 1838 and has proved this line of descent in accordance with these by-laws;

3.2 Application to be a Certified Descendant of a Pioneer shall be made on the prescribed form together with documentary evidence of line of descendance, all of which will be retained by the Association, and the prescribed fee;

3.3 Evidence of settlement in the Swan River Colony may be in the form of authenticated information from the Registrar General or family papers. In the case of secondary sources such as published records, specific references must be provided;

3.4 Evidence of descent from the pioneer should be in the form of a certificate from an official registry of births, marriages and deaths; wills, manuscripts or other material relating to settlement in the Colony can be submitted if certificates are not available;

Swan River Pioneers 1829 – 1838 (Inc) By-Laws

3.5 In the event of any such proofs not being available, circumstantial evidence should be put before the Examiner of Proofs for consideration. Acceptance of any such evidence will be at the discretion of the Examiner of Proofs;

3.6 Documents submitted should be photocopies that are legible, complete and forwarded with the application and will be filed for the Association's records;

3.7 Line of descendency shall be proven on the evidence submitted by the Applicant and any other evidence determined as relevant by the Examiner of Proofs;

3.8 Certified Descendant of a Pioneer shall be determined by the Committee of the Swan River Pioneers on the recommendation of an Examiner of Proofs.

3.9 Where a Certificate of Descendency recipient has more than one ancestor arriving in or born in the Swan River Colony during the specified period and can prove direct descendency extra certificates are awarded to this recipient at a cost per additional ancestor

Fees and Charges

By-law 4 Rule 12 The committee must determine the entrance fee (if any) and the annual membership fee (if any) to be paid for membership of the Association. The annual general meeting should confirm or vary the entrance fees, subscriptions and other amounts (if any) to be paid by members.

Membership

The annual membership fee applies to membership classes prescribed in By-law 1.

4.1 Ordinary Membership fee inclusive of the newsletter shall be \$30 for single and joint membership payable on 1 April each year;

4.2 Associate Membership fee inclusive of the newsletter shall be \$50 payable on 1 April each year;

Application to be a Certified Descendant of a Pioneer

The application fee includes: \$25 for the assessment and issuance of the first certificate, and a Swan River Pioneer lapel badge.

4.3 **Application for certification** fee shall be \$15 for members of the Association. The application fee for non-members shall be \$25 which includes one (1) year's membership and newsletter subscription;

4.4 **Two or more applicants in the same household** including spouse, children and grandchildren, and only one newsletter is required, the second applicant's fee will be \$20 for the first certificate; and

4.5 **Certificate of Descendency recipient with more than one ancestor** arriving in or born in the Swan River Colony during the specified period and proven direct descendency extra certificates are awarded to this recipient at a cost of \$6.00 per additional ancestor.