

# MAITLAND JUNIOR FOOTBALL CLUB INC

## CONSTITUTION



## Maitland Junior Football Club Inc. - Constitution

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## **Part 1 Preliminary**

### **1. Name of the Club**

Maitland Junior Football Club Inc

### **2. Interpretation**

In this constitution, except in so far as the context or subject matter otherwise indicates or requires:

**'Associate member'** means a parent, guardian, a former Member or a member of the Community who has paid the fee established for this category of Membership.

**'Club'** means Maitland Junior Football Club Inc.

**'Committee'** means Management Committee that control and manage the affairs of the club.

**'Committee Member'** means a Member of the Committee of the Club as elected at the AGM

**'Executive'** means the President, Secretary and Treasurer of the Committee.

**'Financial Member'** means a Member who has paid the relevant membership fee and for whom there are no outstanding fees, levies or fines.

**'Junior Member'** means a Member who is a natural person and who has not attained the age of eighteen (18) years.

**'Life Member'** means a Member who has conferred on him or her by operation of Clause(12).

**'Member'** means a person who holds membership under the criteria set down in section nine below.

**'Season'** means the period from the Club's Registration day to the Club's Annual General Meeting.

**'Senior Member'** means a Member who is a natural person and who has attained the age of eighteen (18) years of age.

**'Voting Member'** means all Life Members and Members who are financial.

### **3. Objects**

The object of the Club is to promote and foster football in the district of Maitland and surrounding areas.

### **4. Operation of the Club**

- (a) The Club shall be run on a non-profit basis.
- (b) All profits and surpluses shall be used for the benefit of the Members and will not be distributed as income or dividends to individual Members.
- (c) Committee Members, Coaches and Managers positions may be entitled to an honorarium and or to repayment of expenses, as determined from time to time by the Management Committee.
- (d) The Club's funding sources shall include registration fees, match fees, canteen sales, sale of Club players' equipment, raffles, gala days, inter-club competitions, sponsorship, and other similar fundraising exercises.

### **5. District and State Associations**

- (a) The Club shall maintain affiliation with the relevant District and State Football Associations/Federations.
- (b) The Club shall abide by the Constitution and By-Laws of the relevant District and State Football

Associations/Federations.

## **6. Club Colours**

- (a) The Club colours shall be predominantly black and white.
- (b) The colour of Club provided goalkeepers shirts shall be determined by the Management Committee and shall carry standard club embroidery. Goalkeepers may decide to wear their own personal strip as long as it complies with the Laws of the game.
- (c) They may include the club name inscribed.
- (d) There shall be an alternative strip as approved by the Management Committee.
- (e) Sponsorship may be attached to club strips, as deemed fit by the Management Committee.

## **7. Club Emblem**

The Club emblem shall be a Magpie.

## **8. Competitions**

- (a) The Club may compete in football competitions conducted by the relevant District and State Football Associations/Federations.
- (b) The Club may field teams, as availability of players permit, in all age divisions in both male and female competitions.
- (c) The fielding of any team shall be at the discretion of the Management Committee.
- (d) The Club may enter in special competitions and tournaments as determined by the Management Committee.

## **Part 2 Membership**

### **9. Membership**

- (a) All players and other interested parties over the age of eighteen (18) who have paid the required fee.
- (b) Each player less than eighteen (18) years of age may be represented by a parent or guardian.
- (c) All coaches and managers not covered in (a) or (b) above.
- (d) All Life Members.
- (e) A nomination of a person for membership of the club:
  - (i) must be made by a member of the club in writing in the form set out in Appendix 1 to these rules, and
  - (ii) must be lodged with the secretary of the club.
- (f) As soon as practicable after receiving a nomination for membership, the secretary must refer the nomination to the management committee which is to determine whether to approve or to reject the nomination.
- (g) As soon as practicable after the management committee makes that determination, the secretary must:
  - (i) notify the nominee, in writing, that the management committee approved or rejected the nomination (whichever is applicable), and
  - (ii) if the management committee approved the nomination, request the nominee to pay (within the period of 28 days after receipt by the nominee of the notification) the sum payable under these rules by a member as an annual subscription.
- (h) The secretary must, on payment by the nominee of the amounts referred to in Paragraph 10(a) within the period referred to in that provision, enter the nominee's name in the register of members and, on the name being so entered, the nominee becomes a member of the club.

- (i) The Management Committee shall not be required to assign any reason for any rejection of membership.

## **10. Membership Fees, Subscriptions, etc.**

Members of the Club shall pay fees and subscriptions as follows:

### **(a) Membership Subscription**

- (i) Playing Members under the age of 18 years shall pay an annual membership subscription of an amount that is determined by the Management Committee as part of their registration fee. This entitles their parent or guardian to full Ordinary Membership of the Club.
- (ii) Except as provided by paragraph (a), Playing and Ordinary Members shall pay an annual subscription of \$5.00 or, where some other amount is determined by the Management Committee, of that other amount. This entitles such Playing Members to full Ordinary Membership of the Club.
- (iii) Life Members shall not pay an annual membership subscription.

### **(b) Registration Fee**

- (i) Playing Members shall pay an annual registration fee as determined by the Management Committee after taking into account fees paid to the relevant District and State Football Associations.
- (ii) Playing Life Members shall pay a registration fee/administration fee as determined by the Management Committee and their fees to the relevant District and State Football Associations/Federations will be paid by the Club.
- (iii) Registration fees must be paid by the first game of the Competition, otherwise the player(s) who have not paid shall not be permitted to play until such time as the fees are paid or arrangements have been made to the satisfaction of the Executive.

### **(c) Match/Season Fees**

- (i) Playing Members in junior teams up to and including 18 years age groups shall pay match fees as determined by the Management Committee. Match fees must be paid by the third round of the competition, otherwise the player(s) who have not paid will not be permitted to play until such time as the fees are paid or arrangements are made to the satisfaction of the Executive.
- (ii) Playing Members in Juniors Teams above 18 years and all Senior Teams shall pay match fees as determined by the Management Committee to cover the whole season. Match fees must be paid by the first game of the Competition, otherwise the player(s) who have not paid shall not be permitted to play until such time as the fees are paid or arrangements have been made to the satisfaction of the Executive

## **11. Membership Voting Rights**

Voting members of the Club shall be Life Members and all financial members of the club.

## **12. Life Membership**

Life membership may be granted at each Annual General Meeting to a member in recognition of outstanding service to the Club, and such Life Member shall be entitled to all privileges of membership of the Club.

- (a) Nomination for Life Membership must be submitted in writing thirty (30) days prior to the Annual General Meeting.
- (b) The Management Committee shall determine the Candidate for Election.
- (c) The elected candidate's name and nomination shall appear on the business paper for the meeting.
- (d) The vote shall be by secret ballot and to succeed, the motion to grant Life Membership must win 75% of the possible vote.

- (e) Nomination shall be restricted to those members who have rendered outstanding service to the Club for at least ten (10) years. This qualifying period may be altered in extenuating circumstances.
- (f) Candidates shall not be present at such a meeting when nominations are being discussed and presented at an Annual General Meeting.

### **13. Member Liabilities**

The liability of a member of the Club to contribute towards the payments of the debts and liabilities of the Club, or the costs, charges and expenses of the winding up of the Club, is limited to the amount, if any, of outstanding unpaid fees and fines of the Member.

### **14. Termination of Membership**

A person ceases to be a member of the Association if the person:-

- (a) dies;
- (b) resigns that membership;
- (c) ceases to hold a qualification for membership; or
- (d) is expelled from the Association.
- (i) MEMBERSHIP ENTITLEMENTS NOT TRANSFERABLE

The right, privilege or obligation which a person has by reason of being a member of the Association:-

- (a) is not capable of being transferred or transmitted to another person;
- (b) terminates upon cessation of the person's membership.

### **15. Register of members**

- (a) The Public Officer of the Club must establish and maintain a register of Members of the Club specifying the name and address of each person who is a Member of the Club together with the date on which the person became a Member.
- (b) The register of members must be kept at the principal place of administration of the association and must be open for inspection, free of charge, by any member of the association at any reasonable hour.
- (c) A member of the association may obtain a copy of any part of the register on payment of a fee of \$1 for each page copied or, if some other amount is determined by the Management Committee, that other amount.

## **Part 3 Meetings**

### **16. Annual General Meeting**

- (a) The Club's Annual General Meeting shall be held after the final match of the District Associations season and no later than December 31<sup>st</sup> each year on such date and at such place and time as the Management Committee thinks proper.
- (b) The purpose of the Annual General Meeting shall be to receive and consider the Minutes of the previous Annual General Meeting; to receive and consider a written report from the out-going Management Committee on its conduct of Club affairs; to receive and consider audited Club accounts; to appoint an auditor for Club Accounts for the following year; and to resolve such matters as are proposed by Members and to elect Members to Management Committee positions for the following year.
- (c) A member desiring to bring any business before an Annual general or Special General Meeting may give notice in writing of that business to the Secretary/Registrar who shall include that business in the next notice calling an AGM or Special General meeting given after receipt of the notice from the member.
- (d) Notice of the Annual General Meeting specifying date, time and place shall be communicated to all Members at least three (3) weeks prior to the Meeting.

(e) Notice of the Annual General Meeting can include a call for nominations for Management Committee positions and notice of any proposed general resolutions and resolutions to alter the Constitution.

(f) Written nominations for positions on the Management Committee must be lodged with the Secretary/Registrar prior to the commencement of the Annual General Meeting.

(g) Nominations shall be accepted from the floor during the Annual General Meeting for positions not previously nominated for in writing to the Secretary/Registrar.

(h) Voting for each position and resolution shall be a show of hands unless the Chairperson of the Annual General Meeting deems it appropriate to hold a secret ballot.

(i) Any vacant position remaining on the Management Committee after the Annual General Meeting shall be deemed to be a casual vacancy.

(j) The quorum for the Annual General Meeting shall be seven (7) Members eligible to vote.

## **17. Management Committee Meetings and Quorums**

(a) The Management Committee shall meet at least each month at such place and time as the management committee may determine.

(b) Additional meetings of the committee may be convened by any of the office-bearers.

(c) Oral or written notice of a meeting of the management committee shall be given by the Secretary/Registrar to each member of the management committee at least 48 hours (or such other period as may be unanimously agreed upon by the members of the management committee) before the time appointed for the holding of the meeting.

(d) Notice of a meeting given under clause (c) shall specify any business of an unusual or non-recurrent nature to be transacted at the meeting except business which the committee members present at the meeting unanimously agreed to treat as urgent business.

(e) A quorum of the management committee means five or more of the committee, meeting at any one time and place (provided that one executive member is present at such meeting) and is authorised to bind the club in the day to day running and administration of the club.

(f) No business shall be transacted by the management committee unless a quorum is present and if within half an hour of the time appointed for the meeting a quorum is not present the meeting stands adjourned to the same place and at the same hour of the same day in the following week.

(g) If the adjourned meeting a quorum is not present within half an hour of the time appointed for the meeting, the meeting shall be dissolved.

At a meeting of the management committee:-

(i) The President or, in the President's absence, the Vice President shall preside.

(ii) If the President and the Vice-President are both absent or unwilling to act on such, one of the remaining members of the management committee as may be chosen by the members present at the meeting shall preside.

## **18. SPECIAL GENERAL MEETINGS**

The management committee may, whenever it thinks fit, convene a special general meeting of the association.

The management committee shall, on the requisition in writing of not less than 5 per cent of the total number of members, convene a special general meeting of the association.

A requisition of members for a special general meeting:-

(a) shall state the purpose or purposes of the meeting;

(b) shall be signed by the members making the requisition;



- (c) shall be lodged with the secretary/registrar; and
- (d) may consist of several documents in similar form, each signed by one or more of the members making the requisition.
  - I. If the management committee fails to convene a special general meeting to be held within 1 month after the date on which a requisition of members for the meeting is lodged with the secretary/registrar,
  - II. any one or more of the members who made the requisition may convene a special general meeting to be held not later than three months after that date.

A special general meeting convened by a member or members as referred to in clause (18) shall be convened as nearly as is practicable in the same manner as general meetings are convened by the management committee and any member who thereby incurs expense is entitled to be reimbursed by the association for any expense so incurred.

## **19. Voting and decisions**

- (a) Questions arising at a meeting of the management committee or of any sub-committee appointed by the management committee are to be determined by a majority of the votes of members of the management committee or sub-committee present at the meeting.
- (b) Each member present at a meeting of the management committee or of any sub-committee appointed by the management committee (including the person presiding at the meeting) is entitled to one vote but, in the event of an equality of votes on any question, the person presiding may exercise a second or casting vote.
- (c) Subject to clause 16, the management committee may act despite any vacancy on the committee.
- (d) Any act or thing done or suffered, or purporting to have been done or suffered, by the management committee or by a sub-committee appointed by the committee, is valid and effectual despite any defect that may afterwards be discovered in the appointment or qualification of any member of the committee or sub-committee.

## **20. Extraordinary Meeting**

- (a) The Management Committee may call an Extraordinary Meeting as required.
- (b) On written request from twenty (20) Members eligible to vote, of whom ten (10) must be in attendance at the meeting an Extraordinary Meeting may be held.
- (c) At least seven (7) days' notice must be given and the meeting held within thirty (30) days.
- (d) Notice of a Extraordinary Meeting for the purpose of electing a Club.
- (e) No business shall be considered at an Extraordinary meeting other than that specified in the notice of the meeting.
- (f) A quorum shall be ten (10) Members eligible to vote providing the requirements of (b) are met.

## **21. Adjournment of Meetings**

- (a) The Chairperson of a Management Committee Meeting at which a quorum is present may, with consent of the majority of the Members present at the meeting, adjourn the meeting from time to time and place to place, but no business shall be transacted at an adjourned meeting other than that the business left unfinished at the meeting at which the adjournment took place.
- (b) Where a General Meeting is adjourned for fourteen (14) days or more, the Secretary/Registrar shall give written or oral notice of the adjourned meeting to each Committee member of the Club stating the place, date and time of the meeting and nature of the business to be transacted at the meeting.
- (c) Except as provided in Paragraphs (a) and (b) notice of an adjournment of a General Meeting or of the business to be transacted at an adjourned meeting is not required to be given.

## **22. Making of decisions**

- (a) A question arising at a general meeting of the Club is to be determined by either:
  - (i) a show of hands, or
  - (ii) if on the motion of the chairperson or if 5 or more members present at the meeting decide that the question should be determined by a written ballot—a written ballot.
- (b) If the question is to be determined by a show of hands, a declaration by the chairperson that a resolution has, on a show of hands, been carried or carried unanimously or carried by a particular majority or lost, or an entry to that effect in the minute book of the Club, is evidence of the fact without proof of the number or proportion of the votes recorded in favour of or against that resolution.
- (c) If the question is to be determined by a written ballot, the ballot is to be conducted in accordance with the directions of the chairperson.

### **23. Voting**

- (a) On any question arising at annual general, special, extraordinary or management committee meetings of the Club a member has one vote only.
- (b) All votes shall be given personally or by proxy, but no member may hold more than two proxies.
- (c) In the case of an equality of votes on a question at any of the meetings, the chairperson of the meeting is entitled to exercise a second or casting vote.
- (d) A member or proxy is not entitled to vote at any meeting of the Club unless all money due and payable by the member or proxy to the Club has been paid.
- (e) A member or proxy is not entitled to vote at any meeting of the Club if the member or proxy is under 18 years of age.

### **24. Appointment of Proxies**

- (a) Each member shall be entitled to appoint another member as proxy by notice given to the Secretary/Registrar no later than 24 hours before the time of the meeting in respect of which the proxy is appointed.
- (b) The notice appointing the proxy shall be in the form set out in Appendix 2 to these rules.

### **25. Postal ballots**

Postal voting must not be undertaken at or in respect of any meeting.

## **Part 4 The Management Committee**

### **26. The Management Committee shall be elected at the Annual General Meeting.**

The Management Committee shall control and manage the affairs of the Club, establish such policies, set such fees, appoint and employ such people and perform all such acts and do all such things as appear to the Management Committee to be necessary or desirable for the proper management of the affairs of the Club consistent with the Constitution of the Club.

The Management Committee must consist of the following positions:

**President, Vice-President, Secretary/Registrar, Treasurer, Public Officer, Canteen Supervisor, Gear Steward, Media Officer and General Committee persons and such other positions as may be determined at the Annual General Meeting.**

- (a) All Voting Members shall be eligible to be elected to a Management Committee position.
- (b) A Member is not eligible for election to a Management Committee position where that Member holds a remunerated position with the Club or is directly or indirectly interested in any contract or proposed contract with the Club.
- (c) A Member shall not be elected to more than 1 position unless there is an unfilled position, in which case a Member may be elected to two, but to no more than two Executive positions.

- (d) The Management Committee Executive is responsible for the implementation of Committee policy and resolutions, and for the resolution of such business, consistent with the Clubs Constitution as may be required between Management Committee Meetings.
- (e) Irrespective of the number of positions held each Member shall have one (1) vote.
- (f) Passing of decisions at meetings requires a simple majority.

## **27. Duties and Authority of the Committee**

### **President**

- (a) The President shall be Chairperson of all meetings except where otherwise specified within this Constitution. The President will conduct meetings in accordance with Club Rules and Parliamentary procedures. The Chairperson of any Club Meetings will not lodge a deliberate vote, but will have the casting vote where voting is tied.
- (b) The President will represent the Club at all social functions and shall speak on behalf of the Club, but may nominate a past President or Executive Member to be the Club Representative.
- (c) Shall be a member of the Management Committee Executive.
- (d) An honorarium for the President may be determined each year at the Annual General Meeting for the year following.

### **Vice-President**

- (a) In the absence of the President, the Vice-President will act as Chairperson in accordance with Paragraph (a) above.
- (b) An honorarium for the Vice President may be determined each year at the Annual General Meeting for the year following.

### **Secretary/Registrar**

- (a) The Secretary/Registrar will attend to the general business of the Club and perform all clerical work necessary to carry out decisions of the members and/or Management Committee.
- (b) The Secretary/Registrar will keep Club minutes and distribute copies for every meeting unless this function is delegated.
- (c) Club correspondence will be handled by the Secretary/Registrar who may also accept money due to the Club on behalf of the Treasurer.
- (d) The Secretary/Registrar will be responsible for preparing the Annual Report.
- (e) The Secretary/Registrar will liaise with the Grading Officers to allocate players for the competition teams.
- (f) The Registrar will maintain player history records for their particular group and will report any irregularity to the Committee. They will not divulge, in any circumstances, any information regarding registered players unless directed by the Management Committee Executive.
- (g) The Secretary/Registrar shall establish and maintain a register of members of the Club specifying the name and address of such persons who are members of the Club together with the date on which the person became a member. A record shall be also kept of broken periods of membership. A further record should be kept of all Life Members of the Club. The Secretary/Registrar shall keep a record of attendances at all Club Meetings.
- (h) In the absence of the President and Vice-President, the Secretary/Registrar will act as Chairperson, in accordance with Paragraph (a) above.
- (i) Shall be a member of the Management Committee Executive.
- (j) An honorarium for the Secretary/Registrar may be determined each year at the Annual General Meeting for the year following.

### **Treasurer**

- (a) The Treasurer will receive all money for and on behalf of the Club and issue receipts and will bank all money into such bank accounts in the name of the Club as may be determined from time to time by the Constitution and Management Committee.
- (b) Bank statements and account books will be in the custody of the Treasurer and will be made available at each meeting as required.
- (c) The Treasurer will pay all creditors accounts and will present a financial statement of the accounts

at each meeting.

(d) Shall arrange for the Clubs books to be audited by an appropriately qualified Accounting Institution at the end of each Club financial year. This Annual Financial Statement will be presented by Treasurer at to the Annual General Meeting.

(e) The Treasurer is responsible for completing the Annual Statement for the Public Officer to lodge with the appropriate Government Department.

(f) Shall be a member of the Management Committee Executive

(g) An honorarium for the Treasurer may be determined each year at the Annual General Meeting for the year following

#### **Media Officer**

(a) The Media Officer will organise the production of all Club publications and manage social media during the season as authorised by the Management Committee.

(b) All content of Social Media relating to match comments and news items will be controlled by the Media Officer, unless specifically directed by the Management Committee.

(c) An honorarium for the Media Officer may be determined each year at the Annual General Meeting for the year following.

#### **Gear Steward**

(a) The Gear Stewart will be responsible for all Club property and will report to the Management Committee the necessity for its replacement or repair.

(b) An honorarium for the Gear Steward may be determined each year at the Annual General Meeting for the year following.

#### **Coaching Coordinator**

(a) Maintaining contact with and supervising Club Coaches.

(b) Liaise with the Secretary/Registrar.

(c) Arrange Grading Officers for the grading of players into teams.

(d) An honorarium for the Coaching Coordinator may be determined each year at the Annual General Meeting for the year following.

#### **Canteen Supervisor**

(a) The Canteen Supervisor shall be responsible for purchasing for the canteen and the running of the canteen with rostered volunteers.

(b) The Canteen Supervisor shall ensure that rostered teams carry out cleaning to comply with NSW Health Regulations.

(c) An honorarium for the Canteen Supervisor may be determined each year by the Management Committee for the year following.

#### **Public Officer**

(a) The Public Officer of the Club will notify the Government Department of any changes in the Club and its financial position.

(b) An Annual Statement must be lodged within one (1) month after the date of each Annual General Meeting of the Club (together with the prescribed fee).

(c) The full name, residential address, and date of appointment as Public Officer must be lodged with the Department within 14 days of the appointment.

(d) A record of all registered players will be held by the Public Officer.

(e) Shall be a member of the Management Committee.

#### **General Management Committee**

(a) Will not be allocated specific duties, but shall be called upon, where necessary, to assist other members of the Committee with their duties.

(b) An honorarium for General Management Committee may be determined each year by the Management Committee for the year following.

#### **28. Termination of Committee Membership**

A resolution to remove a Member from a Management Committee position shall not be carried unless three

quarters (75%) majority is supported by the Management Committee Members.

### **29. Delegation by Management Committee Executive to the Committee**

- (a) The Management Committee Executive may make appointments and delegations of such functions and powers to such Committees as the Management Committee Executive thinks proper.
- (b) A delegation shall be by way of formal Management Committee resolution and may be subject to such conditions and limitations as to its exercise as may be specified by the Management Committee Executive
- (c) Any act done or suffered by a Committee acting in the exercise of a delegation under this rule, has the same force and effect as it would if it had been done or suffered by the Management Committee Executive
- (d) The Management Committee Executive may, by formal resolution and by formal communication to the Committees, revoke wholly or in part any delegation.
- (e) Consistent with the Club's Constitution and subject to conditions and limitations pursuant to (b), a Committee may function as its Members deem appropriate.
- (f) Committee and delegations established by a Management Committee Executive shall expire with the appointment of new Committee at any subsequent Annual General Meeting.

### **30. Protest, Disputes and Judiciary Committee**

- (a) There shall be a Protests, Disputes and Judiciary Committee, hereinafter called the PD&JC. The convener of this committee will be the Secretary/Registrar and it will consist of the Vice-President, two (2) other members of Management Committee (appointed by the Executive) and two (2) Ordinary Members.
- (b) The PD&JC shall have complete power (except where such power rests with the relevant District and State Football Associations/Federations) with reference to:
  - (i) Protests and/or disputes arising from disputes between Players, Coaches and/or Managers of the Club.
  - (ii) Fining, suspending or other disciplining of any Players, Coaches or Managers of the Club cited for misconduct and found guilty of a breach of Rules on or off the field of play.
- (c) The PD&JC may require any member (Playing or Ordinary), Coach or Manager to appear before the PD&JC to answer any charge of misconduct or breach of Code of Conduct or Rules. Should any such person fail to appear, the matter may be determined in their absence.
- (d) All protests, disputes and complaints:
  - (i) must be made in writing to the Secretary/Registrar
  - (ii) Any decision of the PD&JC may be appealed against in writing within seven (7) days of such PD&JC meeting or decision
  - (iii) The appeal will be lodged with the relevant Association body

### **31. Casual Vacancies**

- (a) A vacancy in a Committee position occurs if a member of the Committee ceases to be a Member of the Club, resigns their position by notice in writing given to the Secretary/Registrar, or is removed from the position by a formal vote of the Management Committee.
- (b) A member of the Committee may be removed from a Management Committee position if they become of unsound mind, is absent without the consent of the Committee from three(3) consecutive Committee meetings or breaches the Club's Constitution.
- (c) A member of the Committee shall resign a position, or where such a resignation is not offered, shall be removed from a position, where that Member assumes a remunerated position with the Club or is directly or indirectly interested in any contract or proposed contract with the Club.
- (d) Vacancies on the Management Committee may be filled by and at the discretion of the Management Committee.
- (e) Vacancies of positions lasting for a period longer than two months shall be filled by nomination and election at a Special General Meeting, such General Meeting to be held by the Management Committee no later than four (4) weeks after the position becomes vacant.

## **PART 5 Miscellaneous**

### **32. Disciplinary Matters and Disputes**

- (a) If any member breaches the provisions of Club's Constitution or Code of Conduct, is guilty of a breach of playing rules or rules of the game of football, or is guilty of any conduct which, in the opinion of the Management Committee is prejudicial to the aims and interest of the Club, the Management Committee shall have power to reprimand, fine suspend, or expel such a member from the Club.
- (b) A member who is the subject of disciplinary action shall be advised in writing of the concerns being addressed and the action proposed and be given an opportunity to make a submission to the Management Committee, in writing, in person and or by representation, regarding the concerns and proposed action.
- (c) Such notice shall be provided to the Member the subject of the disciplinary action within seven (7) days of the Management Committee decision and that Member shall be given at least fourteen (14) days' notice of the General Meeting at which their submission can be made.
- (d) Any persons dealt with under this rule have the right to appeal to the relevant District or State Associations/Federations.

### **33. Honorariums**

Honorariums may be paid during the season after voting at a full Management Committee general meeting.

### **34. Changes to the Constitution**

Amendments may only be made at the Annual General Meeting with a two third majority vote required of Voting Members attending the meeting.

### **35. Audit of Records**

- (a) The Clubs financial records shall be examined each year by a qualified Accountant/Auditor who is not a member of the Committee.
- (b) The financial records of the Club shall be held by the Treasurer or, in that person's absence, by the Secretary/Registrar.

### **36. Common Seal**

- (a) The common seal of the Club must be kept in the custody of the Public Officer.
- (b) The common seal must be affixed to any instrument except by the authority of the Management Committee and the affixing of the common seal must be attested by the signatures of two (2) members of the Management Committee and of the Secretary/Registrar.

### **37. Custody of Books**

All records, books and other documents of the Club shall be made accessible for inspection by any Member within one (1) week of a written request to the Secretary/Registrar.

### **38. Patrons**

- (a) The Members may appoint such Patrons for the Club to promote the Club's aims and its standing in the community.
- (b) Appointment as a Club Patron shall be way of a resolution of two thirds of Voting Members at an Annual General Meeting.
- (c) Nominations for Club Patron may be submitted to an Annual General Meeting by the Management Committee or by any Member, such nominations to include a recommended period of appointment.
- (d) Patrons shall hold office for as long as the Members may determine.
- (e) Patrons shall be entitled to attend all meetings and activities of the Club but shall not be entitled to vote.

### **39. Insurance**

- (a) The Committee shall ensure that the Club is covered by a Public Liability Insurance Policy, which meets the requirements of the appropriate authorities.
- (b) In addition to the Insurance required under (a) above, the Club must effect and maintain such other insurance as it deems appropriate.

### **40. Funds – source**

- (a) The funds of the association shall be derived from annual subscriptions of members, donations and, subject to any resolution passed by the association in general meeting, such other sources as the Management Committee determines.
- (b) All money received by the association shall be deposited as soon as practicable and without deduction to the credit of the association's bank account.
- (c) The association shall, as soon as practicable after receiving any money, issue an appropriate receipt.

#### **41. FUNDS - MANAGEMENT**

- (a) Subject to any resolution passed by the association in general meeting, the funds of the association shall be used in pursuance of the objects of the association in such manner as the committee determines.
- (b) All monies transferred electronically must have two Executive signatory's.
- (c) Club credit cards may be held by Secretary/Registrar, Treasurer, Canteen Supervisor and person/s deemed necessary by the Management Committee Executive.
- (d) Treasurer to hold all credit card numbers and to reconcile credit cards each month.
- (e) The club is to maintain a cloud based accounting system.

#### **42 GENERAL**

The Management Committee Executive decision is final in all matters pertaining to the management of the Club.

#### **43 Financial year**

The financial year of the Club is:

- (a) the period of time commencing on the date of incorporation of the Club and ending on the following 30 September, and
- (b) each period of 12 months after the expiration of the previous financial year of the Club, commencing on 1 October and ending on the following 30 September.

#### **44 Winding up of the Club**

- (a) Upon resolution to wind-up the Club, a trustee will be appointed by the Management Committee Executive.
- (b) The trustee appointed shall hold all assets with a view of reforming the Club within two (2) years.
- (c) If a trustee cannot be appointed all Club funds and assets shall be distributed by the Management Committee to a charity or organisations of the Management Committee choice.
- (d) Where a trustee cannot be appointed and the Management Committee is not able to function, the Club's affairs, assets and funds shall be placed under the control of the relevant District Association/Federation.

#### **45 Effect**

The provisions as set out in this Constitution shall come into effect immediately upon their adoption by the members of the Club at a General Meeting convened for this purpose.

**Appendix 1 - Application for membership of association**

**Clause 9 (e) (i)**

APPLICATION FOR MEMBERSHIP OF ASSOCIATION

.....

[name of association] Incorporated

(incorporated under the *Associations Incorporation Act 2009*)

I, .....

[full name of applicant]

of .....

[address]

.....

[occupation]

hereby apply to become a member of the abovenamed incorporated association. In the event of my admission as a member, I agree to be bound by the constitution of the association for the time being in force.

.....

*Signature of applicant*

Date

I, .....

[full name]

a member of the association, nominate the applicant for membership of the association.

.....

*Signature of proposer*

Date

I, .....

[full name]

a member of the association, second the nomination of the applicant for membership of the association.

.....

*Signature of seconder*

Date



**Appendix 2 – Form of Appointment of Proxy**

**Clause 24 (b)**

I, .....of .....  
*(full name)* *(address)*

being a member of .....  
*(name of incorporated association)*

hereby appoint ..... of .....  
*(full name of proxy)* *(address)*

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

.....day of.....  
*(month and year)*

and at any adjournment of that meeting.

- \* My proxy is authorised to vote in favour of/against (delete as appropriate) the resolution (insert details).
- \* to be inserted if desired.

..... Signature of member  
appointing proxy

Date.....

NOTE: A proxy vote may not be given to a person who is not a member of the association.