

The Constitution of **The Gosford Junior Australian Rules Football Club**

PART 1 – PRELIMINARY

1. Name

The name of the Club shall be The Gosford Junior Australian Rules Football Club Incorporated hereinafter referred to as “the Club”.

2. Objectives

The objectives of the Club shall be;

- (i) To promote and foster the game of Australian Football through the provision of training practices and facilities and by the entering of a team or teams in organized competition.
- (ii) To encourage community spirit among members of the Club through involvement in the Club’s affairs and social activities.

3. Interpretation

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

“ordinary member” means;

A member of the Committee who is not an office bearer of the Club as referred to in rule 10

(i)

“Secretary” means;

- (a) the person holding office under these rules as secretary of the Club; or
- (b) where no such person holds that office – the public officer of the Club.

“special general meeting” means;

A general meeting of the Club other than the annual general meeting.

“the Act” means;

the Associations Incorporation Act, 1984.

“the Regulations” means; the Associations Incorporation Regulation, 1984.

In these rules:-

- (a) a reference to a function includes a reference to a power, authority and duty; and
- (b) a reference to the exercise of a function includes, where the function is a duty, a reference to the performance of a duty.

PART II – MEMBERSHIP

4. Membership Qualifications

- (i) Membership shall be open to any member of the community who possesses an interest in the game of Australian Football.
- (ii) There shall be the following categories:
 - (a) senior member;
 - (b) junior member;
 - (c) honorary life member;
- (iii) Senior members shall be 18 years of age or older and together with honorary life members shall be the general body of members of the Club with the right to elect the committee and vote and general meetings.
- (iv) Junior members shall be those members under 18 years of age.
- (v) A properly convened annual general meeting or special general meeting may appoint a person as an honorary life member of the Club in recognition of services rendered in promoting the interests and objects of the Club. Not more than two (2) honorary life members shall be elected in any financial year of the Club and such election shall be approved by a three fourths majority of financial members present.

5. Register of Members

The secretary of the Club shall 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.

6. Fees and Subscriptions

There shall be no entrance fee for admission to membership of the Club. Senior members and junior members shall pay an annual subscription as determined by the committee. Such subscription shall fall due on 1st April in each calendar year, or as otherwise determined by the committee. Membership shall cease automatically when the subscription is three (3) months in arrears unless otherwise determined by the committee.

7. Liabilities and Debt

The liabilities of a member of the Club to contribute towards the payment of debts and liabilities of the Club or the costs, charges and expenses of the winding up of the Club as required by rule 6.

8. Disciplining of Members

- (i) Any member found guilty of conduct prejudicial to the interest of the Club may be suspended for a period not exceeding 12 months, or may be expelled at the discretion of the committee, provided that a member so expelled shall have the right to appeal to the next general meeting, which may confirm, vary or revoke the committee's decision. Voting on this issue shall, both in committee and in general meeting, be by secret ballot.
- (ii) Before any member shall be expelled or otherwise punished or penalized, he shall be called before the committee who shall enquire into his conduct giving such member every opportunity to defend himself against alleged misconduct. Provided a quorum is established and a majority of the committee present when the matter is enquired into is of the opinion that such member has been guilty of alleged misconduct, the committee shall establish the penalty (if any) against such member.
- (iii) Should any member fail to appear before the committee to answer allegations as mentioned under clause 8 (ii), such member shall be automatically suspended until he appears before the committee.

PART III – THE COMMITTEE

9. Powers etc of the Committee

The committee shall be called the committee of management of the Club and, subject to the Act, the Regulation and these rules and to any resolution passed in general matter

- (i) Shall control and manage the affairs of the Club;
- (ii) may exercise all such functions as may be executed by the Club other than those functions that are required by these rules to be exercised by a general meeting of the Club; and
- (iii) has power to perform all such acts and do all such things as appear to the committee to be necessary or desirable for the proper management of the affairs of the Club including promulgation of by-laws.

10. Constitution and Membership

- (i) Subject to the case of first members of the committee to section 21 of the Act, the committee shall consist of:-

- (a) the office bearers of the Club; and
- (b) three (3) ordinary members,

each of whom shall be elected at the annual general meeting of the Club pursuant to rule 11.

- (ii) The office bearers of the Club shall be:-

President
Treasurer
Secretary

- (iii) Each member of the committee shall, subject to these rules, hold office until the conclusion of the annual general meeting next following the date of the member's election, but is eligible for re-election.
- (iv) In the event of a casual vacancy occurring in the membership of the committee, the committee may appoint a member of the Club to fill the vacancy and the member so appointed shall hold office, subject to these rules, until the conclusion of the annual general meeting next following the date of appointment.

11. Election of Members

- (i) Nominations of candidates for election as office bearers or ordinary members of the committee shall be made in writing, signed by two (2) members of the Club and delivered to the Secretary not less than seven (7) days before the date fixed for the annual general meeting.
- (ii) If insufficient nominations are received to fill all vacancies on the committee, the candidates nominated shall be deemed to be elected and further nominations shall be received at the annual general meeting.
- (iii) Any position not filled at the annual general meeting shall be deemed to be casual vacancies.
- (iv) The ballot for the election of office bearers shall be conducted at the annual general meeting in such usual and proper manner as the committee may direct.

12. Secretary

It is the duty of the Secretary to:

- (i) convene meetings in accordance with these rules and keep minutes of all proceedings and the names of those present at such meetings.
- (ii) Attend to and keep records of all Club correspondence.

13. Treasurer

It is the duty of the treasurer of the Club to ensure that:

- (i) all money due to the Club is collected and received and that all payments authorized by the Club are made; and
- (ii) correct books and accounts are kept showing the financial affairs of the Club including full details of all receipts and expenditure connected with the activities of the Club.

14. Casual Vacancies

For the purposes of these rules, a casual vacancy in the office of a member of the committee occurs if the member

- (i) resigns office by notice in writing given to the secretary;
- (iii) ceases to be a member of the Club;
- (iv) is removed from office under rule 15;
- (v) is absent from three (3) consecutive meetings without reasonable excuse;
- (vi) dies.

15, Removal of Member

- (i) The Club in a general meeting may by resolution remove any member of the committee from the office of member before the expiration of the member's term of office and may by resolution appoint another person to hold office until the expiration of the term of office of the member so removed.
- (ii) Where a member of the committee to whom a proposed resolution referred to in clause (i) relates makes representations in writing to the secretary or president and requires that the representations be notified to the members of the Club, the secretary or president may send a copy of the representations to each member of

the Club or, if they are not so sent, the member is entitled to require that the representations to be read out at the meeting at which the resolution is considered.

16. Meetings and Quorums

- (i) The committee shall meet monthly or otherwise as required at such place and time as the committee may determine.
- (ii) Oral or written notice of a meeting of the committee shall be given by the secretary at least seven (7) days before the date of such meeting.
- (iii) 50% plus 1 of the number of committee members shall constitute a quorum for the transaction of the business of a meeting of the committee.
- (iv) No business shall be transacted by the 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 a time and place to be advised within fourteen (14) days of the date of such adjourned meeting.
- (v) If at the adjourned meeting a quorum is not present within half an hour of the time appointed for the meeting, the members present (being not less than three) shall constitute a quorum.
- (vi) At a meeting of the committee:-
 - (a) the present shall preside; or
 - (b) if the president is absent or unwilling to act, the members present may choose one of their number to preside.

17. Delegations to Sub-Committee

- (i) The committee may by instrument in writing, delegate to one or more sub-committees the exercise of such functions as may be considered necessary from time to time other than;
 - a. This power of delegation; and
 - b. A function which is a duty imposed on the committee by the Act or by any other law.
- (ii) A function the exercise of which has been delegated to a sub-committee under this rule may, while the delegation remains unrevoked, be exercised from time to time by the sub-committee in accordance with the terms of the delegation.
- (iii) A delegation under this section may be made subject to such conditions or limitations as may be specified in the instrument of delegation.

- (iv) Notwithstanding any delegation under this rule, the committee may continue to exercise any function delegated.
- (v) Any act or thing done or suffered by a sub-committee acting in the exercise of a delegation under this rule has the same force and effect as it would have if it had been done or suffered by the committee.
- (vi) The committee may, by instrument in writing, revoke wholly or in part any delegation under this rule.
- (vii) A sub-committee may meet and adjourn as it thinks proper.

18. Voting and Decisions

- (i) Questions arising at a meeting of the committee or any sub-committee appointed by the committee shall be determined by a majority of votes of members of the committee or sub-committee present at the meeting.
- (ii) Each member present at a meeting of the committee or any sub-committee appointed by the committee (including the person presiding at the meeting) is entitled to one vote but, in the event of equality of votes on any question, the person presiding may exercise a second or casting vote.
- (iii) Any act or thing done or suffered, or purporting to have been done or suffered, by the committee or a sub-committee appointed by the committee is valid and effectual notwithstanding any defect that may afterwards be discovered in the appointment or qualification of any member of the committee or sub-committee.

PART IV – GENERAL MEETINGS

19. Annual General Meeting

- (i) The annual general meeting of the Club shall be held in October each year at such place and time as the committee may determine.
- (ii) In addition to any other business which may be transacted at an annual general meeting, the order of business shall be:-
 - a) Apologies
 - b) Confirmation of minutes of previous annual general meeting and of any special general meeting which may have been held since that meeting.
 - c) To receive from the committee, reports upon the activities of the Club during the financial year just ended.
 - d) To receive and consider the financial statement which is required to be submitted to members pursuant to section 26(6) of the Act.

- e) Elections of office bearers and ordinary members of the committee.

20. Special General Meeting

The committee may convene a special general meeting of the Club whenever it thinks fit or on receipt of a requisition in writing from not less than seven (7) members of the Club stating the purpose of the meeting.

21. Notice

- (i) Except where the nature of the business to be proposed to be dealt with at a general meeting requires a special resolution of the Club, the secretary shall provide at least 14 days notice of the meeting to each member of the Club specifying the place, date and time of the meeting and the nature of the business to be transacted.
- (ii) Where the nature of the business requires a special resolution of the Club, at least 21 days notice of the meeting shall be provided in the manner described in clause (i) and specifying the intention to propose the resolution as a special resolution.
- (iii) No business other than that specified in the notice convening a general meeting shall be transacted at the meeting except, in the case of an annual general meeting, business which may be transacted pursuant to rule 19(ii).
- (iv) A member desiring to bring any business before a general meeting may give notice in writing of that business to the secretary who shall include that business in the notice for the meeting provided that the requirements of notice under this rule can be satisfied.

22. Procedure

- (i) No item of business shall be transacted at a general meeting unless a quorum of members entitled under these rules to vote is present.
- (ii) 50% plus one (1) of the number of committee members present in person (being members entitled under these rules to vote at a general meeting) shall constitute a quorum for the transaction of business at a general meeting of the Club.
- (iii) If within half an hour of the appointed time for the commencement of a general meeting a quorum is not present, the meeting if convened upon the requisition of members shall be dissolved and in any other case shall stand adjourned to a time and place to be advised, within twenty one (21) days of the date of such adjourned meeting.
- (iv) If at the adjourned meeting a quorum is not present within half an hour after the time appointed for the commencement of the meeting, the members present (being not less than three (3)) shall constitute a quorum.

23. Presiding Member

- (i) The president shall preside as chairperson at each general meeting of the Club.
- (ii) If the president is absent from a general meeting or unwilling to act, the members present shall elect one of their number to preside as chairperson at the meeting.

24. Adjournment

The chairperson of a general meeting at which a quorum is present may, with the consent of the majority of the members present at the meeting, adjourn the meeting to another time and place, but no business shall be transacted at an adjourned meeting other than the business left unfinished at the meeting at which the adjournment took place.

25. Decisions and Voting

- (i) A question arising at a general meeting of the Club shall be determined on a show of hands unless a poll is demanded by the chairperson or by five (5) or more members present in person or by proxy at the meeting. The resolution of the poll on the matter shall be deemed to be the resolution of the meeting on the matter in question.
- (ii) Upon any question arising at a general meeting of the Club only senior members and life members shall be entitled to vote. In the event of equality of voting, the chairperson of the meeting is entitled to exercise a second or casting vote.
- (iii) A member or proxy is not entitled to vote at any general meeting of the Club unless all money due and payable by the member or proxy to the Club has been paid, other than the amount of the annual subscription payable in respect of the current year.
- (iv) Each member shall be entitled to appoint another member as proxy by notice given to the secretary before the commencement of the meeting in respect of which the proxy is appointed.

26. Special Resolution

A resolution of the Club is a special resolution if it is passed by a majority which comprises not less than three-quarters of such members of the Club as, being entitled under the rules to do so, voting in person or by proxy at a general meeting of which not less than twenty one (21) days written notice specifying the intention to propose the resolution as a special resolution was given in accordance with these rules.

PART V – MISCELLANEOUS

27. Insurance

The Club may effect and maintain insurance.

28. Funds – Source

- (i) The funds of the Club shall be derived from annual subscriptions of members, donations and, subject to any resolutions passed by the Club in general meetings, such other sources as the committee determines.
- (ii) All money received by the Club shall be deposited as soon as practicable and without deduction to the credit of the Club's bank account.
- (iii) The Club shall, as soon as practicable after receiving any money, issue an appropriate receipt.

29. Funds Management

- (i) Subject to any resolution passed by the Club in general meeting, the funds of the Club shall be used in pursuance of the objects of the Club in such manner as the committee determines.
- (ii) All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments shall be signed by any two members of the committee authorized by the committee to do so.

30. Alteration of Objects and Rules

The statement of objects and these rules may be altered, rescinded or added to only by special resolution of the Club.

31. Common Seal

- (i) The common seal of the Club shall be kept in the custody of the public officer.
- (ii) 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 of either of two members of the committee or of one member of the committee and of the public officer or secretary.

32. Custody of books, etc.

The public officer shall keep, except as otherwise provided by these rules, in his or her custody, or under his or her control, all records, books and other documents relating to the Club.

33. Inspection of Book, etc.

- (i) Any member of the Club wishing to inspect the records, books or other documents of the Club shall provide the custodian of those documents with notice of not less than twenty four (24) hours.
- (ii) The records, books and other documents of the Club shall be open to inspection, free of charge, by a member of the Club, having given the notice required in clause (i), at any reasonable hour.

34. Service of Notices

- (i) For the purposes of these rules, a notice may be served by, or on behalf of the Club, any member either personally or by sending it by post to the member at the member's address shown in the register of members.
- (ii) Where a document is sent to a person by properly addressing, prepaying and posting to the person containing the document, the document shall, unless the contrary is proved, be deemed for the purposes of these rules to have been served on the person at the time at which the letter would have been delivered in the ordinary course of post.

35. Dissolution

- (i) The Club may be wound up only by a special resolution of the Club.
- (ii) If upon winding up or dissolution of the Club there remains after satisfaction of all its debts and liabilities any property whatsoever, the same shall not be paid to or distributed among the members or the organization but shall be given or transferred to some other institution or institutions having objects similar or in part similar to the objects of the organization and which shall also prohibit the distribution of its or their property among its or their members, such institution to be determined by the members at or before the time of dissolution.