

# CLAN NA GAEL INC CLUB CONSTITUTION



In this Constitution: -

“The GF&HAA” means the Australasian Governing Organisation for the preservation and promotion of Gaelic Games and pastimes, known as the Gaelic Football & Hurling Association of Australasia.

“Gaelic Games” means Gaelic Football, Hurling and Camogie.

“The Rule Book” means the Rule Book of the GF&HAA.

“The Club” means the Club as set out in section 1 hereof.

“NSW GAA” means the New South Wales Governing Organisation for the preservation and promotion of Gaelic Games and pastimes, known as the New South Gaelic Athletic Association.

“The Act” means the *Associations Incorporation Act 2009 (NSW)*.

“Executive Committee” means Officers and ordinary Committee Members together.

“State Committee” means the elected committee of an Australian or New Zealand association affiliated to the Gaelic Football & Hurling Association of Australasia.

“Director-General” means the Director-General of the Department of Services, Technology and Administration.

“Public Officer” means the person appointed to be the public officer of the club in accordance with the Act.

Words importing the singular number only, include the plural number and vice versa, and words importing the masculine gender only, also include the feminine and vice versa.

## **1. NAME OF CLUB**

The official Name of the Club is Clan Na Gael GAC Inc

## **2. COLOURS**

The Club Colours shall be Maroon and White

## **3. OBJECTS OF THE CLUB**

The Club is established solely for the Objects. The Objects of the Club are established to:

- 3.1.** conduct, encourage, promote, advance and administer the aims of the GF&HAA, as outlined in the Rule Book, through the sport of Gaelic Games throughout the local area;
- 3.2.** act, at all times, on behalf of and in the interest of the Members and Gaelic Games in the local area
- 3.3.** affiliate and otherwise liaise with the GF&HAA of which the Club is a Member and adopt their rule and policy frameworks to further these Objects;
- 3.4.** advance the operations and activities of the Club throughout the local area;
- 3.5.** have regard to the public interest in its operations; and
- 3.6.** ensure the Membership, Income and Property of the Club shall be dedicated to and applied solely towards the promotion of these objects.

## **4. POWERS OF THE CLUB**

Solely for furthering the Objects, the Club has, in addition to the rights, powers and privileges conferred on it under section 25 of the Act, the legal capacity and powers of a company as set out under section 124 of the *Corporations Act 2001 (Cth)*.

## **5. MEMBERS**

### **5.1. Members**

The Members of the Club shall consist of:

- 5.1.1. HONORARY MEMBER**, who having reached the age of eighteen years, has rendered exceptional service to the Club or the games or activities of the GF&HAA. Subject to this Constitution, they shall have the right to receive notice of General Meetings and to be present, to debate and to vote at General Meetings but shall be exempt from paying the Club's Annual Membership Fee.
- 5.1.2. FULL MEMBER**, who having reached the age of eighteen years, subscribes to and undertakes to further the aims and objects of the Club and the GF&HAA. Subject to this Constitution, they shall have the right to receive notice of General Meetings and to be present, to debate and to vote at General Meetings
- 5.1.3. YOUTH MEMBER**, who not having reached the age of eighteen years, subscribes to and undertakes to further the aims and objects of the Club and the GF&HAA. Subject to this Constitution, they shall have no right to receive notice of General Meetings and no right to be present or debate or vote at General Meetings.

**5.1.4. SOCIAL MEMBER**, who having reached the age of eighteen years, subscribes to and undertakes to further the aims and objectives of the Club and the G.A.A., but who do not seek full voting rights and rights to take part in the administrative affairs of the Club or the GF&HAA.

**5.2.** Full Members (including Honorary Members) and Youth Members of the Club will also become Members of the NSW GAA and GF&HAA

**5.3.** Once granted, Full Membership of the Club, NSW GAA and the GF&HAA shall continue for life, unless the member has been expelled or their resignation in writing has been accepted, in accordance with this Constitution.

**5.4.** The rights of any member of the Club shall be conditional upon the member complying with the provisions of this Constitution, including payment of any annual membership fee and levies.

**5.5.** Such rights may be withheld, restricted or suspended in accordance with this Constitution.

## **6. MEMBERSHIP APPLICATION**

### **6.1. Application for Membership**

**6.1.1.** Any person seeking admission as a Member of any Class of Membership, other than Honorary, shall complete and sign a prescribed Application Form, which must be returned to the Secretary of the Club together with the appropriate fee.

**6.1.2.** An Application for Youth Membership must be in the Prescribed Form signed by the Applicant and one of their parents or Guardians.

### **6.2. Discretion to Accept or Reject Application**

**6.2.1.** The Club may accept or reject an application whether the applicant has complied with the requirements in **section 6.1** or not. The Club shall not be required or compelled to provide any reason for such acceptance or rejection.

**6.2.2.** Where the Club accepts an application, the applicant shall become a Member. Membership shall be deemed to commence upon acceptance of the application by the Club. The Register shall be amended accordingly as soon as practicable.

**6.2.3.** Where the Club rejects an application, it shall refund any fees forwarded with the application and the application shall be deemed rejected by the Club.

**6.2.4.** Persons shall not be admitted to any of the privileges of Membership until after the acceptance of their application.

### **6.3. Renewal**

Members (other than Honorary Members) must renew their membership annually in accordance with the procedures set down by the Club from time to time.



#### **6.4. Deemed Membership**

All persons who are, prior to the approval of this Constitution under the Act, Members of the Club shall be deemed Members from the time of approval of this Constitution under the Act.

### **7. REGISTER OF MEMBERS**

#### **7.1. Club to Keep Register**

**7.1.1.** The Club shall keep and maintain a Register in which shall be entered (as a minimum):

**7.1.1.1.** the full name, address and date of entry of each Member; and

**7.1.1.2.** where applicable, the date of termination of membership of any Member.

**7.1.2.** Members shall provide notice of any change and required details to the Club within one month of such change

#### **7.2. Inspection of Register**

Having regard to the Act, confidentiality considerations and privacy laws, an extract of the Register, excluding the address or other direct contact details of any Member, shall be available for inspection (but not copying) by Members, upon reasonable request.

#### **7.3. Use of Register**

Subject to the Act, confidentiality considerations and privacy laws, the Register may be used to further the Objects in such manner as the Executive Committee considers appropriate.

### **8. EFFECT OF MEMBERSHIP**

Members acknowledge and agree that:

**8.1.** This Constitution forms a contract between each of them and the Club and that they are bound by this Constitution and the Regulations.

**8.2.** they shall comply with and observe this Constitution and the Regulations and any determination, resolution or policy which may be made or passed by the Executive Committee or other entity with delegated authority;

**8.3.** by submitting to this Constitution and Regulations they are subject to the jurisdiction of the Club and the GF&HAA.

**8.4.** the Constitution and Regulations are necessary and reasonable for promoting the Objects and particularly the advancement and protection of Gaelic Games; and

**8.5.** they are entitled to all benefits, advantages, privileges and services of Club membership

## **9. CESSATION OF MEMBERSHIP**

### **9.1. Death**

### **9.2. Notice of Resignation**

**9.2.1.** A Member who has paid all arrears of fees payable to the Club may resign or withdraw from membership of the Club by giving one month's notice in writing to the Club.

**9.2.2.** Once the Club receives a notice of resignation of membership given under **section 9.2.1**, it must make an entry in the Register that records the date on which the Member ceased to be a Member.

### **9.3. Cessation for Breach**

**9.3.1.** Membership of the Club may be ceased by the Executive Committee upon breach of any section of this Constitution or the Rule Book or for conduct considered to have discredited or harmed the Club State association or the GF&HAA.

**9.3.2.** Membership shall not be ceased by the Executive Committee under **section 9.3.1** without the Executive Committee first giving such persons the opportunity to explain the breach and/or remedy the breach

**9.3.3.** Where a Member fails, in the Executive Committee's view to adequately explain the breach, that Member's membership shall be ceased under **section 9.3.1** by the Club, giving written notice of the cessation to the Member. The Register shall be amended to reflect any cessation of membership under this **section 9.3** as soon as practicable

**9.3.4.** such persons, if Full Members (including Honorary Members) or Youth Members, have the right to appeal to the State Committee of the association, within seven days of being notified of such decision

**9.3.5.** Unless the offence is brought to the notice of the State Committee by the Club, and that body, having considered the merits of the case and having regard to the rights of the player or member, confirms the penalty imposed, the member continues to be a legal member of the GF&HAA and is suspended from Club activities only.

### **9.4. Member to Re-Apply**

A Member whose membership has been ceased under **sections 9.2 or 9.3**:

**9.4.1.** must seek renewal or re-apply for membership in accordance with this Constitution; and

**9.4.2.** may be re-admitted at the discretion of the Executive Committee.

### **9.5. Forfeiture of Rights**

A Member who ceases to be a Member, for whatever reason, shall forfeit all rights in and claims upon the Club and its property and shall not use any property of the Club including

Intellectual Property. Any Club documents, records or other property in the possession, custody or control of that Member shall be returned to the Club immediately.

#### **9.6. Membership may be Reinstated**

Membership which has been ceased under this **section 9** may be reinstated at the discretion of the Executive Committee, with such conditions as it deems appropriate.

### **10. GRIEVANCE PROCEDURE**

- 10.1.** The grievance procedure set out in this section applies to disputes between a Member and another Member; or the Club.
- 10.2.** The parties to the dispute must meet and discuss the matter in dispute, and, if possible, resolve the dispute within 21 days after the dispute comes to the attention of all parties
- 10.3.** If the parties are unable to resolve the dispute at the meeting or if a party fails to attend that meeting, then the parties must, within 10 days, refer the dispute for resolution to an independent tribunal established by the NSW GAA in accordance with the procedures determined by the NSW GAA from time to time.

### **11. DISCIPLINE**

- 11.1.** The Executive Committee shall have the power to investigate any complaint against a Member of the Club for breach of this Constitution and or the Rule Book or for conduct considered to have discredited or harmed the Club, NSW GAA or the GF&HAA.
- 11.2.** If the Executive Committee decides to deal with any complaint, the Executive Committee:
  - 11.2.1.** must cause notice of the complaint to be served on the member concerned, and
  - 11.2.2.** must give the member at least 7 days from the time the notice is served within which to make submissions to the Executive Committee in connection with the complaint, and
  - 11.2.3.** must take into consideration any submissions made by the member in connection with the complaint.
- 11.3.** The Executive Committee may, by resolution, expel the member from the club or suspend the member from membership of the club if, after considering the complaint and any submissions made in connection with the complaint, it is satisfied that the facts alleged in the complaint have been proved and the expulsion or suspension is warranted in the circumstances.



**11.4.** If the Executive Committee decides to expel or suspend a member, the secretary must, within 5 days after the action is taken, cause written notice to be given to the member of the action taken, of the reasons given by the Executive Committee for having taken that action and of the member's right of appeal under **section 12**.

**11.5.** The expulsion or suspension does not take effect:

**11.5.1.** until the expiration of the period within which the member is entitled to appeal against the resolution concerned, or

**11.5.2.** if within that period the member exercises the right of appeal, unless and until the Club confirms the resolution under **section 12**, whichever is the later.

## **12. RIGHT OF APPEAL OF DISCIPLINED MEMBER**

**12.1.** A member may appeal to the Club in writing against a resolution of the Executive Committee under **section 11**, within 7 days after notice of the resolution is served on the member, by lodging with the secretary a notice to that effect.

**12.2.** The notice may, but need not, be accompanied by a statement of the grounds on which the member intends to rely for the purposes of the appeal.

**12.3.** On receipt of a notice from a member under **section 12.1**, the secretary must notify the Executive Committee, which is to convene a Special meeting of the Executive Committee Meeting of the Club to be held within 7 days after the date on which the secretary received the notice.

**12.4.** At a Special meeting of the Executive Committee of the Club convened under **section 12.1**:

**12.4.1.** no business other than the question of the appeal is to be transacted, and

**12.4.2.** the Executive Committee and the member must be given the opportunity to state their respective cases orally or in writing, or both, and

**12.4.3.** the members present are to vote by secret ballot on the question of whether the resolution should be confirmed or revoked.

**12.5.** The appeal is to be determined by a simple majority of votes cast by members of the association.

**12.6.** The Member, if Full Member (including Honorary Member) or Youth Member, shall have the right to appeal to the State Committee of the Club, within 7 days of being notified of such appeal decision.

## **13. SUBSCRIPTIONS**

**13.1.** The Annual Subscription and any fees or other levies payable by members of the Club shall be determined by the Executive Committee.

**13.2.** The determined Annual Subscription shall be payable on acceptance and thereafter annually, in advance of the date and in the manner decided by the Executive Committee.

#### **14. EXISTING EXECUTIVE COMMITTEE MEMBERS**

The Members of the Executive Committee of the Club in office immediately prior to approval of this Constitution under the Act shall continue in those positions until the next Annual General Meeting following such adoption of this Constitution. After this General Meeting the positions of Executive Committee Members shall be filled, vacated and otherwise dealt with in accordance with this Constitution.

#### **15. POWERS OF THE EXECUTIVE COMMITTEE**

Subject to the Act and this Constitution, the business and affairs of the Club shall be managed and the powers of the Club shall be exercised by the Executive Committee, and it shall be the controlling body of the Club. In particular, the Executive Committee shall act in accordance with the Objects and shall operate for the benefit of the Members and the community throughout the local area

#### **16. COMPOSITION OF THE EXECUTIVE COMMITTEE**

The Executive Committee shall be comprised of:

**16.1.** Elected Chairperson, Treasurer, Secretary, Press Relations Officer (PRO), Registrar, and at least one other Full Member, whose Membership Fees are paid up to date in accordance with **section 6.2** and who are not suspended or disqualified under this Constitution, shall be eligible for election to the Executive Committee.

**16.2.** Appointed Vice-Chairperson, who will already be an elected Executive Committee Member under **section 16.1**.

#### **17. ELECTION AND APPOINTMENT OF EXECUTIVE COMMITTEE MEMBERS**

**17.1.** The elected Executive Committee Members shall be elected under **section 18.3**.

**17.2.** The appointed Vice-Chairperson may be appointed under **section 19.1**.

#### **18. ELECTED EXECUTIVE COMMITTEE MEMBERS**

**18.1. Nomination for Executive Committee**



**18.1.1.** Nominations for Executive Committee Member positions shall be by any two Full Members whose membership fees are paid up to date in accordance with **section 6.2** and who are not suspended or disqualified under this constitution.

## **18.2. Form of Nomination**

Nominations must be either:

**18.2.1.** in writing;

**18.2.1.1.** on the prescribed form (if any) provided for that purpose;

**18.2.1.2.** signed by two Full Members;

**18.2.1.3.** certified by the nominee, who must be a Member, expressing their willingness to accept the position for which they are nominated; and

**18.2.1.4.** delivered to the Club not less than 7 days before the date fixed for the Annual General Meeting, or

**18.2.2.** in person at the Annual General Meeting;

**18.2.2.1.** put forward by two Full Members;

**18.2.2.2.** certified by the nominee, who must be a Member, expressing their willingness to accept the position for which they are nominated

## **18.3. Elections**

**18.3.1.** The Executive Committee shall be elected by the Full Members present, entitled to vote and voting at the Annual General Meeting.

**18.3.2.** Voting shall be conducted in such a manner and by such a method as determined by the Executive Committee from time to time

**18.3.3.** If the number of nominations received is equal to the number of vacancies to be filled or if there are insufficient nominations received to fill all vacancies on the Executive Committee, then those nominated shall be declared elected only if approved by the majority of Members entitled to vote.

**18.3.4.** If there are insufficient nominations received to fill all vacancies on the Executive Committee, or if a person is not approved by the majority of Members, the positions will be deemed casual vacancies.

**18.3.5.** If the number of nominations exceeds the number of vacancies to be filled, voting by a show of hands will be conducted.

## **18.4. Term of Appointment for Elected Executive Committee Members**

**18.4.1.** Executive Committee Members elected under **section 18** shall be elected for a term of one year.

**18.4.2.** Subject to provisions in this Constitution relating to early retirement or removal of Elected Executive Committee Members, elected Executive Committee Members shall remain in office from the conclusion of the Annual General Meeting at which the election occurred until the conclusion of the following Annual General Meeting.

## **19. APPOINTED EXECUTIVE COMMITTEE MEMBERS**

### **19.1. Appointment of Executive Committee Members**

The elected Chairperson will appoint a Vice-Chairperson during the first Committee Meeting directly following the Annual General Meeting at which the Chairperson's election occurred.

### **19.2. Term of Appointment for Appointed Executive Committee Members**

**19.2.1.** The Vice-Chairperson appointed under **section 19.1** shall be elected for a term of one year.

**19.2.2.** The appointed Executive Committee Member shall remain in office from the conclusion of the first Committee Meeting directly following the Annual General Meeting at which the Chairperson was elected until the conclusion of the following Annual General Meeting.

## **20. VACANCIES ON THE EXECUTIVE COMMITTEE**

### **20.1. Casual Vacancies**

Any casual vacancy occurring in the position of Executive Committee Member may be filled by the remaining Executive Committee Members from among appropriately qualified persons. Any casual vacancy may only be filled for the remainder of the Chairperson's term under this Constitution.

### **20.2. Grounds for Termination of Executive Committee Member**

In addition to the circumstances in which the office of an Executive Committee Member becomes vacant by virtue of the Act, the office of an Executive Committee Member becomes vacant if the Executive Committee Member:

**20.2.1.** dies, or

**20.2.2.** becomes of unsound mind or a person whose person or estate is liable to be dealt with in anyway under the law relating to mental health

**20.2.3.** ceases to be a member of the Club

**20.2.4.** resigns office in writing to the Club Secretary

## **21. EXECUTIVE COMMITTEE MEETINGS**

### **21.1. Executive Committee to Meet**

**21.1.1.** The Executive Committee shall meet at least once each quarter at such place and time as the Executive Committee may determine.

**21.1.2.** The Chairperson, when present, shall preside over all meetings of the Executive Committee; in their absence, the Vice-Chairperson shall preside.

**21.1.3.** If both the Chairperson and the Vice-Chairperson are absent, the remaining members of the Executive Committee shall elect a member present to preside at the Meeting.

### **21.2. Notice of Executive Committee Meetings**



**21.2.1.** Oral or written notice of a meeting of the Executive Committee must be given by the Secretary to each member of the Executive Committee at least 48 hours (or such other period as may be unanimously agreed on by the Executive Committee Members) before the time appointed for the holding of the meeting.

**21.2.2.** Notice of a meeting given under **section 21.2.1** must specify the general nature of the business to be transacted at the meeting and no business other than that business is to be transacted at the meeting, except business which the Executive Committee Members present at the meeting unanimously agree to treat as urgent business.

### **21.3. Minutes of Executive Committee Meetings**

**21.3.1.** The Secretary shall record the Minutes of each Meeting.

**21.3.2.** The Minutes shall specify the date of the Meeting, those present, and a brief account of the Meeting, and shall be read to the next Meeting.

**21.3.3.** Such Minutes, if agreed as being accurate or having been appropriately amended, shall be signed by the Chairperson and Secretary, having been first proposed and adopted.

### **21.4. Quorum**

**21.4.1.** At a meeting of the Executive Committee, the number of Executive Committee Members whose presence is required to constitute a quorum is 4.

**21.4.2.** No business is to be transacted by the Executive 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 is to stand adjourned to such place and time as the Executive Committee may determine.

**21.4.3.** If at the adjourned meeting a quorum is not present within half an hour of the time appointed for the meeting, the meeting is to be dissolved.

### **21.5. Voting and Decisions of the Executive Committee**

**21.5.1.** Subject to this Constitution, questions arising at any meeting of the Executive Committee shall be decided by a majority of votes and a determination of a majority of Executive Committee Members shall for all purposes be deemed a determination of the Executive Committee. All Executive Committee Members shall have one vote on any question.

**21.5.2.** Where voting is equal, the chairperson may NOT exercise a casting vote and thus the motion will be lost.

## **22. DELEGATIONS**

### **22.1. Delegation by Executive Committee to Sub-Committee**



The Executive Committee may, by instrument in writing, appoint Sub-Committees (consisting of such Member or Members of the Club as the Executive Committee thinks fit) to carry out specific duties and functions as required.

#### **22.2. Delegation by Instrument**

In the establishing instrument, the Executive Committee may delegate such functions as are specified in the instrument, other than:

**22.2.1.** this power of delegation; and

**22.2.2.** a function imposed on the Executive Committee by the Act or by any other law.

#### **22.3. Delegated Function Exercised in Accordance with Terms**

**22.3.1.** A function, the exercise of which has been delegated to a Sub-Committee under this section, may, while the delegation remains unrevoked, be exercised from time to time by the Sub-Committee in accordance with the terms of the delegation.

**22.3.2.** Despite any delegation under this section, the Executive Committee may continue to exercise any function delegated.

**22.3.3.** Any act or thing done or suffered by a Sub-Committee acting in the exercise of a delegation under this section has the same force and effect as it would have if it had been done or suffered by the Executive Committee.

**22.3.4.** A sub-committee may meet and adjourn as it thinks proper.

#### **22.4. Delegation May Be Conditional**

**22.4.1.** A delegation under this section may be made subject to such conditions or limitations as to the exercise of any function, or as to time or circumstances, as may be specified in the instrument of delegation.

**22.4.2.** The Executive Committee shall have power to nominate the Chairperson of such Subcommittees.

**22.4.3.** The Chairman, Vice-Chairman, Secretary and Treasurer of the Executive Committee shall be ex- officio members of all Sub-Committees.

#### **22.5. Revocation of Delegation**

At any time the Executive Committee may, by instrument in writing, revoke wholly or in part any delegation made under this section. It may amend or repeal any decision made by a body or person under this section.

### **23. GENERAL MEETINGS**

#### **23.1. Annual General Meetings - holding of**

**23.1.1.** The Club must hold its first Annual General Meeting within 18 months after its registration under the Act.

**23.1.2.** The Club must hold its Annual General Meetings:

- 23.1.2.1.** within 6 months after the close of the association's financial year, or
- 23.1.2.2.** within such later time as may be allowed by the Director-General or prescribed by the Regulation.

### **23.2. Annual General Meetings - calling of and business at**

- 23.2.1.** The Annual General Meeting of the Club is, subject to the Act and to **section 23**, to be convened on such date and at such place and time as the Executive Committee thinks fit.
- 23.2.2.** In addition to any other business which may be transacted at an Annual General Meeting, the business of an Annual General Meeting is to include the following:
  - 23.2.2.1.** to confirm the minutes of the last preceding Annual General Meeting and of any Special General Meeting held since that meeting,
  - 23.2.2.2.** to receive from the committee reports on the activities of the Club during the last preceding financial year,
  - 23.2.2.3.** to elect Executive committee members,
  - 23.2.2.4.** to receive and consider any financial statement or report required to be submitted to members under the Act.
- 23.2.3.** An Annual General Meeting must be specified as such in the notice convening it.
- 23.2.4.** The outgoing Executive Committee shall conduct the Annual General Meeting.
- 23.2.5.** An Annual General Meeting shall be held at such time as shall be decided upon by the Executive Committee, but insofar as is practical shall be held before the end of November each year.

### **23.3. Special General Meetings - calling of**

- 23.3.1.** All General Meetings, other than Annual General Meetings, shall be called Special General Meetings.
- 23.3.2.** The committee may, whenever it thinks fit, convene a Special General Meeting of the association.
- 23.3.3.** The committee must, on the requisition in writing of at least 5 per cent of the total number of members, convene a Special General Meeting of the association.
- 23.3.4.** A requisition of members for a Special General Meeting:
  - 23.3.4.1.** must state the purpose or purposes of the meeting, and
  - 23.3.4.2.** must be signed by the members making the requisition, and
  - 23.3.4.3.** must be lodged with the secretary, and
  - 23.3.4.4.** may consist of several documents in a similar form, each signed by one or more of the members making the requisition.
- 23.3.5.** If the committee fails to convene a Special General Meeting to be held within 1 month after that date on which a requisition of members for the meeting is lodged with the secretary, any one or more of the members who made the



requisition may convene a Special General Meeting to be held not later than 3 months after that date.

**23.3.6.** A Special General Meeting convened by a member or members as referred to in **section 23.3.6** must be convened as nearly as is practicable in the same manner as General Meetings are convened by the Executive Committee.

#### **23.4. Notice of General Meetings**

**23.4.1.** Except if the nature of the business proposed to be dealt with at a General Meeting requires a special resolution of the association, the secretary must, at least 14 days before the date fixed for the holding of the General Meeting, give a notice to each member specifying the place, date and time of the meeting and the nature of the business proposed to be transacted at the meeting.

**23.4.2.** If the nature of the business proposed to be dealt with at a General Meeting requires a special resolution of the association, the secretary must, at least 21 days before the date fixed for the holding of the General Meeting, cause notice to be given to each member specifying, in addition to the matter required under **section 23.4.1**, the intention to propose the resolution as a special resolution.

**23.4.3.** No business other than that specified in the notice convening a General Meeting is to be transacted at the meeting except, in the case of an Annual General Meeting, business which may be transacted under **section 23.4.2**.

**23.4.4.** A member desiring to bring any business before a General Meeting may give notice in writing of that business to the secretary who must include that business in the next notice calling a General Meeting given after receipt of the notice from the member.

#### **23.5. Quorum for General Meetings**

**23.5.1.** No item of business is to be transacted at a General Meeting unless a quorum of members entitled under this constitution to vote is present during the time the meeting is considering that item.

**23.5.2.** 10 members present (being members entitled under this constitution to vote at a General Meeting) constitute a quorum for the transaction of the business of a General Meeting.

**23.5.3.** If within half an hour after the appointed time for the commencement of a General Meeting a quorum is not present, the meeting:

**23.5.3.1.** if convened on the requisition of members, is to be dissolved, and

**23.5.3.2.** in any other case, is to stand adjourned to the same day in the following week at the adjourned to such place and time as the Executive Committee may determine.

**23.5.3.3.** 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 at least 7) are to constitute a quorum.

#### **23.6. Presiding member**



**23.6.1.** The chairperson or, in the chairperson's absence, the vice- chairperson, is to preside as chair at each general meeting of the Club except:

**23.6.2.** in relation to any election for which the chairperson is a nominee; or

**23.6.3.** where a conflict of interest exists.

**23.6.4.** If the president and the vice-president are absent or unwilling to act, the members present must elect one of their number to preside as chairperson at the meeting.

### **23.7. Adjournment**

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

**23.7.2.** If a General Meeting is adjourned for 14 days or more, the secretary must give written or oral notice of the adjourned meeting to each member of the association stating the place, date and time of the meeting and the nature of the business to be transacted at the meeting.

**23.7.3.** Except as provided in **sections 23.7.1 and 23.7.2**, 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.

### **23.8. Making of decisions**

**23.8.1.** A question arising at a General Meeting of the association is to be determined by a show of hands

**23.8.2.** 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 association, is evidence of the fact without proof of the number or proportion of the votes recorded in favour of or against that resolution.

### **23.9. Special resolutions**

A special resolution may only be passed by the association in accordance with section 39 of the Act.

### **23.10. Voting**

**23.10.1.** At any meeting a resolution put to the vote of the meeting shall be decided on a show of hands

**23.10.2.** On any question arising at a General Meeting of the association a member has one vote only.

**23.10.3.** In the case of an equality of votes on a question at a General Meeting, the chairperson may NOT exercise a casting vote and thus the motion will be lost.

**23.10.4.** Only Full Members, whose membership fees are paid up to date in accordance with **Section 6.2**, and who are not suspended or disqualified under this Constitution, shall be eligible to vote at a General Meeting.

**23.10.5.** A member is not entitled to vote at any general meeting of the association unless all money due and payable by the member to the association has been paid.

**23.10.6.** A member is not entitled to vote at any general meeting of the association if the member is under 18 years of age.

#### **23.11. Proxy votes**

Proxy voting must not be undertaken at or in respect of a General Meeting.

#### **23.12. Postal ballots**

No motion shall be determined by a postal ballot unless determined by the Executive Committee. If the Executive Committee so determines, the postal ballot shall be conducted under the procedures set by the Executive Committee from time to time.

### **24. CLUB PERSONAL ACCIDENT INSURANCE**

**24.1.** The player must be a fully paid up member of the club before he/she can claim from the club's personal accident insurance.

**24.2.** The Chairperson or Secretary of the club must confirm the claim details by completing a section of the claim form.

**24.3.** Any false claims against the club insurance will result in disciplinary action against the player, determined by the Executive Committee.

**24.4.** An insurance claim shall not be considered in the case of a player/official:

**24.4.1.** Who is injured during a game as a result of an assault wherein the claimant has been the aggressor

**24.4.2.** Whose injury arises from a pre-existing physical defect or infirmity or from the use of alcohol or drugs

**24.4.3.** Who may be already injured before taking to the field, refusing to leave the field with a suspected injury, suffering from concussion, etc. Any player who plays in this condition is entirely responsible for any consequences that may arise

### **25. SOURCE OF FUNDS**

**25.1.** The funds of the club are to be derived from annual subscriptions of members, donations, sponsorship and, subject to any resolution passed by the club in general meeting, such other sources as the committee determines.



**25.2.** All money received by the club must be deposited as soon as practicable and without deduction to the credit of the club's bank.

**25.3.** The club must, as soon as practicable after receiving any money, issue an appropriate receipt.

## **26. MANAGEMENT OF FUNDS**

**26.1.** The incoming Chairperson, Treasurer and Registrar must be granted access to the bank account by the outgoing Chairperson by completing an authorisation form obtained from the bank.

**26.2.** The outgoing Chairperson, Treasurer and Registrar, if not continuing their position on the Executive Committee, must have their access to the bank account removed by the outgoing Chairperson by completing an authorisation form obtained from the bank

**26.3.** The funds of the association are to be used in pursuance of the objects of the association in such manner as the committee determines.

**26.4.** All cheques drawn on the said account shall be signed by the Chairperson and countersigned by one of either the Treasurer or Registrar.

**26.5.** The Executive Committee shall cause proper Books of Account to be kept in respect of:-

**26.5.1.** All sums of money received and expended by the Club, and the matters in respect of which such receipts and expenditures take place; and

**26.5.2.** All Sales and Purchases of goods by the Club; and

**26.5.3.** The Assets and Liabilities of the Club.

## **27. BOOKS AND ACCOUNTS**

**27.1.** The Books of Account shall be kept at such place or places as the Executive Committee shall think fit, and shall at all reasonable times be open to the inspection of the members of the Executive Committee.

**27.2.** The Executive Committee shall from time to time determine whether and to what extent and at what times and places, and under what conditions and regulations, the Accounts and Books of the Club, or any of them shall be open to the inspection of Full Members of the Club not being an Executive Committee member, and no member (not being an Executive Committee Member) shall have any right of inspection of any Account or Book or Document of the Club except as authorised by the Executive Committee.

**27.3.** An independent suitably qualified Person or Persons shall be appointed as Accountant(s) or as Auditor(s) (if an Audit is deemed appropriate by the Executive Committee) to Report on the Financial Statements of the Club, for presentation at the Annual General Meeting.



- 27.4.** The Books and Accounts of the Club shall be presented to such Accountant(s) or Auditor(s) by the Committee in sufficient time to enable the Report of such Accountant(s) or Auditor(s) to be available and considered at the Annual General Meeting of the Club.
- 27.5.** The Financial Statements shall be approved by the Executive Committee, and signed by two of three Officers – Chairperson, Secretary, and Treasurer – on behalf of the Executive Committee.
- 27.6.** The Treasurer shall cause to be prepared and laid before the Annual General Meeting an Account of Income and Expenditure and a Balance Sheet made up to a date not more than 3 months before such meeting.
- 27.7.** The Balance Sheet and Accounts of the Club shall be made available to the Tax Commissioner, on request.
- 27.8.** Each year an Annual Summary of Financial Affairs (Form A12) must be lodged by the public officer within one month after the holding of the AGM for the current financial year and not later than 7 months after the end of the previous financial year (whichever is earlier), along with the fee prescribed by the regulations.
- 27.9.** All Books of Account, including all documents, vouchers, statements and notes, as well as all minute books, notes of meetings, original and copy correspondence and all such documents are the property of the Club, and no person shall have any personal title to or interest in such documents to the exclusion of the Club.

## **28. FINANCIAL YEAR**

The financial year of the club is:

- 28.1.** the period of time commencing on the date of incorporation of the association and ending on the following 31 October, and
- 28.2.** each period of 12 months after the expiration of the previous financial year of the association, commencing on 1 November and ending on the following 31 October.

## **29. WINDING UP**

- 29.1.** A resolution to Wind Up a Club shall be passed only at a General Meeting, specially summoned for the purpose of such resolution, if supported by not less than three-fourths of those present and entitled to vote.
- 29.2.** Any decision to Wind Up a Club shall be subject to the approval of the State Committee.

## **30. ADDITIONS TO AND AMENDMENTS OF THE CONSTITUTION, NAME AND OBJECTS**

- 30.1.** Additions to and Amendments of this Constitution may be made at an Annual General Meeting or at a Special General Meeting called for that purpose, providing that the Resolution proposing same is carried by a vote of two-thirds of the members present and voting.
- 30.2.** Members wishing to propose Additions to or Amendments of this Constitution must send notice of the proposed Additions or Amendments in writing to the Secretary not later than 10 days before the Annual General Meeting, or Special General Meeting.
- 30.3.** An application to the Director-General for registration of a change in the association's name, objects or constitution in accordance with section 10 of the Act is to be made by the public officer or a committee member.

## **31. GENERAL**

- 31.1.** A Notice may be given by the Club to any Member either personally or by sending it by post or electronically to him/her at their last known postal or e-mail address.
- 31.2.** Where a Notice is sent by post, service of this Notice shall be deemed to be effected by properly addressing, prepaying and posting a letter containing the Notice, and shall be deemed to have been effected at the time which the letter would be delivered in the ordinary course of post.
- 31.3.** The failure to give notice of any meeting or the non-receipt of notice of a meeting by any person entitled to receive notice shall not invalidate the proceedings at that meeting.
- 31.4.** Each year an Annual Summary of Financial Affairs (Form A12) must be lodged by the Public Officer within one month after the holding of the AGM of the current financial year and not later than 7 months after the end of the previous financial year (whichever is earlier).
- 31.5.** Form A9 - Notice of appointment of Public Officer must be lodged by the Public Officer within 28 days after taking office.