



# **Engadine Dragons Constitution**

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# **ENGADINE DRAGONS JUNIOR RUGBY LEAGUE FOOTBALL CLUB RULES OF ASSOCIATION**

## **1. NAME**

- 1.1 Name of the Association shall be:  
Engadine Dragons Junior Rugby League Football Club Incorporated.
- 1.2 Club colours shall be Royal Blue, Sky Blue and Red.
- 1.3 Club colours may only be changed by special resolution tabled at an Annual General Meeting and then carried by a two third majority of members present and eligible to vote.

## **2. OFFICE**

- 2.1 The office of the Association shall be at Engadine in the State of New South Wales or at such other place as the Committee may from time to time determine.

## **3. OBJECTS OF THE ASSOCIATION**

- 3.1 To encourage and develop the principles of, and the teaching of the principles of, and the playing of rugby league in all its facets within the Sutherland Shire of Sydney in the State of New South Wales or elsewhere.
- 3.2 To provide within the Sutherland Shire of Sydney in the State of New South Wales, a centre of information and advice on all matters pertaining to rugby league.
- 3.3 To take over any assets and liabilities of any nature as may appear to be incidental or conducive to the objects of the Association or any of them.
- 3.4 To promote, hold, take part in and exercise control of competitions, sporting events, trials and social events in conjunction with rugby league.
- 3.5 To represent generally the views of persons interested in rugby league.
- 3.6 To enter into any affiliation or alliance with any other body having objects compatible with those of this Association or calculated to benefit the interests of this Association or its members.
- 3.7 To act in conjunction with and to appoint representatives to any association, company, club or body either in Australia or abroad.
- 3.8 To purchase, take on, lease or exchange, or otherwise acquire any lands, buildings, easements, rights of common or property – real or personal – which may be requisite with any of the objects of the Association, and to sell, demise, mortgage, give in exchange, or dispose of the same. To seek, obtain, acquire and hold any rights, licences, concessions, privileges, official powers or other authorities for the purpose of enabling the Association to carry any of its objects into effect.
- 3.9 To buy, prepare, make, supply, sell or deal in all kinds of chattels, equipment and all apparatus used in connection with rugby league and all kinds of refreshments required or used by members of the Association or other persons frequenting the football ground, club house, premises or events of the Association.
- 3.10 To invest the monies of the Association, not immediately required, upon such securities as are permitted by law as trustee investments as may from time to time be determined.
- 3.11 To raise and borrow money by any means lawful whether specifically provided by these rules or not, to further any of the objects of the Association.

- 3.12 To raise funds by means of subscriptions, fees, donations and levies from or on members, and to take such steps by personal or written appeals, public meetings, social gatherings, or otherwise as may from time to time be deemed expedient for the purpose of procuring contributions to the funds of the Association in the shape of donations or subscriptions.
- 3.13 To undertake and execute any trusts or any agency business which may seem directly or indirectly conducive to any of the objects of the Association.
- 3.14 To print and publish any newspapers, periodicals, books, programs or leaflets that the Association may think desirable for the promotion of its objects.
- 3.15 To provide instruction to train managers, trainers, coaches, referees and other personnel to teach the ideals and principals of rugby league and for that purpose to hire, employ or obtain the services of qualified instructors and other qualified personnel.
- 3.16 To provide facilities within the State of New South Wales to train managers, trainers, coaches, referees, and other personnel to obtain a license or licences or endorsements to obtain the service of qualified instructors.
- 3.17 To prosecute or defend any suites, applications and proceedings before any Court or Tribunal whatsoever as may be deemed necessary or expedient in the interests of the Association or its members.
- 3.18 To do all such other lawful things as may appear to be incidental or conducive to the above objects or any of them.

#### **4. DEFINITIONS**

In the interpretation of these rules, the following words and expressions shall have the meanings herein after specified unless the context requires otherwise:

- 4.1 “Association” means the Engadine Dragons Junior Rugby League Football Club Incorporated.
- 4.2 “Associate Membership” see clause 6.4.
- 4.3 “Auditor” means such auditor or firm as is appointed by the Annual General Meeting of the Association to audit the Association’s financial records.
- 4.4 “C.S.D.J.R.F.L.” means the Cronulla Sutherland District Junior Rugby Football League.
- 4.5 “Committee” means the members for the time being of the Committee constituted in accordance with these rules.
- 4.6 “Financial Member” means a member whose subscriptions are not more than ninety days in arrears or a player member who has paid his or her registration and insurance fees by the due date set by the Association in each Rugby League season.
- 4.7 “Financial Year” means the period commencing 1st October in any year and finishing on 30th September in the following year.
- 4.8 “Majority” means a simple majority of members present and eligible to vote in accordance with these rules.
- 4.9 “Member” unless otherwise specified shall mean both ordinary members and playing members.
- 4.10 “Office” means the Office of the Association.
- 4.11 “Patron” means an upstanding member of the community, who can assist with promoting the Association and its Objects.

- 4.12 “Rules” means the Rules of the Association as set out herein.
- 4.13 “Secretary” means:
- a. the person holding office under the rules as Secretary of the Association; or
  - b. where no such person holds that office – the Public Officer of the Association.
- 4.14 “Special General Meeting” means a General Meeting of the Association other than an Annual General Meeting.
- 4.15 “The Act” means the Associations Incorporation Act 2009.
- 4.16 “The Regulation” means the Associations Incorporation Regulation 2016, as amended 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 a function is a duty, a reference to the performance of the duty.
  - c. words importing the singular number also include the plural and vice versa.
  - d. words importing the masculine gender also include the feminine gender and vice versa.
- 4.17 The provisions of the Interpretation Act 1987, apply to and in respect of this constitution in the same manner as those provisions would so apply if these rules were an instrument made under the Act.

## **5. MEMBERSHIP**

- 5.1 Ordinary members shall consist of any persons with an interest in Rugby League as may from time to time be admitted to membership within these Rules.
- 5.2 A Playing Member is an Ordinary Member who undertakes to play and does play Rugby League for a team sponsored and financed by the Association.
- 5.3 Every Member shall be bound to further, to the best of their ability, the objects, interest and standing of the Association and shall observe the rules and regulations of the Association in force from time to time.
- 5.4 A Patron is also a member of the Association.

## **6. ADMISSION OF MEMBERS**

- 6.1 A nomination can be made at either a Committee meeting or a general meeting if the candidate and the proposer and seconder are in attendance. The nominee must be physically present at the meeting to accept the nomination.
- 6.2 As soon as practicable after receiving a nomination for membership, the Chairperson shall refer the nomination to the Committee meeting and/or general meeting which shall determine whether to approve or reject the nomination by a show of hands.
- 6.3 Life Membership – for any member who has served the club in accordance with the following minimum nomination criteria, may be recommended by the Committee and/or by a Committee member at a General Meeting. A life member may only be ratified for bestowment at an Annual General Meeting.

Election of a Life Member shall require a two-thirds majority of the vote of members present and entitled to vote. To be entitled to vote a member must have attended a minimum of three Committee and/or general meetings. Life Members may be entitled to any privileges as deemed appropriate by the club.

The following are to be measured as a minimum standard or prerequisite for nomination for Life Membership and are not a guarantee for acceptance of the nomination.

- 6.3.1 For a person who has performed outstanding services for the club for a minimum of 10 years (consecutive or broken) service via work on the Executive or Committee.
  - 6.3.2 For a person who has dedicated themselves to the development of our youth in a tireless manner over a period of no less than 15 years (consecutive or broken).
  - 6.3.3 For a player who achieved 250 games and has been constructive with the development of our youth by coaching or training Junior and/or Senior sides for a minimum of 5 years (consecutive or broken).
- 6.4 Associate Membership – for any player who has played a minimum of 200 games for the club and/or has been selected to play for the parent District Rugby League Football Club may be recommended by a Committee member at a Committee and/or general meeting and such recommendation may only be ratified for bestowment at an Annual General Meeting or any such other meeting as determined by the Committee. Election of an Associate Member shall require a two-thirds majority of the vote of members present and eligible to vote. Associate Members may be entitled to any privileges as deemed appropriate by the club.
  - 6.5 Each playing member or their parent of guardian must lodge a player registration (including by electronic means, if the Committee so determines) at the beginning of every rugby league season on or before the due date set down by the Association, accompanied by the nominated registration fee for the particular Rugby league season which fee shall be set by the Association.
  - 6.6 Any registration that does not occur prior to the date to be set from time to time by the Association, shall render the player member ineligible to play for the Association during that particular rugby league season provided that in certain circumstances the Committee in its sole discretion may extend the time for lodgement in relation to any player member who has not registered by the due date.

## **7. REGISTRATION AND INSURANCE FEES**

- 7.1 Registration and insurance fees shall be set by the Committee of the Association from time to time and shall be payable by player members only in accordance with the registration provision.

## **8. PAYMENT OF FEES**

- 8.1 No player member shall be eligible to play rugby league for the Association in any rugby season if he or she is not a financial member of the Association.
- 8.2 The Association can choose to pay the membership fees of Senior players at the committee's discretion. These fees are to be reimbursed to The Association from the Senior Player team account at the end of each playing season.
- 8.3 Payment of junior player registration and insurance is the responsibility of their parents and/or guardians.

## **9. CESSATION OF MEMBERSHIP**

- 9.1 A person ceases to be a member of the Association if the person:
  - a. dies;
  - b. resigns that membership; or
  - c. is expelled or suspended from the Association; or
  - d. if a player member plays for another club or association whilst a member of this Association; or

- e. if a player member's registration fees are not paid to the Association on or before the due date for payment of the same set by the Association in each season.

## **10. MEMBER ENTITLEMENTS NOT TRANSFERABLE**

10.1 A 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, and
- (b) terminates on the cessation of the person's membership.

## **11. RESIGNATION OF MEMBERSHIP**

11.1 A member of the Association may resign from membership of the Association by first giving to the secretary written notice of at least 1 month (or any other period that the Committee may determine) of the member's intention to resign and, on the expiration of the period of notice, the member ceases to be a member.

11.2 If a member of the Association ceases to be a member under subclause (1), and in every other case where a member ceases to hold membership, the secretary must make an appropriate entry in the register of members recording the date on which the member ceased to be a member.

## **12. REGISTER OF MEMBERS**

12.1 The Registration Officers of the Association shall establish and maintain a register of members of the Association (whether in written or electronic form) specifying the name and address of each person who is a member of the Association together with the date on which the person became a member.

12.2 The register of members shall be kept at the principal place of administration of the Association and shall be open for inspection, free of charge, by any member of the Association at any reasonable hour.

## **13. MEMBER'S LIABILITIES**

13.1 The liability of a member of the Association to contribute towards the payment of the debts and liabilities of the Association or the costs, charges and expenses of winding up of the Association is limited to the amount, if any, unpaid by the member in respect of membership of the Association as required by Rules 7 and 8.

## **14. RESOLUTION OF DISPUTES**

14.1 A dispute between a member and another member (in their capacity as members) of the association, or a dispute between a member or members and the association, are to be referred to a Community Justice Centre for mediation under the *Community Justice Centres Act 1983*.

14.2 If a dispute is not resolved by mediation within 3 months of the referral to a Community Justice Centre, the dispute is to be referred to arbitration.

14.3 The *Commercial Arbitration Act 2010* applies to a dispute referred to arbitration.

## **15. DISCIPLINING MEMBERS**

15.1 Where the Committee is of the opinion that a member of the Association:

- a. has brought the name of rugby league and/or the Association into disrepute and in this regard a majority decision of the Committee of the Association shall be sufficient in deciding if a member has so acted; or
- b. has not conducted him or herself in accordance with the principal of the Association and the constitution of the C.S.D.J.R.F.L.
- c. has persistently and wilfully acted in a manner prejudicial to the interests of the Association; or

- d. has persistently refused or neglected to comply with a provision or provisions of these rules; or
- e. has been guilty of conduct derogatory to the character of a member; or
- f. has become or been made bankrupt or insolvent or has made any general assignment of his property or entered into any general composition for the benefit of or with his creditors; or

or

The Committee may, by resolution –

- g. expel the member from the Association; or
- h. suspend the member from membership of the Association for a specified period.

15.2 A resolution of the Committee under clause 14.1 is of no effect unless the Committee, at a meeting held not earlier than fourteen (14) days and not later than 28 days after service on the member of a notice under clause 14.1 confirms the resolution in accordance with this rule.

15.3 Where the Committee passes a resolution under clause 14.1, the Secretary shall, as soon as practicable, cause a notice in writing to be served on the member –

- a. setting out that resolution of the Committee and the grounds on which it is based;
- b. stating that the member may address the Committee at a meeting to be held not earlier than fourteen (14) days and not later than 28 days after the service of the notice;
- c. stating the date, place and time of that meeting; and
- d. informing the member that the member may do either or both of the following:
  - i. attend and speak at the meeting;
  - ii. submit to the Committee at or prior to the date of that meeting written representations relating to the resolution.
  - iii. At a meeting of the Committee held as referred to in clause 14.2, the Committee shall –
- e. give to the member an opportunity to make oral representations;
- f. give due consideration to any written representations submitted to the Committee by the member at or prior to the meeting; and
- g. by resolution determine whether to confirm or to revoke the resolution.

15.4 Where the Committee confirms the resolution under clause 14.3, the Secretary shall, within seven (7) days after that confirmation, by notice in writing, informing the member of the fact and of the member's right of appeal under rule 14.

15.5 A resolution confirmed by the Committee under clause 14.4 does not take effect –

- a. until expiration of the period within which the member is entitled to appeal against the resolution where the member does not exercise the right of appeal within that period; or
- b. where within that period the member exercises the right of appeal, unless and until the Association confirms the resolution pursuant to rules.

15.6 If at the General Meeting the Association passes a special resolution in favour of the confirmation of the resolution, the resolution is confirmed.

## **16. POWERS OF COMMITTEE**

16.1 The Committee shall be subject to the Act, the regulation and these Rules and to any resolution passed by the Association in a Committee and/or General Meeting –

- a. shall control and manage the affairs of the Association;
- b. may exercise all such functions as may be exercised by the Association other than those functions that are required by these Rules to be exercised by a general meeting of members of the Association; and
- c. has the 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 Association.

## **17. COMMITTEE - CONSTITUTION AND MEMBERSHIP**

17.1 The Committee shall consist of the following:

The following office bearers who shall be elected at the Annual General Meeting or subsequent meeting and who shall hold office until the conclusion of the next Annual General Meeting;

The office bearers of the Association shall be –

- a. the President;
- b. the Vice President;
- c. the Secretary;
- d. the Assistant Secretary;
- e. the Treasurer;
- f. the Assistant Treasurer;
- g. the Registration Officers;
- h. the Recorder;
- i. the Insurance Officer or Officers;
- j. the Publicity Officer;
- k. the Junior League delegates;

or amended as deemed necessary. Deletion or inclusion of an Officer Bearer's position may only be approved at an Annual General Meeting.

Each member of the Committee shall, subject to these rules, to hold office until the conclusion of the Annual General Meeting following the date of the member's election but is eligible for re-election.

There is no maximum number of consecutive terms for which a committee member may hold office.

17.2 In the event of a casual vacancy occurring in the membership of the Committee, the Committee may appoint a member of the Association 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 the appointment.

17.3 In the event of unforeseen circumstances, the Executive can defer the Annual General Meeting to a more suitable date. If deferment occurs all office bearers shall remain the same until the subsequent Annual General Meeting occurs.

## **18. COMMITTEE - ELECTION OF MEMBERS**

18.1 Nominations of candidates for election as Office Bearers of the Association or as members of the Committee are made at the Annual General Meeting or any subsequent Committee or general meeting.

18.2 If insufficient nominations are received to fill all vacancies on the Committee, the candidates nominated shall be deemed to be elected and further nominations for the unfilled positions shall be received at the Annual General Meeting or a subsequent general meeting or subsequent Committee meeting.

18.3 If the number of nominations received is equal to the number of vacancies to be filled, the persons nominated shall be deemed to be elected.

18.4 If the number of nominations received exceeds the number of vacancies to be filled, a ballot shall be held.

18.5 The ballot for the election of Office-Bearers and members of the Committee shall be conducted at the Annual General Meeting and/or a general meeting and/or a Committee meeting in such usual and proper manner as the Committee may direct.

18.6 A nomination of a candidate for election to the Committee under these rules is not valid if that candidate has been nominated for election to another office at the same election.

## **19. SECRETARY**

19.1 The Secretary of the Association shall, as soon as practicable after being appointed as Secretary, lodge notice with the Association of his or her address.

19.2 It is the duty of the Secretary to keep Minutes of:

19.2.1 all appointments of Office-Bearers and members of the Committee;

19.2.2 the names of members of the Committee present at a Committee meeting or a General Meeting; and

19.2.3 all proceedings at Committee meetings and General Meetings.

19.3 Minutes of proceedings at a meeting shall be signed by the chairperson of the meeting or by the chairperson of the next succeeding meeting.

## **20. TREASURER**

20.1 It is the duty of the Treasurer of the Association to ensure that –

20.1.1 all money due to the Association is collected and received and that all payments authorised by the Association are made; and

20.1.2 correct books and accounts are kept showing the financial affairs of the Association including full details of all receipts and expenditure connected with the activities of the Association.

## **21. COMMITTEE - CASUAL VACANCIES**

21.1 For the purposes of these rules, a casual vacancy in the office of a member of the Committee occurs if the member –

21.1.1 dies;

- 21.1.2 ceases to be a member of the Association;
- 21.1.3 becomes an insolvent under administration within the meaning of the Companies (New South Wales) Code;
- 21.1.4 resigns from office by notice in writing given to the Secretary;
- 21.1.5 becomes of unsound mind or a person whose person or estate is liable to be dealt with in any way under law relating to mental health; or
- 21.1.6 is absent without consent of the Committee from all meetings of the Committee held during a period of six (6) months.

## **22. COMMITTEE – REMOVAL OF MEMBER FROM**

- 22.1 The Association in 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.
- 22.2 Where a member of the Committee to whom a proposed resolution referred to in clause 22.1 makes representations in writing to the Secretary or President and requests that the representations be notified to the members of the Association, the Secretary or the President may send a copy of the representations to each member of the Association or, if they are not so sent, the member is entitled to require that the representations be read out at the meeting at which the resolution is considered.

## **23. COMMITTEE - MEETINGS AND QUORUMS**

- 23.1 The Committee can meet at least four (4) times in each period of twelve (12) months at such place and time as the Committee may determine. A general meeting can also be regarded as a Committee meeting when a quorum of Committee members is in attendance.
- 23.2 Additional meetings of the Committee may be convened by the President.
- 23.3 Oral or written notice of a meeting of the Committee shall be given by the Secretary to each member of the Committee at least forty-eight (48) hours (or such other period as may be unanimously agreed upon by the members of the Committee) before the time appointed for the holding of the meeting.
- 23.4 Notice of a meeting given under clause 23.3 shall specify the general nature of the business to be transacted at the meeting and no business other than that business shall be transacted at the meeting, except business which the Committee's members present at the meeting unanimously agreed to treat as urgent business.
- 23.5 Any seven (7) members of the Committee constitute a quorum for the transaction of the business of a meeting of the Committee. If a quorum of Committee members is present at a general meeting that general meeting shall also be deemed to be a Committee meeting.
- 23.6 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 the same place and at the same hour of the same day in the following week.
- 23.7 If at the adjourned meeting a quorum is not present within half an hour of the time appointed for the meeting, the meeting shall be dissolved.
- 23.8 At a meeting of the Committee –
  - 23.8.1 the President or in the President's absence, the Vice-President shall preside; or

23.8.2 if the President and the Vice-President are absent or unwilling to act, such one of the remaining members of the Committee as may be chosen by the members present at the meeting shall preside.

## **24. DELEGATION BY COMMITTEE TO SUB-COMMITTEE**

24.1 The Committee may, by instrument in writing, delegate to one or more Sub-Committees (consisting of such member or members of the Association as the Committee thinks fit) the exercise of such functions of the Committee as are specified in the instrument, other than –

24.1.1 this power of delegation; and

24.1.2 a function which is a duty imposed on the Committee by the Act or by any other law.

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

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

24.4 Notwithstanding any delegation under these rules, the Committee may continue to exercise any function delegated.

24.5 Any act or thing done or suffered by a Sub-Committee acting in the exercise of a delegation under these rules has the same force and effect as it would have if it had been done or suffered by the Committee.

24.6 The Committee may, by instrument in writing, revoke wholly or in part any delegation under these rules.

24.7 A Sub-Committee may meet and adjourn as it thinks proper.

## **25. COMMITTEE – VOTING AND DECISIONS**

25.1 Questions arising at a meeting of the Committee or of any Sub-Committee appointed by the Committee shall be determined by a majority of the votes of the members of the Committee or Sub-Committee present at the meeting.

25.2 Each member present at the meeting of the Committee 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.

## **26. ANNUAL GENERAL MEETING**

26.1 The Association shall, at least once in each calendar year and within a period of six (6) months after the expiration of each financial year of the Association, convene an Annual General Meeting of its members.

## **27. ANNUAL GENERAL MEETINGS – CALLING OF AND BUSINESS AT**

27.1 The annual general meeting of the Association is, subject to the Act and to clause 24, to be convened on the date and at the place and time that the Committee thinks fit.

27.2 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:

a. to confirm the minutes of the last preceding annual general meeting and of any special general meeting held since that meeting,

b. to receive from the committee reports on the activities of the Association during the last preceding financial year,

- c. to elect office-bearers of the Association and ordinary committee members,
- d. to receive and consider any financial statement or report required to be submitted to members under the Act.

27.3 An annual general meeting must be specified as that type of meeting in the notice convening it.

27.4 A member to be eligible to register a vote at an Annual General Meeting must have attended three general meetings of the club in the previous financial year.

27.5 An Annual General Meeting shall be specified as such in the notice convening it.

## **28. SPECIAL GENERAL MEETINGS – CALLING OF**

28.1 The committee may, whenever it thinks fit, convene a Special General Meeting of the Association.

28.2 The Committee must, on the requisition in writing of not less than five per cent (5%) of the total number of members, convene a Special General Meeting. The requisition of members for a special general meeting:

28.2.1 must be in writing, and

28.2.2 must state the purpose or purposes of the meeting; and

28.2.3 must be signed by the members making the requisition; and

28.2.4 must be lodged with the Secretary; and

28.2.5 may consist of several documents in a similar form, each signed by one or more of the members making the requisition.

28.3 If the Committee fails to convene a Special General Meeting to be held within one (1) month after the date on which a requisition is received it may convene a Special General Meeting to be held not later than three (3) months after that date.

28.4 A Special General Meeting convened by a member or members shall be convened as early as is practicable in the same manner as General Meetings are convened by the Committee and any member who thereby incurs expenses is entitled to be reimbursed by the Association for any expenses incurred.

For the purposes of subclause (3):

a. A requisition may be in electronic form, and

b. A signature may be transmitted, and a requisition may be lodged, by electronic means.

## **29. GENERAL MEETINGS – NOTICE**

29.1 Except where the nature of the business proposed to be dealt with at a General Meeting requires special resolution of the Association, the Secretary shall, notify members of the agenda for the meeting electronically.

29.2 Where the nature of the business proposed to be dealt with at a General Meeting requires special resolution of the Association, the Secretary shall, at least twenty-one (21) days before the date fixed for holding of the General Meeting, cause notice in writing to be sent to each member in the manner provided in clause 27.1 specifying, in addition to the matter required under clause 27.1, the intention to propose the resolution as a Special Resolution.

29.3 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 25.2.

29.4 A member desiring to bring any business or motion before a General Meeting may give notice in writing of that business or motion to the Secretary who shall include that business or motion in the next notice calling a general meeting given after receipt of the notice from the member.

### **30. GENERAL MEETINGS – PROCEDURE**

30.1 No item of business shall be transacted at a General Meeting unless a quorum of members entitled under these rules to vote is present during the time the meeting is considering that item.

30.2 Seven (7) members present in person (being members entitled under these rules to vote) at a General Meeting constitute a quorum. If within half an hour of the time appointed for the 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 the same day in the following week at the same time and (unless another place is specified at the time of adjournment by the person presiding at the meeting or communicated by written notice to members given before the day to which the meeting is adjourned) at the same place.

30.3 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 meeting shall be dissolved.

### **31. GENERAL MEETINGS – PRESIDING MEMBER**

31.1 The President or, in the President's absence the Vice-President shall preside as chairperson at each General Meeting of the Association.

31.2 If the President and the Vice-President are 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.

### **32. GENERAL MEETINGS – ADJOURNMENT**

32.1 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 shall be transacted at an adjourned meeting other than the business left unfinished at the meeting at which the adjournment took place.

32.2 Where a General Meeting is adjourned for fifteen (15) days or more, the Secretary shall give 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.

32.3 Except as provided in clauses 30.1 and 30.2, 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.

### **33. GENERAL MEETINGS – MAKING OF DECISIONS**

33.1 A question arising at a General Meeting of the Association shall be determined on a show of hands and, unless before or on the declaration or the show of hands a poll is demanded, 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.

33.2 At a General Meeting of the Association, a poll may be demanded by the Chairperson or by not less than three (3) members present in person or by proxy at the meeting.

33.3 Where a poll is demanded at a General Meeting, the poll shall be taken –

33.3.1 immediately in the case of a poll which relates to the election of the chairperson of the meeting or to the question of an adjournment; or

33.3.2 where it is absolutely clear to the meeting that it is not possible or practicable for the resolution to be passed in the manner specified in paragraph 32.3.1 the meeting shall be adjourned to the next available General Meeting to be not less than twenty- one (21) days after the meeting at which the resolution was first presented.

#### **34. GENERAL MEETINGS – VOTING**

34.1 Upon any question arising at a General Meeting of the Association, a member has one vote only.

34.2 All votes shall be given personally at the General Meeting.

34.3 In the case of an equality of votes on a question at a General Meeting, the chairperson of the meeting is entitled to exercise a second or casting vote.

#### **35. GENERAL MEETINGS – APPOINTMENT OF PROXIES**

35.1 Proxy voting must not, in any circumstances or in any way, be undertaken at or in respect of a General Meeting.

#### **36. INSURANCE**

36.1 The General Committee shall affect and maintain Management and Liability insurance that covers the Executive and the General Committee.

#### **37. FUNDS – SOURCE**

37.1 The funds of the Association shall be derived from donations, hire fees, levies on members and from other fundraising activities by the Association and subject to any resolution passed by the Association in General Meeting, such other sources as the Committee determines.

37.2 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.

37.3 The Association shall, as soon as practicable after receiving any money, issue an appropriate receipt.

#### **38. FUNDS – MANAGEMENT**

38.1 Subject to any resolution passed by the Association in General Meeting and subject to these rules, the funds of the Association shall be used in pursuance of the objects of the Association in such manner as the Committee determines.

38.2 All electronic funds transfers and cheques shall be authorised by any two (2) members from the President, Secretary and Treasurer.

38.3 Such surplus funds as may exist from time to time may be invested in a fund approved by the Committee.

38.4 Funds which are surplus to the Association's requirements at the conclusion of the financial year shall be retained for use in promoting the objects of the Association or meeting the Association's future obligations.

38.5 Unless, in the discretion of the Committee, circumstances exist warranting reimbursement of the member's direct expenses incurred in attending to the business of the Association, the Association shall not disburse or distribute any funds to members by way of profit, gain, dividend, or similar means whatsoever.

38.6 The Executive can approve, without having to seek approval from the Committee, expenditure of \$2,500 maximum.

#### **39. ACCOUNTS**

- 39.1 Accounts properly recording all monies received and expended by, or on behalf of the Association, and the circumstances under which such monies have been received or expended by or on behalf of the Association, and a register of the assets and liabilities of the Association shall be retained by the Association and shall be available for examination by a member.
- 39.2 Financial statements carried to the last day of September in each calendar year shall be prepared and submitted to the Association's auditors for examination and report.
- 39.3 The audited accounts shall be reproduced in the Clubs Annual Year Book which shall be distributed and made available to the members not less than three days prior to the Annual General Meeting.

#### **40. LEVIES**

- 40.1 The Association may at any time, make a levy on an individual member, or group of or all of the members of the Association for the purposes of meeting particular expenses or expenditure of the Association.
- 40.2 Any such levy or levies shall –
- 40.2.1 be determined and apportioned solely by the Committee;
- 40.2.2 be calculated on the basis of expenses or expenditure incurred by a member or group of all members in pursuance of the objects of the Association;
- 40.2.3 become payable at such time and place as may be determined by the Association;
- 40.2.4 be reported to members at the next succeeding Annual General Meeting as part of the Committee's reports.

#### **41. ALTERATION OF OBJECTS AND RULES**

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

#### **42. CUSTODY OF BOOKS ETC.**

- 42.1 Except as otherwise provided by these rules, the Secretary shall keep in his or her custody or under his or her control, all records, books and other documents relating to the Association.

#### **43. INSPECTION OF BOOKS ETC.**

- 43.1 The records, books and other documents of the Association shall be open to inspection, free of charge, by a member of the Association at any reasonable hour provided always that at least 48 hours prior notice of such requirement for inspection is given to the Secretary.

#### **44. SERVICE OF NOTICES**

- 44.1 For the purposes of these rules, a notice may be served by or on behalf of the Association upon any member either personally or in the form of an electronic transmission.
- 44.2 Where a document is sent to a person by electronic transmission, the document shall be deemed for the purposes of these rules to have been served on the person at the time at which the machine from which the transmission was sent produces a report indicating that the notice was sent on that date.

#### **45. SURPLUS PROPERTY**

- 45.1 Subject to the Act and the Regulations, in a winding up of the Association, any surplus property of the Association is to be transferred to another organisation with similar objects and which is not carried on for the profit or gain of its individual members.

- 45.2 In this clause, a reference to the surplus property of an Association is a reference to that property of the Association remaining after satisfaction of the debts and liabilities of the Association and the costs, charges and expenses of the winding up of the association.

Note. Section 65 of the Act provides for distribution of surplus property on the winding up of an Association.

#### **46. AUDIT**

- 46.1 An auditor shall be appointed by the Association at the Annual General Meeting and/or a committee meeting and/or a general meeting. Unless such auditor resigns, or is removed from office by resolution of the Committee, shall remain in office until the next succeeding Annual General Meeting.

#### **47. INDEMNITY**

- 47.1 If any prosecution, action or suit at law is commenced against any of the Committee or any other office, servant or agent of the Association for anything done by them in the proper discharge of their duties such person or persons shall be indemnified by the Association for all damage, costs and expenses which may be incidental to, or result from such prosecution, action or suit at law and the Association shall be empowered to apply the property and funds of the Association for such purposes.
- 47.2 No member of the Committee or other officer of the Association shall be liable for the acts, receipts, neglects or defaults of any other member of the Committee or other officer or for joining in any receipt or other act for the sake of conformity or for any loss or expense happening to the Association through the insufficiency or deficiency of title of any property acquired by order of the Committee for or on behalf of the Association in or upon which any of the monies of the Association shall be invested or for any loss or damage arising from bankruptcy, insolvency or tortuous act of any person with whom any other loss damage or misfortune whatever which shall happen in the execution of the duties of his or her respective office or in relation thereto, unless the same shall happen through his own act or willful default.