



St Ives Australian Football Club Incorporated

Constitution

As Approved 13 November 2013



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Constitution of the St Ives Australian Football Club Incorporated

As Approved 13 November 2013 by special resolution of the members

1. Preliminary

1.1 Name and Incorporation

- (a) The title of the Club shall be 'St Ives Australian Football Club Incorporated'.
- (b) The Club has been incorporated pursuant to the provisions of the Act.

1.2 Objects

The objects of the Club shall be:-

- (a) to promote, cultivate and foster the game of Australian Football; and
- (b) to assist in the educational advancement of the community by means of the development of a sense of fair play and a love of sport and in particular of the game of Australian Football; and
- (c) to encourage, advance and assist in the development of an improved standard of physical fitness in all members of the community, both individually and collectively.

2. Membership

2.1 Membership generally

- (a) Membership shall be open to any member of the community who possesses an interest in the game of Australian Football.
- (b) Membership categories are:-
 - (i) Ordinary Member – a parent/guardian of a Junior Member or a member of the community who has paid the annual membership subscription, and is accepted as a member of the Club. Payment of a player's registration fees is deemed to include the payment of the annual membership subscription and provides Ordinary Membership for one parent/guardian of that player (and for the avoidance of doubt, one parent/guardian may hold multiple Ordinary Memberships where they are the parent/guardian of multiple players).
 - (ii) Junior Member – a playing member of the Club whose annual membership subscription has been paid.
 - (iii) Life Member – members may be awarded Life Membership in accordance with Rule 2.1(e).
 - (iv) Honorary Member - members may be awarded Honorary Membership in accordance with Rule 2.1(f).



- (c) The Ordinary Members, Life Members and Honorary Members shall be the general body of Members of the Club with the right to elect the Committee and Board and vote at General Meetings. This Group is referred to as the Financial Members.
- (d) Upon payment of annual subscriptions the Registrar will enter each member into the Register.
- (e) The Committee may appoint a person as a Life Member (Junior and Senior) of the Club in recognition of services rendered in promoting the objects of the Club. Life Members (Junior and Senior) will have provided at least four (4) years of service to the Club. Election of Life Members (Junior and Senior) must be approved by unanimous vote of the Board present at the next meeting.
- (f) Honorary Members may be appointed by the Committee based on needs or special circumstances (including appointment of sponsors or donors). Election of Honorary Members must be approved by unanimous vote of the Board present at the next meeting.
- (g) Honorary Members and Life Members are not required to pay membership subscriptions for the term of their membership.
- (h) All Members shall be bound by the Rules and By-Laws, in place at any particular time, of the AFL NSW/ACT, AFL Greater Sydney Juniors and the applicable Regional Committee, and this Constitution.
- (i) All Members agree to abide by the AFL Code of Conduct.

2.2 Cessation of membership

A person ceases to be a Member of the Club if the person:

- (a) dies; or
- (b) resigns membership; or
- (c) is convicted of an offence for which the maximum penalty on conviction is imprisonment for not less than 12 months; or
- (d) is expelled from the Club; or
- (e) fails to pay the annual membership subscription under Rule 2.1 within 3 months after the fee is due.

2.3 Membership entitlements not transferable

A right, privilege or obligation that a person has by reason of being a Member:

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



2.4 Resignation of membership

- (a) A Member may resign from membership of the Club by first giving to the Club written notice of at least one month (or such other period as 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.
- (b) If a Member of the Club ceases to be a Member under Rule 2.4(a), and in every other case where a Member ceases to hold membership, the Registrar must make an appropriate entry in the register of Members recording the date on which the Member ceased to be a Member.

2.5 Register of Members

- (a) The Registrar of the Club must establish and maintain the Register, specifying the name and address of each person who is a Member of the Club together with the date on which the person became a Member.
- (b) The Register must be open for inspection, free of charge, by any Member of the Club at any reasonable hour.
- (c) The Register shall be prima facie evidence of membership.
- (d) A Member of the Club may obtain a copy of any part of the Register on payment of a fee of not more than \$1 for each page copied.
- (e) If a Member requests that any information contained on the Register about the Member (other than the Member's name) not be available for inspection, that information must not be made available for inspection.
- (f) A Member must not use information about a person obtained from the Register to contact or send material to the person, other than for:
 - (i) the purposes of sending the person a newsletter, a notice in respect of a meeting or other event relating to the Club or other material relating to the Club; or
 - (ii) any other purpose necessary to comply with a requirement of the Act or the Regulation.

2.6 Members' liabilities

The liability of a Member of the Club to contribute towards the payment of the debts and liabilities of the Club or the costs, charges and expenses of the winding up of the Club is limited to the amount, if any, unpaid by the Member in respect of membership of the Club.



3. Membership Discipline
 - 3.1 Disciplining of Members
 - (a) A complaint may be made to the Committee by any person that a Member of the Club:
 - (i) has refused or neglected to comply with a provision or provisions of this Constitution; or
 - (ii) has wilfully acted in a manner prejudicial to the interests of the Club; or
 - (iii) has brought the Club into disrepute through that member's actions (whether or not those actions are related to the Member's actions as a Member or not).
 - (b) The Committee may refuse to deal with a complaint if it considers the complaint to be trivial or vexatious in nature.
 - (c) If the Committee decides to deal with the complaint, the Committee:
 - (i) must cause notice of the complaint to be served on the Member concerned; and
 - (ii) must give the Member at least 14 days from the time the notice is served within which to make submissions to the Committee in connection with the complaint; and
 - (iii) must take into consideration any submissions made by the Member in connection with the complaint.
 - (d) The 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.
 - (e) If the Committee expels or suspends a Member, the Secretary must, within 7 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 Committee for having taken that action and of the Member's right of appeal under Rule 3.2.
 - (f) The expulsion or suspension does not take effect:
 - (i) until the expiration of the period within which the Member is entitled to appeal against the resolution concerned; or
 - (ii) if within that period the Member exercises the right of appeal, unless and until the Club confirms the resolution under Rule 3.2, whichever is the later.
 - 3.2 Right of appeal of disciplined Member
 - (a) A Member may appeal to the Club in general meeting against a resolution of the Committee under Rule 3.1, within 7 days after notice of the resolution is served on the Member, by lodging with the Secretary a notice to that effect.
 - (b) 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.



- (c) On receipt of a notice from a Member under Rule 3.2(a), the Secretary must notify the Committee which is to convene a general meeting of the Club to be held within 28 days after the date on which the Secretary received the notice.
- (d) At a general meeting of the Club convened under Rule 3.2(c):
 - (i) no business other than the question of the appeal is to be transacted; and
 - (ii) the Committee and the Member must be given the opportunity to state their respective cases orally or in writing, or both; and
 - (iii) the Members present are to vote by secret ballot on the question of whether the resolution should be confirmed or revoked.
- (e) The appeal is to be determined by a simple majority of votes cast by Members of the Club.

4 The Committee

4.1 Powers of the Committee

Subject to the Act, the Regulation and this Constitution and to any resolution passed by the Club in general meeting, the Committee:

- (a) is to control and manage the affairs of the Club; and
- (b) may exercise all such functions as may be exercised by the Club, other than those functions that are required by this Constitution to be exercised by a general meeting of Members of the Club; and
- (c) 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.

4.2 Composition and membership of Committee

- (a) The Committee is to consist of a President, Vice President, Secretary, Treasurer and up to eight other members.
- (b) A Committee member may hold up to 2 offices (other than both the President and Vice-President offices).
- (c) The Committee may create office-bearer positions, to assist in the general operations of the Club. The Committee and appointed office-bearers collectively form the Board.
- (d) Each member of the Committee and the Board is, subject to this Constitution and the By-Laws, 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.
- (e) All persons nominated for and acting in positions on the Committee or the Board must be Financial Members.



4.3 Election of Committee members

- (a) Nominations of candidates for election as Committee or Board members:
- (i) must be made in writing, signed by 2 Members of the Club and accompanied by the written consent of the candidate (which may be endorsed on the form of the nomination), and
 - (ii) must be delivered to the Secretary of the Club at least 7 days before the date fixed for the holding of the annual general meeting at which the election is to take place.
- (b) If insufficient nominations are received to fill all vacancies on the Committee, the candidates nominated are taken to be elected and further nominations are to be received at the annual general meeting.
- (c) If insufficient further nominations are received, any vacant positions remaining on the Committee are taken to be casual vacancies.
- (d) If the number of nominations received is equal to the number of vacancies to be filled, the persons nominated are taken to be elected.
- (e) If the number of nominations received exceeds the number of vacancies to be filled, a ballot is to be held.
- (f) The ballot for the election of Committee members of the Committee is to be conducted at the annual general meeting in such usual and proper manner as the Committee may direct.

4.4 President

The President must undertake the following roles and responsibilities:

- (a) act as the public representative and spokesperson of the Club at all times; and
- (b) chair all meetings for the Committee, Board and Members and, if unavailable, for any reason, appoint a person from the Board to chair any meeting where he or she will be absent (unless unable to do so); and
- (c) review and sign all minutes of all meetings of the Club from time to time.

4.5 Secretary

The Secretary shall carry out his or her duties under the direction of the Committee and keep a true record of all minutes of all meetings, attend to correspondence, issue notices for meetings, keep record and carry out such duties as the Committee directs.

4.6 Treasurer

- (a) The Treasurer shall receive all monies payable to the Club and issue receipts for same. All monies so received shall be paid into the bank account of the Club.



- (b) The Treasurer shall present at each Committee meeting a balance of the finances of the Club and shall keep proper books of account of all monies received and disbursed and generally perform all such duties as directed by the Committee.

4.7 Public Officer

As soon as practicable following each Annual General Meeting, the elected Committee members shall appoint a Public Officer. The position of the Public Officer may, but need not be, held by a Board member. The role of the Public Officer is as specified in the Act.

4.8 Casual vacancies

- (a) In the event of a casual vacancy occurring in the membership of the Committee or Board, the Committee may appoint a Member of the Club to fill the vacancy and the Member so appointed is to hold office, subject to this Constitution, until the conclusion of the annual general meeting next following the date of the appointment.
- (b) In addition to a casual vacancy which occurs as specified in Rule 4.3(c), a casual vacancy in the office of a member of the Committee or the Board occurs if the member:
 - (i) dies; or
 - (ii) ceases to be a Member of the Club; or
 - (iii) becomes a bankrupt within the meaning of the Bankruptcy Act 1966 (Cth); or
 - (iv) resigns office by notice in writing given to the Secretary; or
 - (v) is removed from office under Rule 4.6; or
 - (vi) becomes a mentally incapacitated person; or
 - (vii) is absent without the consent of the Committee from 3 consecutive meetings of the Committee; or
 - (viii) is convicted of an offence involving fraud or dishonesty for which the maximum penalty on conviction is imprisonment for not less than 3 months; or
 - (ix) is prohibited from being a director of a company under Part 2D.6 (disqualification from managing corporations) of the Corporations Act 2001 (Cth).

4.9 Removal of Committee members

- (a) The Club in general meeting may by resolution remove any member of the Committee or Board 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.
- (b) If a member of the Committee or Board to whom a proposed resolution referred to in Rule 4.9(a) relates makes representations in writing to the Secretary or President (not exceeding a reasonable length) and requests that the representations be notified to the Members of the Club, the Secretary or the President may send a copy of the representations to each Member of the Club or, if the representations 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.

4.10 Committee meetings and quorum

- (a) The Committee must meet at least 3 times in each period of 12 months at such place and time as the Committee may determine.
- (b) Additional meetings of the Committee may be convened by the President or by any member of the Committee.
- (c) Oral or written notice of a meeting of the Committee must be given by the Secretary to each member of the Committee at least 48 hours (or such other period as may be unanimously agreed on by the members of the Committee) before the time appointed for the holding of the meeting. The Secretary will also provide notice of the meeting to the other Board members, who are entitled to attend Committee meetings.
- (d) Notice of a meeting given under Rule 4.10(c) 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 Committee members present at the meeting unanimously agree to treat as urgent business.
- (e) Any 5 members of the Board constitute a quorum for the transaction of the business of a meeting of the Committee.
- (f) No business is to 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 is to stand adjourned to the same place and at the same hour of the same day in the following week.
- (g) 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.
- (h) At a meeting of the Committee:
 - (i) the President or, in the President's absence, the vice-President is to preside; or
 - (ii) 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 is to preside.

4.11 Delegation by Committee to sub-Committee

- (a) The Committee may, by instrument in writing, delegate to one or more sub-Committees (consisting of such Member or Members of the Club as the Committee thinks fit) the exercise of such of the functions of the Committee as are specified in the instrument, other than:
 - (i) this power of delegation; and
 - (ii) a function which is a duty imposed on the Committee by the Act or by any other law.



- (b) 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.
- (c) A delegation under this clause 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.
- (d) Despite any delegation under this clause, the Committee may continue to exercise any function delegated.
- (e) Any act or thing done or suffered by a sub-Committee acting in the exercise of a delegation under this clause has the same force and effect as it would have if it had been done or suffered by the Committee.
- (f) The Committee may, by instrument in writing, revoke wholly or in part any delegation under this clause.
- (g) A sub-Committee may meet and adjourn as it thinks proper.

4.12 Voting and decisions

- (a) Questions arising at a meeting of the Committee or of any sub-Committee appointed by the Committee are to be determined by a majority of the votes of members of the Committee or sub-Committee present at the meeting.
- (b) Each member present at a meeting of the Committee or of any sub-Committee appointed by the Committee (including the person presiding at the meeting) is entitled to one vote but, in the event of an equality of votes on any question, the person presiding may exercise a second or casting vote.
- (c) Subject to Rule 4.10(e), the Committee may act despite any vacancy on the Committee.
- (d) Any action or decision of the Committee or by a sub-Committee appointed by the Committee, is valid and effectual despite any procedural defect that may afterwards be discovered in the respect of the meeting of the Committee or sub-Committee or the appointment or qualification of any member of the Committee or sub-Committee.

4.13 Indemnity

To the extent permitted by law, the Club:

- (a) indemnifies each person who is a member of the Committee and Board (but only in his or her capacity as a member of the Committee or Board) against any liability incurred by that person in his or her capacity as a Committee or Board member to any other person or entity (excluding the Club), including an indemnity in respect of legal costs and expenses incurred by that person in defending proceedings for liability incurred by that person in such capacity; and
- (b) may pay or agree to pay a premium for a contract insuring any member of the Committee or Board against any liability incurred by the person in such capacity or in the course of acting in connection with or arising out of the affairs of the Club;



provided that any such person has acted in good faith and within the scope of his or her authority in undertaking any activity for the Club.

5. General meetings

5.1 Annual general meetings—holding of

The Club must hold its annual general meeting no later than 30 November of each year.

5.2 Annual general meetings—calling of and business at

- (a) The annual general meeting of the Club is, subject to the Act and to Rule 5.1, to be convened on such date and at such place and time as the Committee thinks fit.
- (b) In addition to any other business that may be transacted at an annual general meeting, the business of an annual general meeting is to include the following:
 - (i) to confirm the minutes of the last preceding annual general meeting and of any special general meeting held since that meeting;
 - (ii) to receive from the Committee reports on the activities of the Club during the last preceding financial year;
 - (iii) to elect Committee and Board members;
 - (iv) to receive and consider any financial statement or report required to be submitted to Members under the Act.
- (c) An annual general meeting must be specified as such in the notice convening it.

5.3 Special general meetings—calling of

- (a) The Committee may, whenever it thinks fit, convene a special general meeting of the Club.
- (b) The Committee must, on the requisition in writing of at least 5 per cent of the total number of Financial Members, convene a special general meeting of the Club.
- (c) A requisition of Members for a special general meeting:
 - (i) must state the purpose or purposes of the meeting; and
 - (ii) must be signed by the Members making the requisition; and
 - (iii) must be lodged with the Secretary; and
 - (iv) may consist of several documents in a similar form, each signed by one or more of the Members making the requisition.
- (d) 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.



- (e) A special general meeting convened by a Member or Members as referred to in Rule 5.3(d) must be convened as nearly as is practicable in the same manner as general meetings are convened by the Committee.

5.4 Notice

- (a) Except if the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the Club, the Secretary must, at least 14 days before the date fixed for the holding of the general meeting, give a notice to each Financial Member specifying the place, date and time of the meeting and the nature of the business proposed to be transacted at the meeting.
- (b) If the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the Club, 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 Financial Member specifying, in addition to the matter required under Rule 5.4(a), the intention to propose the resolution as a special resolution.
- (c) 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 Rule 5.2(b).
- (d) 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.

5.5 Quorum for general meetings

- (a) 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.
- (b) Twenty 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.
- (c) If within half an hour after the appointed time for the commencement of a general meeting a quorum is not present, the meeting:
 - (i) if convened on the requisition of Members, is to be dissolved; and
 - (ii) in any other case, is to stand adjourned to the same day in the following week at the same time and (unless another place is specified at the time of the 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.
- (d) 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 5) are to constitute a quorum.



5.6 Presiding member

- (a) The President or, in the President's absence, the Vice-President, is to preside as Chairperson at each general meeting of the Club.
- (b) 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.

5.7 Adjournment

- (a) 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.
- (b) 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 Club stating the place, date and time of the meeting and the nature of the business to be transacted at the meeting.
- (c) Except as provided in Rules 5.7(a) and (b), notice of an adjournment of a general meeting or of the business to be transacted at an adjourned meeting is not required to be given.

5.8 Making of decisions

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

5.9 Special resolutions

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

5.10 Voting

- (a) On any question arising at a general meeting of the Club a Member has one vote only.
- (b) 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.



- (c) A Member is not entitled to vote at any general meeting of the Club unless all money due and payable by the Member to the Club has been paid.
- (d) A Member is not entitled to vote at any general meeting of the Club if the Member is under 18 years of age.

5.11 Proxy votes not permitted

Proxy voting must not be undertaken at or in respect of a general meeting.

Note. Schedule 1 of the Act provides that a Club's Constitution is to address whether Members of the Club are entitled to vote by proxy at general meetings.

6 Miscellaneous

6.1 Insurance

The Club may effect and maintain insurance.

6.2 Funds—source

- (a) The funds of the Club are to be derived from annual subscriptions of Members, donations, sponsorships and, subject to any resolution passed by the Club in general meeting, such other sources as the Committee determines.
- (b) All money received by the Club must be deposited as soon as practicable and without deduction to the credit of the Club's bank or other authorised deposit-taking institution account.
- (c) The Club must, as soon as practicable after receiving any money, issue an appropriate receipt.

6.3 Funds—management

- (a) Subject to any resolution passed by the Club in general meeting, the funds of the Club are to be used in pursuance of the objects of the Club in such manner as the Committee determines.
- (b) All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments must be signed by any 2 members of the Committee or employees of the Club, being members or employees authorised to do so by the Committee.

6.4 Change of name, objects and Constitution

An application to the Director-General for registration of a change in the Club'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.

6.5 Custody of books etc

Except as otherwise provided by this Constitution, the Public Officer must keep in his or her custody or under his or her control all records, books and other documents relating to the Club.



6.6 Inspection of books etc

- (a) The following documents must be open to inspection, free of charge, by a Member of the Club at any reasonable hour:
 - (i) records, books and other financial documents of the Club,
 - (ii) this Constitution,
 - (iii) minutes of all Committee meetings and general meetings of the Club.
- (b) A Member of the Club may obtain a copy of any of the documents referred to in Rule 6.6(a) on payment of a fee of not more than \$1 for each page copied.

6.7 Service of notices

- (a) For the purpose of this Constitution, a notice may be served on or given to a person:
 - (i) by delivering it to the person personally, or
 - (ii) by sending it by pre-paid post to the address of the person, or
 - (iii) by sending it by facsimile transmission or some other form of electronic transmission to an address specified by the person for giving or serving the notice.
- (b) For the purpose of this Constitution, a notice is taken, unless the contrary is proved, to have been given or served:
 - (i) in the case of a notice given or served personally, on the date on which it is received by the addressee, and
 - (ii) in the case of a notice sent by pre-paid post, on the date when it would have been delivered in the ordinary course of post, and
 - (iii) in the case of a notice sent by facsimile transmission or some other form of electronic transmission, on the date it was sent or, if the machine from which the transmission was sent produces a report indicating that the notice was sent on a later date, on that date.

6.8 Financial year and audit

- (a) The financial year of the Club is each period of 12 months after the expiration of the previous financial year of the Club, commencing on 1 October and ending on the following 30 September.
- (b) An annual statement of income and expenditure shall be prepared by the Club, audited by the person duly appointed by the Club and presented to the Members.

6.9 Amendment of Constitution

No alteration or amendment of this Constitution shall be made unless by special resolution of the Members at a duly constituted general meeting and only if such resolution is carried by a majority of seventy five percent of those Members present personally and entitled to vote.



6.10 By-Laws

The Board may from time to time as circumstances dictate, formulate, interpret, adopt, make, alter and amend the By-Laws for the proper advancement, management and administration of the Club, as it thinks necessary or desirable. The By-Laws must be consistent with this Constitution. The By-Laws are binding on all Members.

7. Definitions and Interpretation

7.1 Definitions

In this Constitution (and the By-Laws):

Act means the Associations Incorporation Act 2009 (NSW).

Board means the Board of Management, consisting of the Committee as those appointed pursuant to Rule 4.2(c).

By-Law means any By-Law, regulation or policy made by the Board under Rule 6.10.

Director-General means the relevant Director-General under the Act.

Regulation means the Associations Incorporation Regulation 2010 (NSW).

special general meeting means a general meeting of the Club other than an annual general meeting.

7.2 Interpretation

(a) In this Constitution:

- (i) a reference to a function includes a reference to a power, authority and duty, and
- (ii) a reference to the exercise of a function includes, if the function is a duty, a reference to the performance of the duty.

(b) The provisions of the Interpretation Act 1987 (NSW) apply to and in respect of this Constitution in the same manner as those provisions would so apply if this Constitution were an instrument made under the Act.



By-Laws of the St Ives Australian Football Club Incorporated

1 General

1.1 Creation, Deletion of, or Amendment to By-Laws

Full details of any proposed change to the By-Laws shall be included in the Agenda as a notice of Motion unless notice was given and included in the Minutes of the previous meeting.

1.2 Rescission of Motion

A motion shall be rescinded only

- (a) at the meeting at which it was originally adopted provided all Board members who voted at the time of adoption are still present
- (b) at a subsequent meeting provided notice is given in the manner prescribed in By-Law 1.1

1.3 Minutes

- (a) A copy of the Minutes shall be provided to each Board member as soon as possible after the meeting concerned but no later than the time prescribed for the receipt of Notice for the next meeting.
- (b) Subject to agreement of the Board members the Minutes shall be confirmed and signed by Chairperson at the commencement of the next Committee meeting.
- (c) The Chairperson may, at his or her discretion, defer discussion of any or all matters arising from the Minutes until General Business.

1.4 Proxies

Any member of the Board may appoint another Member of the Club to represent him or her at a Committee meeting at which he or she is unable to be present. Such appointment need not be formal, the presence of the proxy to the Board meeting together with the absence of the Board member shall be evidence of his or her appointment and authority to speak and vote on behalf of the absent member.

2 Finances

2.1 Budget and Financial Reporting

- (a) The Treasurer shall submit by no later than 31 March, a budget of anticipated income and expenditure for the ensuing year for approval by the Committee. Any amendment to the Budget, excluding variations of less than 20% in the existing item, must also be submitted to the Committee for approval.
- (b) The Treasurer shall prepare a financial statement as at 30 September for auditing annually.



- (c) The Treasurer shall prepare and/or certify a statement of income and expenditure in respect of each function or fund raising activity organized by the Club. These statements shall be tabled at a Committee meeting and approved by Committee members.

2.2 Banking Arrangements

- (a) The Committee shall determine from time to time the banking accounts that the Club shall operate.
- (b) The Committee shall approve all cheque account signatories. All cheques are to be signed by two (2) people from the approved list.

2.3 Disbursements

The Club may disburse funds for:

- (a) Expenditure of a capital nature provided the purpose of the expenditure is supported by a majority of the members of the Committee.
- (b) Any expenditure connected with the running of the Club provided the amount is in accordance with the budget approved by the Committee.
- (c) Any approved purpose representing Club expenditure.
- (d) Investment purposes subject to the Committee agreeing to the nature of the investment and the amount being applied in such investment.
- (e) Normal expenses involved in maintaining teams in their respective competitions.
- (f) Any requirements connected with fundraising activities and trophy presentation functions.

3. Sub-Committees Meetings

3.1 Quorum

A quorum at a Sub-Committee meeting shall be a minimum of three.

3.2 Rescission of Motion

A motion shall be rescinded only

- (a) as provided in By-Law 1.2; or
- (b) at a subsequent meeting provided notice is given to each member of the Sub-Committee not less than five days prior to the meeting at which the rescission motion is to be put.

3.3 Minutes

The secretary of the Sub-Committee shall ensure that a copy of the Minutes is forwarded to the Secretary of the Club within two weeks of the meeting to which they relate.