

# **STATEMENT OF PURPOSES OF THE ALEXANDRA FOOTBALL & NETBALL CLUB INCORPORATED**

1. The name of the incorporated association is the Alexandra Football & Netball Club (in this statement called 'the club').

2. The purposes for which the club is established are:

- a) To establish, promote, encourage and regulate Australian Rules football (thereafter called football), netball and other sports in the Alexandra area.
- b) To provide facilities for the education, practice, play and continual improvement of the standards of the sports of football and netball in the Alexandra area.
- c) To promote and encourage the patronage of football and netball through the establishment of high standards of administration, facilities and supervision.
- d) To co-operate with and assist any organization having objects and purposes similar to those of the club in any manner which may further the interest of football and netball and the club generally and without limiting the generality of the foregoing to subscribe to, maintain membership of and co-operate with the Victorian Country Football League, Australian Football League, Netball Victoria and Netball Australia.
- e) To promote a greater community awareness of football and netball and their contribution to sports generally.
- f) To uphold, regulate and enforce the rules of football and netball.
- g) To protect the interests of the members of the club in all manners whatsoever that relate directly or indirectly to football, netball or to sport generally.
- h) To collect and apply the funds of the club in such a manner that the club or its committee believe to be in the best interests of football, netball and/or its members.

## **Standard Purposes:**

Solely for the purpose of furthering the purposes set out above, the club shall have the power;

- a) To subscribe to, become a member of, and co-operate with any other association, club or organisation whether incorporated or not, whose objects are altogether or in part similar to those of the club.
- b) To buy, sell and deal in all kinds of articles, commodities and provisions, both liquid and solid, for the members of the club or persons frequenting clubs premises.
- c) To purchase, take on lease or in exchange, hire and otherwise acquire any lands, buildings, easements or property, real and personal, and any rights or privileges which may be requisite for the purpose of, or capable of being conveniently used in connection with, any objects of the club; provided that in case the club shall take hold any property which may be subject to any trusts, the club shall only deal with the same in such a manner as is allowed by law having regards to such trusts.
- d) To enter into any arrangements with the Government or any other authority that are incidental or conducive to the attainment of the objects and the exercise of the powers of the club; to obtain from the Government or authority any rights, privileges or concessions which the club may think it desirable to obtain; and to carry out, exercise and comply with any such arrangements, rights, privileges and concessions.
- e) To appoint, employ, remove or suspend such managers, clerks, secretaries, servants, workers and other persons as may be necessary or convenient for the purposes of the club.
- f) To construct, improve, maintain, develop, work, manage, carry out, alter or control any houses, buildings, grounds, works or conveniences calculated directly or indirectly to advance the clubs interests, and to contribute to, subsidise or otherwise assist and take part in the construction, improvement, maintenance, development, working management, carrying out, alteration or control thereof.
- g) To invest and deal with the money of the club not immediately required from time to time in such manner as may be sought fit.
- h) To take, or otherwise acquire and hold shares, debentures or other securities of any company or body corporate.
- i) To borrow or raise money either alone or with any other person or legal entity in such manner as may be thought proper and whether upon fluctuating advance account of overdraft or otherwise to represent or secure any moneys and further advances borrowed or to be borrowed alone or with others as aforesaid by notes secured or unsecured, debentures or debenture stock perpetual or otherwise, or by mortgage, charge, lien or other security upon the whole or any part of the clubs property or assets present or future and to purchase, redeem or pay off any such securities.
- j) To draw, make, accept, endorse, discount, execute and issue promissory notes, bills of lading and other negotiable or transferable instruments.

- k) To sell, improve, manage, develop, exchange, lease, dispose of, turn to account or otherwise deal with all or any part of the property and rights of the club.
- l) To take or hold mortgages, liens, charges to secure payment of the purchase price, or any unpaid balance of the purchase price, any part of the clubs property or whatsoever kind sold by the club, or any money due to the club from purchasers or others.
- m) To take such steps by personal or written appeals, public meetings or otherwise, as may from time to time be deemed expedient for the purpose of procuring contributions to the funds of the club, in the shape of donations, annual subscriptions or otherwise.
- n) To take any gift of property whether subject to any special trust or not, for any one or more of the objects of the club but subject always to the proviso in paragraph (c).
- o) To apply to the Victorian Commission for Gambling Regulation for a permit to conduct a raffle or other such fundraising activity under the Gambling Regulation Act (Vic) 2003 or any subsequent enactment.
- p) To apply for, maintain, amend and renew a suitable liquor licence under the Liquor Licence Reform Act 1998 or any subsequent enactment.
- q) To apply to the relevant Local Government Authority for a permit to operate stalls, temporary food premises or the like on public land from time to time.
- r) To print and publish any newspapers, periodicals, books or leaflets that the club may think desirable for the promotion of its objects.
- s) To amalgamate with any one or more incorporated clubs having objects altogether or in part similar to those of the club.
- t) To purchase or otherwise acquire and undertake all or any part of the property, assets, liabilities and engagements of any one or more of the incorporated clubs with which the club is authorized to amalgamate.
- u) To transfer all or any part of the property, assets, liabilities and engagements of the club to any one or more of the clubs with which the club is authorized to amalgamate.
- v) To make donations for patriotic, charitable or community purposes.
- w) To insure against loss or damage by fire, theft or otherwise in respect of any insurable contingency, any property in which the club has an insurable interest, and to insure any member of the club or employee and to insure any person attending activities within or upon the clubs property or other designated site, against injury by accident or otherwise.
- x) To do all other things as are incidental or conducive to the attainment of the objects and the exercise of the powers of the club.

# **RULES FOR THE ALEXANDRA FOOTBALL & NETBALL CLUB INCORPORATED**

## **RULES FOR THE INCORPORATED ASSOCIATION**

### **1. NAME**

The name of the incorporated association is the Alexandra Football & Netball Club Incorporated (in these rules called 'the club').

### **2. INTERPRETATION**

1. In these rules, unless the contrary appears:

"Committee" means the General Committee of the club, in accordance with Rule 13.

"Financial Year" means the year ending 30<sup>th</sup> September.

"General Meeting" means a meeting of members convened in accordance with Rule 12.

"Member" means a financial member of the club. "Associate Member" means a non voting member of the club.

"Ordinary Member of the Committee" means a member of the Committee who is not an Officer of the Club under Rule 13.

"The Act" means the Association Incorporation Act 1981.

"The Regulations" means regulations under the Act.

2. In these rules, a reference to the Secretary of the club is a reference:

a) Where a person holds office under these rules as Secretary of the club – to that person;  
and

b) In any other case, to the Public Officer of the club.

3. Words or expressions contained in these rules shall be interpreted in accordance with the provisions of the Acts Interpretation Act 1958 and the Act as in force from time to time.

4. Words importing the male gender also include the female gender.

### **3. QUALIFICATIONS FOR MEMBERSHIP**

1. Membership of the club shall be divided into the following classes:

a) Ordinary Members.

Ordinary members may include sub categories such as Rebel Raiser, Patrons, Players or other such categories that may change in name from time to time.

b) Life Members

- i) A person who has rendered outstanding service for the club with a minimum of ten (10) years service or a person who has played a minimum of three hundred (300) senior grade games of football or netball, on the recommendation of the committee decided at an ordinary committee meeting prior to an Annual General Meeting, shall be nominated for Life Membership of the club at the Annual General Meeting.
- ii) A two- thirds majority of those financial members present and entitled to vote shall be necessary for such an election.
- iii) Every Life Member shall be entitled to all the privileges of the club without further payment annually or otherwise.

#### **4. VOTING MEMBERS**

Voting members are those financial members of the club aged 18 or above.

#### **5. MEMBERSHIP FEES AND SUBSCRIPTIONS**

The membership fee shall be determined for each category or sub category by the committee from time to time. Fees will be payable by a specified time each year otherwise the member will not be financial.

#### **6. REGISTER OF MEMBERS**

The Secretary shall keep and maintain a register of members in which shall be entered the full name, address and a date of entry of the name of each member and the register shall be available for inspection at the address of the Public Officer.

#### **7. EXPULSION, SUSPENSION OR FINING OF MEMBERS**

1. Subject to these Rules, the committee may by resolution:

- a) Expel a member of the club; or
- b) Suspend a member of the club for a specified period

If the committee is of the opinion that the member has refused or neglected to comply with these rules or has been guilty of conduct unbecoming a member or prejudicial to the interest of the club.

2. A resolution of the committee under sub-clause (1) shall not take effect unless prior to the making of such resolution, the following procedures are adhered to:

- a) notice shall be served on the relevant member which shall include the date, time and place of the hearing before the committee and advice that such member may attend thereat and be heard as to the matter in question.
- b) service of the said notice shall be effected at least seven (7) days before the hearing date contained therein.

- c) the committee shall convene at the time, date and place set out in such notice and allow such member to be heard and consider all relevant material submitted by such member.
3. The member may within fourteen (14) days of the passing of any resolution under sub-clause (1) exercise a right of appeal to the members of the club by giving notice to that effect to the Secretary. Upon receipt of such notice, the Secretary shall convene a Special General Meeting of the members to consider such appeal which shall be held within (1) month of the receipt of such notice by the Secretary.

## **8. DISPUTES & MEDIATION**

1. The grievance procedure set out in this rule applies to disputes under these rules between,
  - a) a member and another member; or
  - b) a member and the association.
2. The parties to the dispute must meet and discuss the matter in dispute, and, if possible, resolve the dispute within 14 days after the dispute comes to the attention of all parties.
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, hold a meeting in the presence of a mediator.
4. The mediator must be –
  - a) a person chosen by agreement between the parties; or
  - b) in the absence of agreement –
    - (i) in the case of a dispute between a member and another member, a person appointed by the committee
    - (ii) in the case between a member and the club, a person who is appointed or employed by the Dispute Settlement Centre of Victoria (Department of Justice).
5. A member of the club can be a mediator.
6. The mediator cannot be a party to the dispute.
7. The parties to the dispute must in good faith attempt to settle the dispute by mediation.
8. The mediator, in conducting the mediation, must;
  - a) give the parties to the mediation process every opportunity to be heard; and
  - b) allow due consideration by all parties of any written statement submitted by any party; and
  - c) ensure that natural justice is accorded to the parties of the dispute throughout the mediation process

9. The mediator must not determine the dispute.
10. If the mediation process does not result in the dispute being resolved, the parties may seek to resolve the dispute in accordance with the Act or at law.

## **9. ANNUAL GENERAL MEETING**

1. The club shall in each calendar year, convene an Annual General Meeting of its members.
2. The Annual General Meeting shall be held on such a day as the committee determines but shall be held no earlier than the first week of October and not later than the last week of November.
3. The Annual General Meeting shall be specified as such in the notice convening it. At least fourteen (14) days prior notice of the date and place of the meeting must be provided to members via advertisement in the local media and electronic communication directly to members.
4. The ordinary business of the Annual General Meeting shall be;
  - 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 of the transactions of the club during the last preceding financial year.
  - c) To elect or re-elect officers of the club and the ordinary members of the committee.
  - d) To receive and consider the statement submitted by the club in accordance with Section 30 (3) of the Act.
5. The Annual General Meeting may transact special business of which notice is given in accordance with these rules.
6. The Annual General Meeting shall be in addition to any other General Meetings that may be held in the same year.

## **10. SPECIAL GENERAL MEETINGS**

All general meetings other than the Annual General Meeting shall be called Special General Meetings.

- a) The committee may, whenever it sees it, convene a Special General Meeting.
- b) The committee shall, on the requisition in writing of at least ten (10) members plus a simple majority of the committee, or at least fifty (50) members, convene a Special General Meeting of the club.
- c) The requisition for a Special General Meeting shall state the objects of the meeting and shall be signed by the members making the requisition and shall be sent to the address of the Secretary and may consist of several documents in a like form, each signed by one or more members making the requisition.

d) If the committee does not cause a Special General Meeting to be held within one month after the date on which the requisition is sent to the address of the Secretary, the members making the requisition, or any of them, may convene a Special General Meeting to be held not later than three months after that date.

e) A Special General Meeting convened by members in pursuance of these rules shall be convened in the same manner as nearly as possible as that in which those meetings are convened by the committee and all reasonable expenses incurred in convening the meeting shall be refunded by the club to the persons incurring the expenses.

## **11. NOTICE OF GENERAL MEETINGS**

1. The Secretary of the Club shall, at least fourteen (14) days before the date fixed for holding an Annual or Special General Meeting of the club, cause notice to be posted to members via advertisement in the local media and electronic communication directly to members.
2. No business other than that set out in the notice convening the meeting shall be transacted at the meeting without the consent of a majority of the members present.
3. A member desiring to bring any business before a meeting may give notice of that business in writing to the Secretary, who shall include that business in the notice calling the next meeting.

## **12. PROCEEDINGS AT GENERAL MEETINGS**

1. All business that is transacted at an Annual or Special General Meeting, with the exception of that specially referred to in these rules as being the ordinary business of the Annual General Meeting, shall be deemed to be special business.
2. 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 when the meeting is considering that item.
3. At least fifteen (15) members shall form a quorum at an Annual General Meeting, and at least twenty five (25) per cent of the current membership shall form a quorum at a Special General Meeting. These being members entitled under these rules to vote at a general meeting.
4. If within half an hour after the appointed time for the commencement of a general meeting, a quorum is not present, the meeting, if convened upon the requisition of members shall be dissolved and in any other case shall stand adjourned to the same place, time and day in the next week (unless another place is specified by the Chairman at the time of the adjournment or by written notice to members given before the day to which the meeting is adjourned) and if at the adjourned meeting the quorum is not present within half an hour after the time appointed for the commencement of the meeting, the members present shall be a quorum.
5. The President, or in his absence, a Vice President, shall preside as Chairman at each meeting of the club. If the President and Vice Presidents are absent from a meeting, the members present shall elect one of their number to preside as Chairman at that meeting.

6. The Chairman of a meeting at which a quorum is present may, with the consent of the meeting, adjourn the meeting from time to time and place to place, but no business shall be transacted at the meeting at which the adjournment took place.

7. Where a meeting is adjourned for 14 (fourteen) days or more, a like notice of the adjourned meeting shall be given as in the case of a general meeting.

8. Except as provided in clauses 6 & 7 it is not necessary to give notice of an adjournment or of the business to be transacted at an adjourned meeting.

9. If a question arising at a meeting of the club is determined by a show of hands and unless before or on the declaration a show of hands a poll is demanded, a declaration by the Chairperson that a resolution has - been carried; carried unanimously; carried by a particular majority; or lost and an entry to that effect is made in the Minute Book of the club, this is evidence of the fact, without proof of the number or proportion of the votes recorded in favour of, or against, that resolution.

10. Upon any question arising at a meeting of the club, a member has one vote only.

i. All votes must be given personally at the meeting.

ii. In the case of equality of voting on a question, the Chairman is entitled to exercise a second or casting vote.

11. If at a meeting a poll on any question is demanded by not less than 3 members, it shall be taken at that meeting in such manner as the Chairman may direct and the resolution of the poll shall be deemed to be a resolution of the meeting on that question.

12. A poll that is demanded on the election of a Chairman or on a question of an adjournment shall be taken immediately and a poll that is demanded on any other question must be taken at any time before the end of the meeting as the Chairman may direct.

13. A member is not entitled to vote at any meetings unless all monies due and payable by him to the Club have been paid other than the amount of the annual membership fee payable in respect of the current club financial year unless the due date as determined by the committee under Rule 5 has passed.

### **13. COMMITTEE OF MANAGEMENT**

1. The affairs of the Club shall be managed by the committee constituted as provided in rule 14.

2. The committee:

a) Shall control and manage the affairs and business of the club

b) May, subject to the rules, the regulations and the Act, exercise all such powers and functions as may be exercised by the club other than those powers and functions that are required by these rules to be exercised by meetings of the members of the club; and

c) Subject to these rules, the regulations and the Act, has power to perform all such acts and things as appear to the committee to be essential for the proper management of the business and affairs of the club.

3. The officers of the club shall be:

- a) President
- b) Two Vice Presidents. One senior and one junior.
- c) Secretary
- d) Treasurer

4. The provisions of rule – as far as they are applicable and with the necessary modifications, apply to and in relation to the election of persons to any Offices mention in rule 13 sub clause 3.

5. Subject to Section 23 of the Act, the committee shall consist of up to 15 members, being up to four (4) officers of the club and up to ten (10) ordinary or life members of the club, each of whom shall be elected hereinafter provided in clause 6 a).

6.

- a) The office bearers and ordinary members of the committee of the club shall be elected at the Annual General Meeting and their term of office shall, subject to these rules, be for one (1) year.
- b) In the event of a casual vacancy occurring in the officers of the club as referred to in sub clause 3, the committee may appoint one of its members or a member of the club to the vacant office until the next Annual General Meeting.
- c) In the event of a casual vacancy occurring in the office of an ordinary member of the committee, the committee may appoint a member of the club to the vacant office and the member so appointed may continue in the office until the next Annual General Meeting.

#### **14. ELECTION OF OFFICERS**

1. Nominations of candidates for election as officers of the club or as ordinary members of the committee

- a) Shall be in writing, signed by the nominator and nominee, both of whom shall be financial members of the club. The names and addresses of the persons proposed for election as members of the committee of management shall be displayed in a conspicuous place in the club premises for not less than one week prior to the date of the election.
- b) Shall be delivered to the Secretary no later than two (2) weeks prior to the Annual General Meeting.

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 shall be received at the Annual General Meeting.

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.

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

5. The ballot for the election of officers and ordinary members of the committee shall be conducted at the Annual General Meeting in such usual and proper manner as the committee may direct.

6. A member may nominate and be elected to a maximum of two (2) office bearing positions.

7. For the purpose of these rules, the office or an officer of the club or an ordinary member of the committee becomes vacant if the officer or the member:

- a) Resigns his office by notice in writing given to the Secretary
- b) Fails to attend three (3) consecutive committee meetings, without having given leave of absence, unless there was sufficient reason for the absence, providing that it shall be the responsibility of the Secretary, following the second consecutive absence to notify the officer or member in writing of the possible consequences of a further absence in the sequence.

8. Leave of Absence for a period not exceeding six (6) months shall be granted by the committee to any of its members applying for leave provided that the member submits a written application for leave to the Secretary.

9. Where the member seeking leave of absence is an Officer, the vacancy for the duration of the leave of absence shall be filled by an appointment by the Committee of one of its ordinary members of the committee.

## **15. PROCEEDINGS OF COMMITTEE MEETINGS**

1. The committee shall meet as required to effectively manage the business of the club at such place and time as the committee determine.

2. Any five (5) members shall constitute a quorum for the transaction of business of a meeting of the committee.

3. No business shall be transacted 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 shall stand adjourned to the same place, time and day the following week.

4. At the meetings of the committee;

- a) The President or in his absence a Vice President shall preside or:
- b) If the President and the Vice President are absent, one of the remaining members of the committee may be chosen by the members to preside the meeting.

5. The committee may from time to time delegate to a sub committee consisting of any persons approved by the committee to conduct one or more specific functions for and on behalf of the club. The committee shall determine the duties and powers afforded to such sub-committees. A committee member shall be a member of any sub-committee appointed.

6. Questions arising at a meeting of the committee or of any sub-committee appointed by the committee shall be determined on a show of hands or, if demanded by a member, by a poll taken in such manner as the person presiding at the meeting may determine.

7. Each member present at a meeting of the committee or of any sub-committee (excluding the person presiding at the meeting) is entitled to one vote and in the event of an equality of votes on any question, the person presiding may exercise a casting vote.

## **16. REMOVAL OF COMMITTEE MEMBERS**

1. The club in general meeting may by resolution remove any member of the committee before the expiration of his term in office and appoint another member instead to hold office until the expiration of the term of the first mentioned member.

2. Where the member to whom a resolution referred to in sub clause (1) makes representations in writing to the Secretary or President of the club and requests that they be made available to members of the club, the Secretary or President must send a copy of the representations to each voting member of the club.

## **17. SECRETARY**

The Secretary shall keep minutes of the resolutions and proceedings of each general meeting and each committee meeting in books provided for the purpose together with a record of the name of persons present at committee meetings, and shall carry on the business of the club under the directions of the committee.

## **18. TREASURER**

The Treasurer of the club:

- a) Shall collect and receive all moneys due and make all payments authorised by the committee .
- b) Shall keep correct accounts and books showing the financial affairs of the club with full details of all receipts and expenses connected with activities of the club.
- c) Shall make a financial statement and balance sheet for presentation at the Annual General Meeting of the club and at committee meetings as required.

## **19. SIGNING OF NEGOTIABLE INSTRUMENTS**

All cheques, drafts, bills of exchange and other negotiable instruments shall be signed by any two (2) officers of the club.

## **20. ALTERATIONS OF RULES AND STATEMENT OF PURPOSES**

These rules and statement of purposes of the club shall not be altered except in accordance with the Act.

## **21. NOTICE TO MEMBERS**

Any notice that is required to be given to members of the club may be given by;

- a) Delivering the notice to the members personally;
- b) Sending it by prepaid post addressed to the member at that members address shown in the register of members; or

- c) Electronic transmission, unless the member has requested that notices not be given to him in this manner.

## **22. LIQUOR LICENCE**

The Club may apply for, maintain, amend and renew a suitable liquor licence under the Liquor Control Reform Act 1998 or any subsequent enactment under the following clauses;

- a) No payment of any amount to an officer or servant of the Club by way of commission or allowance from the receipts of Club for the supply of liquor is authorised.
- b) Except as otherwise permitted under the Liquor Licence Reform Act 1198, no person can receive a greater profit, benefit or advantage from the Club than that to which any member is entitled.
- c) A visitor to the Club must not be supplied with liquor in the Club premises unless that visitor is a guest in the company of a member of the Club.

## **23. WINDING UP OR CANCELLATION**

In the event of the winding up or cancellation of the club, the net assets of the club shall be distributed to local charity based organisations as the committee resolves