

# CONSTITUTION

JUNE 2011

Of: –

***QUEENSLAND Lacrosse Association –  
Incorporated***



## Home of the PUMAS



## CONSTITUTION

of –

Queensland Lacrosse Association – Incorporated

Associations Incorporation Act 1981

Revised June 2011

### 1. INTERPRETATION

1.1 In this Constitution unless the contrary intention appears:

Act means the Associations Incorporation Act 1981 (Qld).

Affiliated Association means the association recognized by Queensland Lacrosse as an affiliated association for the purposes of the constitution of Queensland Lacrosse.

Constitution means this Constitution of this association.

ALA means Australia Lacrosse Association and assigns.

Intellectual Property means all rights or goodwill subsisting in copyright, business names, names, trade marks (or signs), logos, designs, patents or service marks (whether registered or registerable) relating to the Association, Queensland Lacrosse or Australia Lacrosse Association or any event, competition, championship, meeting or Lacrosse activity of or conducted, promoted or administered by or under the control of the Association, Queensland Lacrosse Association and Australia Lacrosse Association.

Membership:

- (a) Affiliated Member as described at clause 8.4;
- (b) Life Member as described at clause 8.5; and
- (c) Ordinary Member as described at clause 8.3.

Representatives of an Ordinary Member means a person, who is a natural person, and where a person is to exercise a vote under this Constitution the person must be above the age of 18 years

Present:

- (a) at a Management Committee Meeting – see Clause 27 or
- (b) at a General Meeting – see Clause 54

Proxy vote – the vote of an Ordinary Member that is transferred to another representative of the Ordinary Member i.e. the representative must be a member of the same Lacrosse Club / Association.



Queensland means the geographical borders of the State of Queensland in the Federation of Australia.

Special resolution means a resolution that complies with Section 3 of the Act passed:

- (a) by a Special General Meeting of the Association of which 7 days notice of intention to move the motion has been given in accordance with this Constitution
- (b) by at least 50% of the persons present and entitled to vote at that meeting.

Australia Lacrosse means Australia Lacrosse Association Inc, its successors and assigns.

1.2 A word or expression that is not defined in this Constitution, but is defined in the Act has, if the context permits, the meaning given by the Act.

1.3 In this Constitution:

- (a) a reference to a function includes a reference to a power, authority and duty
- (b) a reference to the exercise of a function includes, where the function is a power, authority or duty, a reference to the exercise of the power or authority or the performance of the duty
- (c) words importing the singular include the plural and vice versa
- (d) words importing any gender include the other gender
- (e) references to persons, save where indicated to the contrary, include corporations and bodies politic
- (f) a reference to a statute, ordinance, code or other law includes regulations and other statutory instruments under it and consolidations, amendments, re-enactments or replacements of any of them (whether of the same or any legislative authority having jurisdiction).

1.4 Expressions referring to "writing" shall, unless the contrary intention appears, be construed as including references to printing, lithography, photography and other modes of representing or reproducing words in a visible form, including messages sent by electronic mail.

1.5 This Constitution supersedes the Model Rules in the Act.

## 2. NAME AND ASSOCIATION COLOURS

2.1 The name of the incorporated association is Queensland Lacrosse Association Incorporated ("QLA").

2.2 The colours and playing gear as determined by the Management Committee and approved by Lacrosse Australia are to be gold, white and maroon in such combinations as may be approved by the Management Committee.

## 3. OBJECTS



The Objects of the Association are to:

(1) provide for the conduct, encouragement, promotion, control and administration of the sport of lacrosse, in its various forms, on a competitive, recreational, social and/or community basis, throughout Queensland and elsewhere, including:

(a) promoting a greater community awareness of, and enjoyment in lacrosse and its contribution to sport generally;

(b) promoting and holding, either alone or jointly with any other association, club or person, lacrosse competitions, championships, exhibitions, meetings and other activities of QLA generally.

(c) promoting, encouraging and providing facilities for the education, practice and play of the sport of lacrosse and to raise levels and standards of lacrosse play in Queensland and elsewhere;

(d) representing the interests of lacrosse and lacrosse players within Queensland at national level and international level;

(e) to uphold the laws of the game as at present adopted with such alterations and / or additions as the Board of Australia Lacrosse Association may from time to time determine

(f) selecting and appointing Queensland lacrosse representatives, officials and delegates in national competition or for any other purposes;

(g) providing sound financial administration;

(h) co-operating with and assisting any organisation having objects and purposes similar to those of QLA in any manner which may further the interests of lacrosse or QLA generally;

(i) defining, varying or altering the boundaries of the districts, regions or zones which may be set for the purpose of arranging special tournaments and events; and the terms and conditions under which players may participate;

(j) pursuing and conducting such programs and projects that relate to lacrosse and to the other activities of QLA generally;

(k) settling disputes or questions on any matters relating to Queensland lacrosse; and

(l) hearing and determining upon any allegation or complaint or charge involving a breach of this Constitution or the Laws of Lacrosse or in respect of any matters affecting the interest of lacrosse or of QLA which may be made against any members of QLA, with power to impose fines or any other penalties as prescribed in this Constitution or By-laws;

(2) affiliate and otherwise liaise with the Australian Lacrosse Association in the pursuit of these Objectives and the sport of lacrosse;

(3) ensure that a high standard of the sport of lacrosse in Queensland is maintained;

(4) develop a sense of sportsmanship and a high degree of proficiency in lacrosse competitors;



- (5) use and protect the Intellectual Property of QLA including but not limited to logos, trademarks, copyright and names on any equipment, product, publication or event developed by QLA;
- (6) collect, distribute and publish information in connection with lacrosse;
- (7) strive for Government, commercial and public recognition of QLA and lacrosse;
- (8) ensure adoption of and compliance with rules of the sport of lacrosse;
- (9) further develop QLA (or any substitute or other entity) into an organised institution and with these purposes in view, to foster, regulate, organise and manage competitions, events, displays and other activities and to issue badges, medallions and certificates and award trophies to successful competitors;
- (10) promote the health and safety of competitors;
- (11) encourage competitors to realise their potential and athletic abilities;
- (12) encourage and promote performance-enhancing drug free competitions;
- (13) encourage and promote equitable competition and involvement in the sport of lacrosse;
- (14) undertake and do all such things or activities which are necessary, incidental and conducive to the advancement of these purposes;
- (15) allow other lacrosse association in Queensland to affiliate as Affiliated Associations in accordance with the provisions of this Constitution; and.
- (16) comply with all requirements or obligations imposed by Lacrosse Australia as a condition of affiliation

- 3.1 Act in cooperation with Lacrosse Australia to achieve the objects of Lacrosse Australia
- 3.2 Promote mutual trust, harmony and cooperation between members of the Association and members and officials of Lacrosse Australia and any association or body associated therewith or with QLA.
- 3.3 Comply fully with and implement any Code of Conduct, Policy, Standard, applicable By-Law or Condition [howsoever entitled] that has been, or may be, promulgated or approved by FINA and Lacrosse Australia in relation to any member, lacrosse or any activity associated therewith
- 3.4 Apply the property of the Association solely in pursuit of these Objects and lacrosse
- 3.5 Use and protect the Intellectual Property
- 3.6 Facilitate the establishment of a contract between each member of the Association whereby each member agrees to be bound by the constitution of Queensland Lacrosse including any disciplinary procedures established by Queensland Lacrosse or relevant Affiliated Region.



#### 4. POWERS

4.1 For the purpose of furthering the Objects, the Association has the legal capacity and powers of a company as set out under section 124 of the Corporations Act 2001 (Cwth).

#### 5. APPLICATION OF INCOME AND PROPERTY

5.1 The income and property of the Association shall be applied solely towards the promotion of the Objects.

5.2 No portion of the income or property of the Association shall be paid or transferred, directly or indirectly by way of dividend, bonus or otherwise to any member.

5.3 No remuneration or other benefit in money or money's worth shall be paid or given by the Association to any member who holds any office of the Association.

5.4 Nothing contained in rules 5(2) or (3) shall prevent payment in good faith to any member:

- (i) for any services actually rendered to the Association whether as an employee or otherwise
- (ii) for goods or services, professional or otherwise, supplied to the Association in the ordinary and usual course of business
- (iii) of interest, no greater than that payable to a bank for a comparable borrowing, on money borrowed from any member
- (iv) of rent for premises demised or let by any member to the Association
- (v) for any out-of-pocket, travel or similar expenses incurred by the member on behalf of the Association.

Provided that any such payment shall not exceed the amount ordinarily payable between ordinary commercial parties dealing at arms length in a similar transaction.

#### 6. ASSOCIATION NOTICE BOARD

6.1 The Association Notice Board shall consists of the following

- (a) A designated Notice Board in the Association Premises during the playing season if a club house and facilities are available; and
- (b) At all times, a section on the association website, as designated from time to time by the Committee under the heading, 'Notice Board' or per electronic mail for proper distribution of information

#### 7. APPLICATIONS FOR MEMBERSHIP

7.1 Applications for membership must be in writing in the form decided by the Management Committee.

#### 8. CLASSES OF MEMBERS



8.1 The membership of the Association consists of Ordinary Members, Affiliate Members and Life Members.

8.2 The number of members is unlimited.

8.3 A Lacrosse Club (or as otherwise described) in Queensland may be admitted as an Ordinary Member provided it has met any criteria for membership which may from time to time be set by the Management Committee.

(i) Two representatives of an Ordinary Member are entitled to attend, debate and vote at all General Meetings.

(ii) In the event that there is no longer sufficient i.e. less than two Ordinary Members of the Association then affiliate members (see clause 8.4) will gain voting rights. This clause is intended so that the Association can continue under circumstances where there is only one Lacrosse Club / Association remaining in Queensland and will only operate on an interim basis until such time that more than one Lacrosse Club / Association are again Ordinary Members.

8.4 An Affiliated Member is a natural person who has been accepted as a member of a Lacrosse Club in Queensland and that club (or described in any other manner) has been accepted as an Ordinary Member of QLA.

8.5 A Life Member is any person who has been granted life membership of the Association. A life member has no voting powers.

8.6 The Management Committee shall have the right to refuse to admit any person (natural, corporate or other) to membership without assigning any reason for doing so.

8.7 The Committee shall have the right to refuse to admit any person to membership without assigning any reason for doing so

8.8 A copy of this Constitution shall be made available for perusal by all applicants for membership. All persons whose applications for membership are approved shall be deemed to have subscribed to this constitution as from the date of acceptance

8.9 On payment of their dues to become a member of the Association, members will become entitled to the privileges and be bound by its rules and by all consequences resulting from breach or non-performance thereof, and shall thereby absolve every person concerned in carrying out enforcing rules from all personal responsibility or legal liability on such account.

8.10 An applicant whose application for membership of the Association is rejected under sub rule (8.6) must, if he or she wishes to appeal against that decision, give notice to the Secretary of his or her intention to do so within a period of fourteen (14) days from the date he or she is advised of the rejection.

## 9. MEMBERSHIP FEES

9.1 The membership fees are:

(a) such fees as determined by Queensland Lacrosse from time to time and



- (b) such additional amounts decided at the Annual General Meeting of this Association and
- (c) payable when, and in the manner, as provided from time to time.

9.2 Membership fees are determined as per clause 9.1.

## 10. MEMBER'S RIGHTS

10.1 Only Ordinary Members (see clause 8.3 and definition clause i.e. definition of representative) are voting members and their vote (for clarity purposes two votes) will be executed by their representatives.

10.2 The rights and privileges of every affiliated member shall be personal and shall not be in any manner transferable by their own act or through any other person on their behalf or by operation of law, and on any member ceasing be death (or otherwise) to be a member all their interest shall go to the estate.

## 11. ADMISSION AND REJECTION OF MEMBERS

11.1 The Management Committee must consider an application for membership at the next meeting of the committee held after it receives:

- (a) the application and
- (b) the appropriate membership fee for the application has been paid.

11.2 The Management Committee must ensure that, as soon as possible after the person applies to become a member of the Association, and before the Management Committee considers the person's application, the person is advised

- (a) whether or not the Association has public liability insurance; and
- (b) if the Association has public liability insurance – the amount of the insurance.
- (c) The Management Committee must decide at the meeting whether to accept or reject the application.
- (d) If a majority of the Management Committee members present at the meeting vote to accept the applicant as a member, the applicant must be accepted as a member.
- (e) The Secretary of the Association must, as soon as practicable after the Management Committee decides to reject an application, give the applicant a written notice of the decision.

## 12. WHEN MEMBERSHIP ENDS

12.1 A member may resign from the Association by giving a written notice of resignation to the Secretary.

12.2 The resignation takes effect on:

- (a) the day and at the time the notice is received by the Secretary or
- (b) if a later day is stated in the notice, the later day.





12.3 The Management Committee may terminate a member's membership if the member:

- (a) is convicted of an indictable offence or
- (b) does not comply with any of the provisions of this Constitution or
- (c) has membership fees in arrears for at least 2 months or
- (d) conducts himself or herself in a way considered to be injurious or prejudicial to the character or interests of the Association.
- (e) When an Ordinary Member ceases to operate as a Lacrosse Club in Queensland – this will be when that association / club in the sole discretion of Queensland Lacrosse is no longer viable to support and enhance the objectives of this Constitution.
- (f) Before the Management Committee terminates a member's membership, the committee must give the member a full and fair opportunity to show why the membership should not be terminated.
- (g) If, after considering all representations made by the member, the Management Committee decides to terminate the membership, the Secretary of the Committee must give the member a written notice of the decision.
- (h) A person whose application for membership has been rejected, or whose membership has been terminated, may give the Secretary written notice of the person's intention to appeal against the decision.
- (i) A notice of intention to appeal must be given to the Secretary within one month after the person receives written notice of the decision.
- (j) If the Secretary receives a notice of intention to appeal, the Secretary must, within 30 days after the day of receipt, call a General Meeting to decide the appeal.

12.4 At the meeting, the applicant must be given a full and fair opportunity to show why the application should not be rejected or the membership should not be terminated.

12.5 An appeal must be decided by a vote of the voting members present at the meeting.

12.6 The Management Committee and the committee members who rejected the application or terminated the membership must be given an opportunity to show why the application should be rejected or the membership should be terminated.

12.7 If a person whose application has been rejected does not appeal against the decision within one month after receiving written notice of the decision, or the person appeals but the appeal is unsuccessful, the Secretary must, as soon as practicable, refund the application fee paid by the person.

### 13. DISCIPLINE OF MEMBERS

13.1 The Management Committee may refer the following matters for investigation or determination in its sole discretion to such person or persons as may be constituted as a disciplinary tribunal which may make such finding of



fact and impose such punishment, including reprimand, fine, disqualification, suspension or expulsion, as appears appropriate

(a) breach of Constitution: an allegation or grievance (not being vexatious, trifling or frivolous) by a complainant (who may be, but need not be, a member) that a member has breached, failed, refused or neglected to comply with a provision of this Constitution, the By-Laws or any other resolution or determination of the Management Committee or duly authorized committee or

(b) breach of discipline: an allegation (not being vexatious trifling or frivolous) by a complainant that a member

(i) acted in a manner unbecoming of a member or prejudicial to the objects and interests of the Association, Lacrosse Australia and/or lacrosse or

(ii) brought the Association, Lacrosse Australia and/or lacrosse into disrepute or

(iii) acted contrary to any standard or code of conduct [howsoever called] approved by the Association or Lacrosse Australia.

13.2 This clause is applicable to a member not with standing any action taken under the constitutions of Lacrosse Australia or relevant Affiliated Region in relation to that member.

13.3 For the purposes of this Clause the term "member" includes any person participating in any capacity in any lacrosse meet or other activity held under the auspices of the Association or ALA.

13.4 For the purpose of this clause, the member will be subject to and agrees to submit unreservedly to the jurisdiction, procedures, penalties and appeal mechanisms of the Association as set out in its By-Laws or as provided in the By-Laws of Lacrosse Australia or relevant Affiliated Region.

#### 14. NOTIFICATION OF DISCIPLINE

14.1 When a person has been suspended, disqualified or expelled as a result of disciplinary proceedings, notice shall be given by the Association to Lacrosse Australia and all affiliated bodies.

14.2 A member, on being suspended, disqualified or expelled as a result of disciplinary proceedings, shall forfeit any fee paid or trophies won in any contest in relation to which the disciplinary proceedings have taken place.

14.3 The Affiliated Association or other body conducting the contest in relation to which the suspension, disqualification or expulsion occurs shall confiscate all trophies or other awards, as are appropriate, and may distribute them in such manner as it thinks fit.

#### 15. APPEALS AGAINST DISCIPLINE

15.1 Any person, the subject of an adverse finding in proceedings in accordance with Clause 13 may appeal in relation to that adverse finding.

(a) initially to QLA in accordance with the provisions of this Constitution;

(b) if dissatisfied with the appeal decision of QLA, to ALA.



15.2 Such appeal shall be dealt with in accordance with such policies and procedures as QLA and ALA may from time to time determine.

## 16. REGISTER OF MEMBERS

16.1 The Management Committee must keep a register of members.

16.2 The register of members must include the following particulars for each member—

- (a) the full name and residential address and contact details of the member
- (b) the date of admission as a member
- (c) the date of death or resignation of the member
- (d) details about the termination or reinstatement of membership
- (e) any other particulars the Management Committee or the members at a General Meeting decide.

16.3 The register must be open for inspection at all reasonable times. However, before a member may inspect the register, the member must apply to the Secretary to inspect it.

16.4 The Management Committee may provide to the relevant Affiliated Region and Lacrosse Australia, at such time and in such form as Lacrosse Australia may specify in writing, a copy of the register of members.

16.5 However, the Management Committee may, on the application of a member of the Association, withhold information about the member (other than the member's name) from the register available for inspection if the Management Committee has reasonable grounds for believing the disclosure of the information would put the member at risk of harm.

## 17. PROHIBITION ON USE OF INFORMATION ON REGISTER OF MEMBERS

17.1 A member of the Association must not:

- (a) use information obtained from the register of members of the Association to contact, or send material to, another member of the Association for the purpose of advertising for political, religious, charitable or commercial purposes; or
- (b) disclose information obtained from the register to someone else, knowing that the information is likely to be used to contact, or send material to, another member of the Association for the purpose of advertising for political, religious, charitable or commercial purposes.

17.2 Sub Clause (1) does not apply if the use or disclosure of the information is approved by the Association.

## 18. SUBSCRIPTIONS and FEES

18.1 The application fee, annual membership fee for an Ordinary member and affiliated member of the Association shall be set by majority vote of the committee prior to the commencement of playing season



18.2 Notice of the fees and subscriptions shall be notified to the members, via the Association Notice Board or by electronic means.

18.3 All subscriptions, including new members, are due from the first day of April in each year and are payable in advance

18.4 The Management Committee shall not declare a member un-financial if at least half of the subscription is paid by the first day of April and the remainder of the fee by end of May in the current year.

#### 19. LIABILITY FOR SUBSCRIPTION and FEES

19.1 Any affiliated member who does not notify the secretary, of the member's relevant association, in writing of the member's non intention to be affiliated to QLA before playing (1) one match in any grade of the member's withdrawal from the Association shall be liable for the subscription for the current year

19.2 The committee shall have the power by resolution to remove from the roll of members the name of any new members who fails to pay his/her subscription or fee by 31 May of the year current.

19.3 Any member whose fee is in arrears at any time shall cease to be a member or in the case of new members' application, shall be refused membership unless the Committee upon receiving an explanation in writing from that member shall otherwise decide.

19.4 Provided that any member, who through force of circumstances is unable to pay, may submit an application to the Treasurer to have his/her case considered by the Committee, who may make such allowances and arrangement they deem fit.

#### 20. MEMBERSHIP OF MANAGEMENT COMMITTEE

20.1 The Management Committee of the Association consists of a President, Vice-President, Treasurer and Secretary.

20.2 A member of the Management Committee, other than a Secretary appointed by the Management Committee under Sub-Clause 22.1 must be a member of an Ordinary Member of the Association and must be the appointed representative of that Ordinary Member.

20.3 At each Annual General Meeting of the Association, the members of the Management Committee must 30.3 retire from office, but are eligible, on nomination, for re-election.

20.4 A member of the Association may be appointed to a casual vacancy on the Management Committee under Clause 20.

#### 21. ELECTING THE MANAGEMENT COMMITTEE

21.1 A member of the Management Committee may only be elected as follows:

(a) any Ordinary member of the Association may nominate a representative of that or another Ordinary member (the "candidate") to serve as a member of the Management Committee



(b) the nomination must be in writing, signed by the candidate and the representative of the Ordinary member(s) who nominated him or her and given to the Secretary at least 5 days before the Annual General Meeting at which the election is to be held

(c) each Ordinary member present at the Annual General Meeting may vote for any number of candidates not more than the number of vacancies

(d) if, at the start of the meeting, there are not enough candidates nominated, nominations may be taken from the floor of the meeting.

21.2 A person may be a candidate only if the person:

(a) is an adult and a representative of an affiliated Lacrosse association; and

(b) is not ineligible to be elected as a member under Section 61A of the Act.

21.3 A list of the candidates' names in alphabetical order, with the names of the members who nominated each candidate, must be posted electronically at least seven (7) days immediately preceding the Annual General Meeting.

21.4 The Management Committee must ensure that, before a candidate is elected as a member of the Management Committee, the candidate is advised:

(a) whether or not the Association has public liability insurance; and

(b) if the Association has public liability insurance – the amount of the insurance.

## 22. APPOINTMENT OR ELECTION OF SECRETARY

22.1 The Secretary must be an individual residing in Queensland, or in another State, but not more than 65km from the Queensland border, who is:

(a) a member of a Ordinary Member of the Association elected by the Association as Secretary; or

(b) any of the following persons appointed by the Management Committee as Secretary:

(i) a member of the Association's Management Committee;

(ii) an affiliated member of the Association;

(iii) another person.

22.2 If the Association has not elected an interim officer as Secretary for the Association before its incorporation, the members of the Management Committee must ensure a Secretary is appointed or elected for the Association within 1 month after incorporation.

22.3 If a vacancy happens in the office of Secretary, the members of the Management Committee must ensure a Secretary is appointed or elected for the Association within 1 month after the vacancy happens.



22.4 If the Management Committee appoints a person mentioned in Sub-Clause 22.1 (b) (ii) or (iii) as Secretary, other than to fill a casual vacancy on the Management Committee, the person does not become a member of the Management Committee.

22.5 Under this rule: - casual vacancy, on a Management Committee, means a vacancy that happens when an elected member of the Management Committee resigns, dies or otherwise stops holding office.

## 23. REMOVAL OF SECRETARY

23.1 The Management Committee of the Association may at any time remove a person appointed by the Committee as the Secretary.

23.2 If the Management Committee removes a Secretary who is a person mentioned in Clause 22.1 (a), the person remains a member of the Management Committee.

## 24. FUNCTIONS OF SECRETARY

24.1 The Secretary's functions include, but are not limited to:

- (a) calling meetings of the Association, including preparing notices of a meeting and of the business to be conducted at the meeting in consultation with the President of the Association; and
- (b) keeping Minutes of each meeting; and
- (c) keeping copies of all correspondence and other documents relating to the Association; and
- (d) maintaining the Register of members of the Association.

## 25. RESIGNATION OR REMOVAL FROM OFFICE OF MANAGEMENT COMMITTEE MEMBER

25.1 A Management Committee member may resign from the committee by giving written notice of resignation to the Secretary.

25.2 The resignation takes effect on:

- (a) the day and at the time the notice is received by the Secretary or
- (b) if a later day is stated in the notice the later day.
- (c) A person may be removed from office at a Special General Meeting of the Association if 75% of the members present and entitled to vote at the meeting vote in favor of removing the person.
- (d) Before a vote of members is taken about removing the person from office, the person must be given a full and fair opportunity to show cause why he or she should not be removed from office.
- (e) A person has no right of appeal against the removal from office under this section.
- (f) A member immediately vacates the office of member of the Management Committee in the circumstances mentioned in Section 64(2) of the Act.



(g) If a casual vacancy happens on the Management Committee, the continuing members of the committee may appoint another person, who is an appointed representative of an Ordinary Member of the Association to fill the vacancy until the next Annual General Meeting.

(h) The continuing members of the Management Committee may act despite a casual vacancy on the Management Committee.

25.3 However, if the number of committee members is less than the number fixed under these rules as a quorum of the Management Committee, the continuing members may act to:

- (a) increase the number of Management Committee members to the number required for a quorum or
- (b) call a General Meeting of the Association.

## 26. Functions of Management Committee

26.1 Subject to this Constitution or a resolution of the Association carried at a General Meeting, the Management Committee has:-

- (a) the general control and management of the administration of the affairs, property and funds of the Association and
- (b) authority to interpret the meaning of this Constitution and any matter relating to the Association on which the Constitution is silent.

26.2 The Management Committee may exercise the powers of the Association:-

- (a) to borrow, raise or secure the payment of amounts in a way the members decide
- (b) to secure the amounts mentioned in paragraph (a) or the payment or performance of any debt, liability, contract, guarantee or other engagement incurred or to be entered into by the Association in any way, including by the issue of debentures (perpetual or otherwise) charged upon the whole or part of the Association's property, both present and future
- (c) to purchase, redeem or pay off any securities issued
- (d) to borrow amounts from members and pay interest on the amounts borrowed
- (e) to mortgage or charge the whole or part of its property
- (f) to issue debentures and other securities, whether outright or as security for any debt, liability or obligation of the Association
- (g) to provide and pay off any securities issued
- (h) to invest in a way the members of the Association may from time to time decide.





26.3 For subsection (2)(d), the rate of interest must not be more than the current rate being charged for overdrawn accounts on money lent (regardless of the term of the loan) by:-

- (a) the financial institution for the Association or
- (b) if there is more than one financial institution for the Association the financial institution nominated by the Association.

## 27. Meetings of Management Committee

27.1 Subject to subsections (2) to (16), the Management Committee may meet and conduct its proceedings as it considers appropriate.

27.2 The Management Committee must meet at least once a month in each calendar year to exercise its functions.

27.3 The Management Committee must decide how a meeting is to be called.

27.4 Notice of a meeting is to be given in the way decided by the Management Committee.

(a) The Management Committee may hold meetings, or permit a committee member to take part in its meetings, by using any technology that reasonably allows the member to hear and take part in discussions as they happen.

(b) A committee member who participates in the meeting as mentioned

(c) in Sub-Clause 27.4 (a) is taken to be present at the meeting.

27.5 If the Secretary receives a written request signed by at least 33% of the Management Committee members, the Secretary must call a special meeting of the Management Committee.

27.6 A request for a special meeting must state:

- (a) why the special meeting is called and
- (b) the business to be conducted at the meeting.

27.7 At a Management Committee meeting, more than 75% of the members elected or appointed to the Management Committee at the last Annual General Meeting of the members form a quorum.

27.8 A question arising at a Management Committee meeting is to be decided by a majority vote of Committee members present at the meeting and, if the votes are equal, the President or the chairman of the specific meeting will cast a deciding vote.

27.9 A Management Committee member must not vote on a question about a contract or proposed contract with the Association if the member has an interest in the contract or proposed contract, and if the member does vote, the member's vote must not be counted.





27.10 The Secretary must give each Management Committee member at least 2 days written notice of a special meeting of the Committee.

27.11 A notice of a special meeting must state:-

- (a) the day, time and place of the meeting and
- (b) the business to be conducted at the meeting.

27.12 The President or, if there is no President or if the President is not present within 10 minutes after the time fixed for a Management Committee meeting, the Vice-President is to preside at the meeting.

27.13 If the President and the Vice-President are absent from a Management Committee meeting, the members may choose one of their number to preside at the meeting.

27.14 If a quorum is not present within 30 minutes after the time fixed for a Management Committee meeting called other than on the request of committee members, the meeting is to be adjourned to:-

- (a) the same day, time and place in the next week or
- (b) a day, time and place decided by the Committee.

27.15 If, at an adjourned meeting mentioned in subsection (14), a quorum is not present within 30 minutes after the time fixed for the meeting, the meeting lapses.

## 28. MINUTES OF MANAGEMENT COMMITTEE MEETINGS

28.1 The Secretary must ensure full and accurate minutes of all questions, matters, resolutions and other proceedings of each Management Committee meeting are entered in a minute book.

28.2 To ensure the accuracy of the minutes, the minutes of each Management Committee meeting must be signed by the chairperson of the meeting, or the chairperson of the next Management Committee meeting, verifying their accuracy.

## 29. Delegation of Management Committee powers

29.1 The Management Committee may delegate the whole or part of its powers to a subcommittee constituted by persons considered appropriate by the Management Committee.

29.2 A subcommittee may only exercise delegated powers in the way the Management Committee decides.

29.3 A subcommittee may elect a person to preside at any of its meetings.

29.4 A subcommittee may meet and adjourn as it considers appropriate.

29.5 A question arising at a subcommittee meeting is to be decided by a majority vote of the members present at the meeting and, if the votes are equal, the chairperson of the meeting must cast a deciding vote.

## 30. Election of Office Bearers:



30.1 The management of the Association shall be vested in a Committee consisting of:

- (a) President
- (b) Vice President
- (c) Treasurer
- (d) Secretary
- (e) Any committee positions as authorized by the Committee which shall be a number less than (4) four on an annually basis as the Committee may require from year to year.

30.2 For the purpose of the first Annual General Meeting of the Association after the acceptance of this Constitution, should the outgoing Committee be unable to authorize the number of incoming Committee positions available, the committee positions for the first election shall be four office bearers whose designations will be decided on by the Management Committee. These may include the following for example:

- (a) Director of Development
- (b) Director of Operations
- (c) Director of Facilities
- (d) Director of Lacrosse
- (e) Director of Marketing
- (f) Director of Special Projects

30.3 The terms of this association's Management Committee will be for two (2) years for 50% of the Committee members. In the first cycle the initial term may be shortened by the date of the Annual General Meeting in 2013. For the first cycle the President and the Treasurer will be subject to the afore-mentioned serve a two year term. From the next two year cycle the Vice-President and the Secretary will serve a two (2) year term. These cycles will repeat in perpetuity.

30.4 Outgoing Committee members may stand for re-election

30.5 Nominations for each position shall be proposed, second and elected at each Annual General Meeting in the presence of two scrutineers elected by the members present at such meeting.

30.6 In case no more than the required number of officers shall be nominated, those so nominated shall be declared elected

30.7 If there shall be insufficient nominations to fill the whole of the vacancies of the list of officers, those positions may be filled by the Committee nominating financial Ordinary, Social or Life Members at a Committee meeting and accepted by way of majority vote of the Committee provided that any person so elected shall hold only until the next Annual General Meeting.



31. Duties of Office Bearers:

31.1 President

- (a) The president shall preside at all Committee meetings and General Meetings and shall ensure business is conducted in a proper manner
- (b) The president may call committee meetings in all cases of emergency, and generally shall ensure the well being of the association
- (c) At the written request of (10) ten members, or on the instructions of the Committee, they shall call a Special General Meeting within twenty eight (28) days to discuss the business contained in said instructions.
- (d) The president has to investigate, seek and apply for all grants that might be available to help fund the club

31.2 Vice President

- (a) The vice President shall oversee the playing, coaching, management and officiating of their respective members
- (b) In the absence of the president, the vice-president shall occupy the chair and perform all duties of the president

31.3 Treasurer

- (a) The treasurer shall under the directions of the committee, keep a comprehensive record of all monies received and expended on behalf of the Association, and shall prepare and present to each Annual General Meeting, a Statement of Income and Expenditures and a Balance Sheet
- (b) The treasurer shall also keep a register of subscriptions and all unfinancial members.

31.4 Secretary

- (a) The secretary shall receive and attend to all correspondence, and keep a copy of all important out going letters
- (b) The secretary shall keep a complete register of all members of the Association
- (c) The secretary shall have the custody of all documents belonging to the Association and shall keep a complete record of the players' and the Association's performance

31.5 State Coach

- (a) The State Coach will be appointed by the Management Committee and report to the Vice President.
- (b) The State Coach will determine, analyse and report to the committee his/her requirements to accomplish the duty as Coach



- (c) He or She will, in liaison with the committee, recruit, appoint and manage additional coach(es) if the requirement arises.
- (d) The State Coach will ensure that the latest rules be implemented and adhere to by all the coaches & players
- (e) Will oversee in liaison with the committee the training programs of the development of players, junior and senior players, as well as the State/National team members of this club in order to enhance success in the field.
- (f) The State Coach will ensure all players, male and female, will have equal opportunities regarding training, game time and exposure to Lacrosse prospects.
- (g) However, the State Coach reserves the right in agreement with the club committee to allocate playing/game time in accordance to the player's training attendance and attitude, essentially enforcing discipline
- (h) The State Coach will ensure at all times that he or she will adhere to the club rules, by laws and codes of conduct and be an example to all club members, and will uphold the club values and principals as set out in this constitution.

#### 31.6 Other Committee members

- (a) The roles of the other Committee members are to be designed and authorized by the Committee, which shall be a number less than (4) four.

#### 32. The Management Committee

##### 32.1 The quorum at all Committee meetings shall be three (3) Committee members

32.2 Committee meetings shall be held monthly. Special meetings may be called by the President, Vice President, or on the request of three (3) members of the Committee

32.3 If, without satisfactory explanation, a committee person who is absent from three consecutive Committee meetings, can be terminated by the Committee by way of a two-thirds vote

32.4 No member of the committee shall be held to have resigned his seat until his resignation, in writing, has been accepted by the Committee

32.5 Any vacancy occurring in the Committee shall be filled at a meeting of the Committee when a member shall be appointed by the Management Committee to fill such a vacancy until the next election provided the member elected at such Committee meeting shall hold office in the place of, and upon the same terms and conditions as their predecessor, had the latter continued in the office.

32.6 The president shall preside at all meetings of the committee of the Association and, in his/ her absence the Vice President. Should none of the preceding be present, the meeting shall be postponed to a later time and date within five (5) days.

32.7 The president or, in their absence, the acting President shall be authorized to speak on behalf of the Association



### 33. Powers of the Committee

33.1 The business of the Association shall be managed by the Committee who exercise all powers of the association may except those required to be exercised by the association at a General Meeting

33.2 Without prejudice to the powers conferred by the last preceding rule, the Committee shall subject to the By-Laws, have power to do the following things of three (3) members of the Committee

- (a) Purchase or otherwise acquire any books, newsletters or periodicals and dispose of them as it may see fit
- (b) To determine from time to time the conditions on which and time when, members may use the property of the association or any part or parts thereof, and when and under what conditions the premises of The Association or any part or parts thereof, shall be used by members.
- (c) To determine what person (if any) not being members of the Association shall be permitted to use the association Premises or any part or parts thereof and during what time and under what conditions and when and at what times and places and under what conditions such persons shall be supplied with refreshments and accommodation
- (d) To appoint any other officials or servants of the Association and to remove them as occasions may require at their discretion and to define their respective duties. Persons appointed to a paid position shall be engaged under a contract, award or registered
- (e) To delegate (subject to such conditions as it thinks fit) any of its powers to sub committees consisting of such members of the Committee and other members of the Association co-opted for the purpose as it may determine and to make such regulations as to the proceedings of such sub committees as may be thought desirable
- (f) To regulate and control their own meeting and the transaction of business there at
- (g) To pay any servant of the Association any gratuity for faithful and diligent service as deemed fit
- (h) In accordance with this Constitution suspended, or expel any member
- (i) To enter into or accept any lease or tenancy of the premises where on the Association shall conduct its affairs or of any furniture, goods and effects, which may be required for the use of the Association on such terms and on such conditions as the Association, may deem expedient
- (j) To take a defend all legal proceedings by or on behalf of the association and to appoint all necessary Attorneys for any such purpose
- (k) To borrow, raise or secure the payment of money, and to sell and dispose of the assets of the Association
- (l) To make, alter and repeal By-laws not inconsistent with this Constitution
- (m) To regulate the use and management of the Association Premises, the admission of members and the conduct of the Association and its affairs generally.



(n) To do and performs any other act, matters and things in connection with or relative to the management of the Association as shall not by these rules require to be done by the Association in Annual or Special General Meeting.

(o) To appoint such number of delegates to sporting bodies and associations which the Association may from time to time be affiliated as may be required by the rules thereof and such delegates shall hold office in accordance with the rules of such sporting bodies and associations respectively.

33.3 Every member of the Committee shall be indemnified against any loss, expenses or liability incurred by reason of any act or deed performed by him/her in good faith on behalf of the committee and the Committee may use the funds of the association for any such purpose required, together with any reasonable expenses incidental to Committee Activities

33.4 A member of the Committee who has any direct or indirect pecuniary interest in any matter contemplation by the committee, shall, as soon as he/she becomes aware of his/her interest, disclose the nature and extent of such interest to the committee and Shall not take part in any deliberation or decision of the Committee with respect to that matter.

#### 34. Removal of Committee Member

34.1 The association may remove any Committee member or appointed member for misconduct or for act or acts not calculated to be in the best interest of the Association.

34.2 Action under this rule can only be taken at a Special General Meeting.

34.3 Any vacancy caused by the removal of a Committee member or appointed member at a Special General Meeting can be filled at the same Special General Meeting in accordance with clause 15 of this Constitution.

#### 35. Sub-Committees

35.1 The Committee may delegate any of its power to Sub-Committees consisting of such Ordinary Members, Social Members and Life Members as it thinks fit, provide that no act Sub-Committee shall be on the committee or Association until ratified by the Committee.

35.2 Such Sub-Committee must report to and be responsible to the Committee.

#### 36. Auditors

36.1 There shall be an Auditor, not a member of the committee, who shall be appointed at the Annual General Meeting.

36.2 Such Auditor shall audit the accounts and have power at any time to call for all books, papers, accounts, etc. relating to the affairs of the Association.

36.3 The Auditor shall be entitled to receive such remuneration as the Committee may form time to time determine.



36.4 The Auditor need not necessarily be a member of the Association.

36.5 If any casual vacancy occurs in the office of any Auditor appointed by the Association, the Committee should not fill the appointment until the next Annual General Meeting.

37. Funds & Banking System

37.1 All moneys belonging to the Association shall be paid, in the name of the Association, into such bank as may be approved by the Committee.

37.2 No sum of money exceeding two dollars (\$2.00) shall be paid on account of the Association, except by cheque drawn in the name of the Association upon the bankers of the Association, and signed by two (2) officer designated by the Committee.

38. Alteration to Constitution

38.1 No addition, amendment or substitution of any part of this Constitution shall be carried unless by a 75% majority of Ordinary members present and voting at a Special General Meeting called specifically for that purpose.

38.2 With the exception of clause 5.1 of this Constitution any requisition relating to the alteration of this Constitution shall be dealt with in accordance with clause 14 of this Constitution.

38.3 Within fourteen (14) days after making of any amendment or addition to the Constitution of the Cub, the Committee shall send or deliver to the Director or Liquor Licensing, a certified copy of the amendment or alteration.

38.4 In addition, all amendments passed, as a special resolution must be noticed to the Ministry of Fair Trading.

39. Suspension or Expulsion of Members

39.1 The Committee upon receiving a written complaint from any one (1) member of the Association of : -

(a) A member's behavior which is considered a serious breach of the liquor act, or acceptable member behavior or where police involvement is required

(b) A member who shall fail in the observance or commit any breach of any rule of the Association, or any By-Law of the Association or of any order or direction of the Committee

(c) A member who has done an act in or out of the Associations Premises of any act, conducted matter or thing calculated to bring discredit on the Association or its members, or to impair or affect the enjoyment of the Association by other members may be suspended for a period of time until disciplinary action is taken in accordance with this section.

39.2 Any member charged with misconduct referred to in paragraph (39.1) above shall be furnished with a written copy of the charge and summoned before the Committee, who shall after hearing the accuser and accused and taking such evidence as they may consider proper, if they find the charged proved, inflict a penalty of suspension from all or any of the privileges of membership.





39.3 If the Committee considers that on a charge of gross misconduct, suspension as above is insufficient, they may call on the member to resign, and if he/she neglects to resign within 10 days, they may declare him/her expelled

39.4 The accused shall have the right of appeal to a Special General Meeting called for the purpose, after the payment with his/her appeal the non-refundable sum of \$50, whose decision shall be final as decided by the majority of the members present

39.5 Any vote at a Special General Meeting called for the purpose of this section shall be conducted by ballot in the presence of two scrutineers elected by the members present at such meeting and the motion to reverse the decision of the Committee to expel the member shall only be passed by way of a 75% majority or Ordinary members present.

#### 40. Common Seal

40.1 The association shall have a common seal, which shall be kept in the custody of the Secretary and shall not be affixed to any document except by the authority of the Committee and in the presence of the President and one other member of the Committee

#### 41. Dissolution of the Association

41.1 If upon winding up or dissolution of the Association there remains after satisfaction of all its debts and Liabilities and property what so ever, the same shall not be paid to or distributed among the members but shall be given or transferred

- (a) To another association incorporated under the Act
- (b) For charitable purposes
- (c) Other funding authorities as may be permitted by Associations Incorporations Act 1981

41.2 This incorporated association or purposes, as the case requires shall be determined by the resolution of the members when authorizing and directing the Committee under section 33(3) of the Act to prepare a distribution plan of the surplus property of the Association

41.3 In the event of the winding up or dissolution within thirty (30) days of the dissolution.

#### 42. General Provisions

42.1 No member shall be entitled to take any legal action against the Association (other than a claim for goods sold and delivered and services rendered) and must conform to the decision of the Committee and in the case of an appeal, to the decision of the Special General Meeting to which he/she may appeal

42.2 The Constitution shall be the rules of the Association and shall be binding on all members





42.3 The club house and other association facilities are to be provided and maintained from the joint funds of the Association and no person shall be entitled under this constitution to derive any benefit or advantage from the association which is not shared equally by every member thereof.

43. Acts not affected by defects or disqualifications

43.1 An act performed by the Management Committee, a subcommittee or a person acting as a member of the Management Committee is taken to have been validly performed.

43.2 Subsection (43.1) applies even if the act was performed when:-

(a) there was a defect in the appointment of a member of the Management Committee, subcommittee or person acting as a member of the Management Committee or

(b) a Management Committee member, subcommittee member or person acting as a member of the Management Committee was disqualified from being a member.

44. Resolutions of Management Committee without meeting

44.1 A written resolution signed by each member of the Management Committee for the time being entitled to receive notice of a Committee meeting is as valid and effectual as if it had been passed at a Committee meeting that was properly called and held.

44.2 A resolution mentioned in subsection (1) may consist of several documents in like form, each signed by one or more members of the Committee.

45. First general meeting

45.1 The first General Meeting must be held not less than one month, and not more than three months, after the day the Association is incorporated.

45.2 The Management Committee must decide where the meeting is to be held.

45.3 The business to be conducted at the first General Meeting must include the appointment of an auditor.

46. FIRST ANNUAL GENERAL MEETING

46.1 The first Annual General Meeting must be held within 12 months after the day the Association's constitution is amended.

47. SUBSEQUENT ANNUAL GENERAL MEETINGS

47.1 Each subsequent Annual General Meeting must be held:-

(a) at least once each year and

(b) within two months after the close of the financial year in any year.



48. BUSINESS TO BE CONDUCTED AT ANNUAL GENERAL MEETING OF LEVEL 1 AFFILIATED ASSOCIATION

48.1 This clause applies only if the Association is a level 1 Affiliated Association to which Section 59 of the Act applies.

48.2 The following business must be conducted at each Annual General Meeting of the Association:

- (a) receiving the Association's financial statement and audit report, for the last reportable financial year;
- (b) presenting the financial statement and audit report to the meeting for adoption;
- (c) electing members of the Management Committee;
- (d) appointing an auditor or an accountant for the present financial year;
- (e) appointment of a patron or patrons, if agreed to by the meeting;
- (f) determination of the annual association membership fee;
- (g) such other business, including approval of Life Members as may be listed on the Agenda.

49. BUSINESS TO BE CONDUCTED AT ANNUAL GENERAL MEETING OF LEVEL 2 AFFILIATED ASSOCIATION

49.1 This clause applies only if the Association is a level 2 Affiliated Association to which section 59A of the Act applies.

49.2 The following business must be conducted at each Annual General Meeting of the Association:

- (a) receiving the Association's financial statement, and signed statement, for the last reportable financial year;
- (b) presenting the financial statement and signed statement to the meeting for adoption;
- (c) electing members of the Management Committee;
- (d) appointing an auditor, an accountant or an approved person for the present financial year;
- (e) appointment of a patron or patrons, if agreed to by the meeting;
- (f) determination of the annual association membership fee;
- (g) such other business, including approval of Life Members as may be listed on the Agenda.

50. BUSINESS TO BE CONDUCTED AT ANNUAL GENERAL MEETING OF LEVEL 3 AFFILIATED ASSOCIATION

50.1 This rule applies only if the Association is a level 3 Affiliated Association to which Section 59B of the Act applies.



50.2 The following business must be conducted at each Annual General Meeting of the Association:

- (a) receiving the Association's financial statement, and signed statement, for the last reportable financial year;
- (b) presenting the financial statement and signed statement to the meeting for adoption;
- (c) electing members of the Management Committee;
- (d) appointment of a patron or patrons, if agreed to by the meeting;
- (e) determination of the annual association membership fee;
- (f) such other business, including approval of Life Members as may be listed on the Agenda.

## 51. GENERAL MEETINGS

51.1 At each General Meeting the Management Committee shall:

- (a) provide a financial statement of income and expenditure of the Association current to the date of the last meeting of the Management Committee;
- (b) advise the meeting of all significant issues currently being considered by the Management Committee;
- (c) provide such other information that the meeting, by motion, determines should be provided.

51.2 Representatives of Ordinary Members shall be entitled to attend and speak and vote at all General Meetings.

## 52. SPECIAL GENERAL MEETING

52.1 The Secretary may only call a Special General Meeting by giving each member notice of the meeting within 3 days after:

- (a) being directed to call the meeting by the Management Committee; or
- (b) being given a written request by:
  - (i) at least 33% of the members of the Management Committee; or
  - (ii) at least the number of members of the Association equal to double the number of members of the Management Committee plus one; or
- (c) being given a written notice of an intention to appeal against the decision of the Management Committee:
  - (i) to reject an application for membership; or
  - (ii) to terminate a person's membership.

52.2 A request mentioned in subsection (1) (b) must state:-



- (a) why the Special General Meeting is being called; and
- (b) the business to be conducted at the meeting.

#### 53. NOTICE OF GENERAL MEETING

53.1 The Secretary upon direction of the Management Committee shall call a General Meeting of the Association.

53.2 The Secretary must give at least 3 days notice of the meeting to members.

53.3 The Management Committee shall decide the way in which the notice must be given.

53.4 A notice of a General Meeting must state the business to be conducted at the meeting.

#### 54. QUORUM FOR, AND ADJOURNMENT OF, GENERAL MEETING

54.1 The quorum for a General Meeting is at least the number of members elected or appointed to the Management Committee at the close of the Association's last General Meeting plus 1.

(a) However, if all members of the Association are members of the Management Committee, the quorum is the total number of members less 1.

54.2 No business may be conducted at a General Meeting unless a quorum of members is present when the meeting proceeds to business.

54.3 If a quorum is not present within 30 minutes of the time fixed for a General Meeting called on the request of members of the Management Committee of the Association, the meeting lapses.

54.4 If a quorum is not present within 30 minutes after the time fixed for a General Meeting called other than on the request of members of the Management Committee or the Association, the meeting is to be adjourned to:

- (a) the same day, time and place in the next week or
- (b) a day, time and place decided by the Management Committee.

54.5 If, at an adjourned meeting, a quorum under subsection (1) is not present within 30 minutes after the time fixed for the meeting, the members present form a quorum.

54.6 The person presiding may, with the consent of any meeting at which a quorum is present, and must, if directed by the meeting, adjourn the meeting from time to time and from place to place.

54.7 If a meeting is adjourned under subsection (6), only the business left unfinished at the meeting from which the adjournment took place may be conducted at the adjourned meeting.

54.8 The Secretary is not required to give the members notice of an adjournment or of the business to be conducted at an adjourned meeting unless a meeting is adjourned for at least 30 days.



54.9 If a meeting is adjourned for at least 30 days, notice of the adjourned meeting must be given in the same way notice is given for an original meeting.

## 55. PROCEDURE AT GENERAL MEETING

55.1 Subject to these provisions, at each General Meeting or Special General Meeting:—

- (a) The President or, if there is no President or if the President is not present within 15 minutes after the time fixed for the meeting or is unwilling to act, the Vice-President is to preside.
- (b) If the Vice President is absent or unwilling to preside, the members present must elect one of their number to preside at the meeting.
- (c) The person presiding must conduct the meeting in a proper and orderly way.
- (d) Each question, matter or resolution must be decided by a majority of votes of the members present or who use any technology that reasonably allows the member to hear and take part in discussions as they happen, such persons being deemed to be present at the meeting.
- (e) Each member present and entitled to vote is entitled to one vote only and, if the votes are equal, the Chair or person presiding has a casting vote as well as a primary vote.
- (f) A member is not entitled to vote at a General Meeting if the member's annual subscription is in arrears at the date of the meeting.
- (g) Voting may be by a show of hands or a division of members, unless at least 20% of the members present demand a secret ballot.
- (h) If a secret ballot is held, the person presiding must appoint two members to conduct the secret ballot in the manner the person presiding determines.
- (i) The result of a secret ballot as declared by the Chair is taken to be a resolution of the meeting at which the ballot was held.
- (j) on a show of hands, each person present who is a member or a representative of a member has one vote; and
- (ii) in a secret ballot, each member present in person has one vote.
- (k) the Secretary must ensure full and accurate Minutes of all questions, matters, resolutions and other proceedings of each Management Committee meeting and General Meeting is entered in a Minute book.
- (l) The Secretary must ensure the minute book for each General Meeting is open for inspection at all reasonable times by any financial member who previously applies to the Secretary for the inspection.

55.2 To ensure the accuracy of the Minutes recorded under Sub-Section (1)(k): —



- (a) the minutes of each Management Committee meeting must be signed by the person presiding at the meeting, or the person presiding at the next Management Committee meeting, verifying their accuracy.
- (b) the minutes of each General Meeting must be signed by the person presiding at the meeting, or the person presiding at the next General Meeting, verifying their accuracy;
- (c) the minutes of each Annual General Meeting must be signed by the person presiding at the meeting, or the person presiding at the next meeting of the Association that is a General Meeting or Annual General Meeting, verifying their accuracy.

## 56. BY-LAWS

56.1 The Management Committee may make, amend or repeal By-Laws, not inconsistent with these rules, for the internal management of the Association.

56.2 A By-Law may be set aside by a vote of members at a General Meeting of the Association.

## 57. ALTERATION OF THIS CONSTITUTION

57.1 Subject to the Act, this Constitution may be amended, repealed or added to following the specific approval of Queensland Lacrosse by a special resolution carried at a Special General Meeting.

57.2 However an amendment, repeal or addition is valid only if it is registered by the chief executive of the Department administering the Act.

## 58. COMMON SEAL

58.1 The Management Committee must ensure the Association has a common seal.

58.2 The common seal must be:

- (a) kept securely by the Management Committee
- (b) used only under the authority of the Management Committee.

58.3 Each instrument to which the seal is attached must be signed by a member of the Management Committee and countersigned by:

- (a) the Secretary or
- (b) another member of the Management Committee or
- (c) someone appointed by the Management Committee.

## 59. FUNDS AND ACCOUNTS

59.1 The funds of the Association must be kept in an account in the name of the Association in a financial institution decided by the Management Committee.



59.2 Records and accounts must be kept in the English language showing full and accurate particulars of the financial affairs of the Association.

59.3 All amounts must be deposited in the financial institution account as soon as practicable after receipt.

59.4 If an amount of \$100 or more is paid by cheque, the cheque must be signed by any two of the following:-

- (a) the President
- (b) the Vice President
- (c) the Treasurer
- (d) another member authorized by the Management Committee for the purpose.

59.5 Cheques, other than cheques for wages, allowances or petty cash re-coupment, must be crossed 'not negotiable'.

59.6 A petty cash account must be kept on the impress system, and the Management Committee must decide the amount of petty cash to be kept in the account.

59.7 All expenditure must be approved or ratified at a Management Committee meeting.

59.8 The Treasurer must, as soon as practicable after the end of each financial year, ensure a statement containing the following particulars is prepared:-

- (a) the income and expenditure for the financial year just ended
- (b) the Association's assets and liabilities at the close of the year
- (c) the mortgages, charges and securities affecting the property of the Association at the close of the year.

59.9 If the Association is incorporated within three months before the end of the Association's financial year, subsection (61.8) does not apply for the financial year in which the Association is incorporated.

59.10 The auditor must examine the statement prepared under subsection (61.8) and present a report about it to the Secretary before the next Annual General Meeting following the financial year for which the audit was made.

59.11 The income and property of the Association must be used solely in promoting the Association's objects and exercising the Association's powers.

## 60. DOCUMENTS

60.1 The Management Committee must ensure the safe custody of books, documents, instruments of title and securities of the Association.

## 61. FINANCIAL YEAR

61.1 The financial year of the Association closes on 31 December in each year.



62. DISTRIBUTION OF SURPLUS ASSETS TO ANOTHER ENTITY

62.1 This section applies if the Association:

- (a) is wound up under part 10 of the Act and
- (b) It has surplus assets.

62.2 The surplus assets must not be distributed among the members of the Association.

62.3 The surplus assets must be given to Queensland Lacrosse, or any successor or assignee thereof, to be used in accordance with the objects of that association.

62.4 In this section "surplus assets" has the meaning given by section 92(3) of the Act

63. TRANSITIONAL PROVISIONS

63.1 Where an Association recognized by Queensland Lacrosse as an Affiliated Association is already registered under the Act, the provisions of this Constitution take effect following the adoption by the Association of this Constitution in accordance with the Act.

63.2 An Association already recognized by Queensland Lacrosse as a lacrosse association shall be recognized as an Ordinary Member by Queensland Lacrosse upon adoption of this Constitution.

