



Associations
Incorporations
Act (1981)

Articles of Association
Cobram Football Club Inc.

Original constitution adopted 1964

Amended 1975

Amended 1992

Amended 1994

Rewritten and adopted 19 November 2008

Amended 2012

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1. **Name**

The name of the incorporated association is the Cobram Football Club.

2. **Definitions**

1. In these rules, unless the contrary intention appears –
 - i. "Act" means the Associations Incorporation Act 1981;
 - ii. "Club" means the Cobram Football Club Inc.;
 - iii. "committee" means the committee of management of the Club;
 - iv. "financial year" means the year ending on the 31st day of October;
 - v. "general meeting" means a general meeting of members convened in accordance with rule;
 - vi. "member" means a member of the Club;
 - vii. "ordinary member of the committee" means a member of the committee who is not an executive officer of the Club under rule;
 - viii. "regulations" means regulations under the Act;
 - ix. "relevant documents" has the same meaning as in the Act.
2. In these rules, a reference to the Secretary/Manager of the Club is a reference
 - i. If a person holds office under these Rules as Secretary/Manager of the Club – to that person; and
 - ii. In any other case, to the public officer of the Club.

3. **Alteration of the Rules**

1. These Rules, and the objects of the Club, must not be altered except in accordance with the act.
2. Subject to sub rule (1) –
 - i. Any of the rules may be altered, or repealed or a new rule introduced by a three quarter majority at the annual general meeting of the Club or by a three quarter majority of the members present at a special general meeting of the Club; and;
 - ii. Due notice of motion, in writing signed by the proposer and seconder, outlining the alterations or amendments, has been lodged twenty one (21) days prior to the annual general meeting or special general meeting of the Club.

4. Objects of the Club

The objects of the Club shall be –

- i. To promote, advance, cultivate and foster the Australian game of football; and
- ii. To assist in the education and advancement of the community by means of the development of a sense of fair play and a love of sport and, in particular, the Australian National Game of Football; and
- iii. To encourage, advance and assist in the development of an improved standard of physical fitness in all members of the community both individually and collectively.

5. Membership and subscription

1. A person who applies for membership as provided in these Rules is eligible to be a member of the Club on payment of the annual subscription payable under these Rules.
2. An application of a person for membership of the Club must –
 - i. Be made in writing in the form set out in Appendix 3; and
 - ii. Be lodged with the Secretary/Manager of the Club.
3. As soon as practicable after the receipt of the application, the Secretary/Manager must –
 - i. Notify the applicant of the approval of membership; and
 - ii. Enter the applicant's name in the register of members.
4. A right, privilege or obligation of a person by reason of membership of the Club –
 - i. Is not capable of being transferred or transmitted to another person; and
 - ii. Terminates upon cessation of membership whether by death, resignation or otherwise.
5. The annual subscription shall be determined by the committee at its first meeting after the Annual General Meeting in each year.

6. Categories of membership

The committee shall have the power, from time to time, to change the categories of membership, the conditions and benefits of each category and the subscription applicable to each category of membership.

7. Temporary membership

Those officials and members of other Clubs that are affiliated with the Murray Football League, or whatever other League with

which the Club may be affiliated, shall be appointed as Temporary members under the following conditions:

- a. This appointment as a temporary member shall only have effect on the day on which such other Club is playing at the ground accepted as the home ground of the Cobram Football Club;
- b. This appointment shall only have effect for the purposes of entering the Clubrooms of the Cobram Football Club Inc; and
- c. Temporary members shall have no right to vote at any meeting of the Club

8. Honorary membership

The committee shall be empowered to elect for one (1) season, any person it may deem worth to deserve honorary membership. The right of honorary members to exercise a vote shall be restricted to the occasion of general meetings.

9. Honorary Life membership

1. The committee may recommend to the members at an annual general meeting any person or persons (but not more than two in number in any one year) they deem fit for election as honorary life members.
2. Honorary Life members shall have the right to exercise a vote at annual general meetings, special general meetings and, if elected to the committee, at ordinary meetings of the Club.
3. Any player who plays two hundred (200) senior games with the Club automatically becomes an honorary life member.

10. Discipline, suspension and expulsion of members

1. Subject to these Rules, if the committee is of the opinion that a member has refused or neglected to comply with these Rules, or has been guilty of conduct unbecoming a member or prejudicial to the interests of the Club, the committee may by resolution –
 - i. Suspend that member from the Club for a specified period; or
 - ii. Expel that member from the Club.
2. A resolution of the committee under sub-rule (1) does not take effect unless –
 - i. At a meeting held in accordance with sub-rule (3), the committee confirms the resolution; and
 - ii. If the member exercises a right of appeal to the Club under this rule, the Club confirms the resolution in accordance with this rule.

3. A meeting of the committee to confirm or revoke a resolution passed under sub-rule (1) must be held not earlier than 14 days, and not later than 28 days, after notice has been given to the member in accordance with sub-rule (4).
4. For the purposes of giving notice in accordance with sub-rule (3), the Secretary/Manager must, as soon as practicable, give to the member a written notice –
 - i. Setting out the resolution of the committee and the grounds on which it is based;
 - ii. Stating that the member, or his or her representative, may address the committee at a meeting to be held not earlier than 14 days and not later than 28 days after the notice has been given to the member;
 - iii. Stating the date, place and time of that meeting;
 - iv. Informing the member that he or she may do one or both of the following –
 1. Attend that meeting;
 2. Give to the committee before the date of that meeting a written statement seeking the revocation of the resolution; and
 - v. Informing the member that, if at that meeting, the committee confirms the resolution, he or she may, not later than 48 hours after that meeting, give the Secretary/Manager a notice to the effect that he or she wishes to appeal to the Club in general meeting against the decision.
5. At a meeting of the committee to confirm or revoke a resolution passed under rule (1), the committee must –
 - i. Give the member, or his or her representative, an opportunity to be heard;
 - ii. Give due consideration to any written statement submitted by the member; and
 - iii. Determine by resolution whether to confirm or revoke the resolution.
6. If at the meeting of the committee, the committee confirms the resolution, the member may, not later than 48 hours after that meeting, give the Secretary/Manager a notice to the effect that he or she wishes to appeal to the Club in general meeting against the resolution.
7. If the Secretary/Manager receives a notice under sub-rule (6) he or she must notify the committee and the committee must convene a general meeting of the Club to be held within 21 days after the date on which the Secretary/Manager received the notice.

8. At a general meeting of the Club convened under sub-rule (7) -
 - i. No business other than the question of the appeal may be conducted;
 - ii. The committee may place before the meeting details of the grounds for the resolution and the reasons for the passing of the resolution;
 - iii. The member, or his or her representative, must be given an opportunity to be heard; and
 - iv. The members present must vote by secret ballot on the question whether the resolution should be confirmed or revoked.
9. A resolution is confirmed if, at the general meeting, not less than two thirds of the members vote in person in favour of the resolution. In any other case the resolution is revoked.

11. **Annual General Meetings**

1. The annual general meeting of the Club shall be held not later than the 14th day of November in each year (the date, time and place of the meeting to be decided by the committee).
2. The Ordinary business of the annual general meeting shall be -
 - i. To confirm the minutes of the previous annual general meeting and of any general meeting held since that meeting;
 - ii. To receive from the committee reports upon the transactions of the Club during the last preceding financial year;
 - iii. To elect executive officers of the Club and ordinary members of the committee;
 - iv. To elect a Public Officer;
 - v. To approve the affiliation with the Murray Football League or whatever other League with which the Club wishes to be affiliated; and
 - vi. To appoint an auditor the ensuing financial year.
3. The annual general meeting may consider any other business submitted to the meeting in a proper manner.

12.

Special General Meetings

1. The President or Secretary/Manager shall call a special general meeting on –
 - i. Receiving a requisition, setting forth the objects of the proposed meeting, signed by twenty (20) members. Seven (7) days notice of such special general meeting shall be given to members either by notice in the Press, or usual public place where Club notices are displayed. Such special general meeting shall be held within fourteen (14) days of the date of such requisition and at least twenty (20) members shall be present to constitute a quorum at such special general meeting.
 - ii. The committee shall have the power to call a special general meeting of the Club whenever they have matters under consideration, upon which it may be deemed necessary or desirable, to obtain the opinions of the members. The same notice shall be given, in this instance, as for a special general meeting called on the requisition of members.
 - iii. Under the conditions according to rule (9) of these Rules.

13.

Presiding at general meetings

1. The President, or in the President's absence the Senior Vice-President, shall preside as Chairperson at each general meeting of the Club.
2. If the President or Senior Vice-President are absent from a general meeting, or are unable to preside, the members present must select one of their number to preside as Chairperson.

14.

Adjournment of meetings

1. The person presiding may, with the consent of the majority of members present at the meeting, adjourn the meeting from time to time and from place to place.
2. No business may be conducted at an adjourned meeting other than the unfinished business from the meeting that was adjourned.

15.

Voting at general meetings

1. Upon any question arising at a general meeting of the Club, a member has one vote only.
2. All votes must be given personally.
3. The vote of every meeting, excepting as elsewhere specified, shall be determined by a show of hands unless a ballot is demanded by any two members.

4. In the case of an equality of voting on a question, the Chairperson of the meeting is entitled to exercise a second or casting vote.
5. A member is not entitled to vote at a general meeting unless all moneys due and payable by the member to the Club have been paid. All members shall be deemed to be financial, for the purpose of voting at the annual general meeting if the annual subscription has been paid prior to the end of the financial year.

16. **Committee**

1. The committee of the Club shall consist of –
 - i. The executive consisting of a President, Senior Vice-President, Secretary/Manager, Treasurer and Junior Vice-President; and
 - ii. ten members of the committee.
2. The President and Secretary/Manager shall be ex-officio members of all sub-committees.
3. The committee shall meet fortnightly or at such times as the committee may determine.
4. At all meetings of the committee a quorum shall consist of nine (9) members.

17. **Nominations for committee**

1. Nominations as members of the committee must be lodged with the Secretary/Manager, in writing, in the form set out in Appendix (2), and within twenty four (24) hours of the annual general meeting of the Club.
2. All candidates for office, together with the proposer and seconder, must be financial members at the time of nomination.
3. All nominations must be signed by the proposer and seconder and endorsed by the candidate as signifying their approval of such nomination.
4. All members shall be deemed to be financial, for the purpose of nomination at the annual general meeting, if the annual subscription has been paid prior to the end of the financial year.

18. **Vacancies on the committee**

1. The office of an executive officer of the Club, or of an ordinary member of the committee, becomes vacant if the executive officer or member –
 - a) Ceases to be a member of the Club; or
 - b) Becomes an insolvent under administration within the meaning of the Corporations Law; or

- c) Resigns from office by notice in writing to the Secretary/Manager.
- 2. The committee may fill casual vacancies caused under the conditions of sub-rule (1).

19. **Power of the committee**

- 1. The committee shall have the sole management of the affairs and concerns of the Club and shall have power to perform all such acts and deeds as shall appear to it desirable or essential for the proper management of the Club. The whole of the assets and property of the Club shall be vested in the committee, or independent trustees appointed by the committee for a special term.
- 2. No individual member of the committee, irrespective of his or her position, shall have the authority to make decisions that affect the day-to-day running of the Club without approval of the committee.

20. **Sub-committees**

- 1. The committee may, from time to time, appoint sub-committees for whatever purpose it may deem necessary.
- 2. Such sub-committees shall report the result of any such investigations to the committee.
- 3. All sub-committees shall regularly report, through its chairperson or secretary, all its activities and present a financial statement to the committee as and when required.

21. **Directors and Delegates to other bodies**

- 1. At the first meeting of the committee following the annual general meeting, the committee shall
 - i. Elect two members to represent the Club as Directors of the Murray Football League or such other body to which the Club may be affiliated; and
 - ii. Elect two members to represent the Club as Delegates of the Scott Reserve Committee of Management;

Directors/Delegates appointed under this rule must report regularly, and in full, to the committee of their activities.

22. **Non attendance at committee meetings**

Any member who may be elected to the executive or committee absenting himself or herself from three consecutive meetings without forwarding a satisfactory explanation in writing, shall be held to have vacated his/her office and it shall be within the power of the committee to fill any such vacancy so created.

23. **Treasurer**

The Treasurer shall receive all monies and bank same, as soon as possible, but preferably within seven (7) days of receiving same, in the name of the "**COBRAM FOOTBALL CLUB ACCOUNT**". He/she shall also keep a correct account of the income and expenditure, submit an extract thereof to the committee, as and when required to do so, and see to the payment of all accounts when passed by the committee. All cheques on the Club's bank account must be signed by any two (2) of the five (5) officials named: President, Senior Vice-President, Secretary/Manager, Treasurer and Junior Vice-President, or in the case of sub-committees, any two (2) of the Chairperson, Secretary or Treasurer of such sub-committee.

24. **Secretary/Manager**

The Secretary/Manager shall attend and take minutes of committee meetings, conduct correspondence under the direction of the committee and generally carry out the policy and instructions of the committee.

25. **By-laws - Appendix 1**

The committee shall have the power to make such by-laws, as may be deemed advisable, for carrying out the objects of the Club and to vary, or rescind, such laws, from time to time as necessary. Provided always that such by-laws shall not interfere with these Rules, as written herein, also providing that a notice of motion has been given of such intention to vary or rescind such by-laws at a previous meeting.

26. **Colours and uniform**

The colour and uniform of the Club shall be yellow and black striped jumper with black socks and it shall be compulsory on the part of the players to wear the prescribed uniform.

27. **Appointment of selection committee**

The committee, at an ordinary meeting prior to the commencement of the coming season, shall appoint a selection committee.

28. **Appointment of Captain and Vice-Captain**

1. Prior to the first premiership match in each season, the committee shall, at an ordinary meeting of the Club, appoint a Captain and a Vice-Captain for the ensuing season.
2. The position of coach may be advertised annually and such appointment will be made by the committee. The coach, if playing, may be appointed the Captain on the field.
3. In the event of the Captain or Vice-Captain resigning during the season, or being prevented owing to injury or any other circumstances from taking his place in the selected team, the committee shall, as early as practicable, appoint a successor or deputy for the time being, whichever is deemed advisable, to fill such vacancy or to act for the necessary period.
4. If for any reason during the progress of the playing season, the committee considers it desirable in the interests of the Club to vary or rescind the appointment of either the Captain or Vice-Captain the committee is empowered, at any ordinary meeting at which such action is contemplated and providing always that at least nine (9) members of the committee are present thereat when, and if, the vote is taken and the result of such vote discloses a majority in favour of effecting such change, to take action accordingly.

29. **Captain in the field**

The Captain shall have the sole management of the team entrusted to his command and decide for it in all matters of dispute that may arise in the field of play.

30. **Conduct on the field**

1. The captain is required to inform the committee, after the occurrence in the field, of any act of wilful disobedience, bad language or unseemly conduct or any player calculated to lower the dignity of the Club.
2. Any player, or players, disobeying the orders of the Captain, while on the field, or using abusive or bad language, shall be dealt with as the committee shall decide.

31. **Members to play in matches**

All players to play in matches shall be financial members of the Club and shall be chosen by the selection committee. In the event of any member chosen to play in a match being absent, the coach shall act on the advice of members of the selection committee present at the ground to fill the vacancy thus created. In the event of no member of the selection committee being present at the ground, the coach, Captain and vice-Captain shall act in their own judgement.

32. In the event of the Cobram Football Club Inc being disbanded, its net assets will not be distributed to members but will be distributed to-

- (i) a fund with objectives similar to those of the Cobram Football Club Inc, or
- (ii) a fund which is appropriated exclusively for a purpose referred to in paragraph (b) (i) of the definition of community purpose in section 1.3 (1) of the gambling regulation act 2005; or
- (iii) a community charitable organisation.

Appendix One

BY-LAWS

1. The categories of membership of the Club shall be –
 - i. President's Men;
 - ii. Tigerian;
 - iii. Ordinary Member;
 - iv. Junior Parent;
 - v. Temporary Member;
 - vi. Honorary Member elected according to Rule (8); and
 - vii. Honorary life members elected according to Rule (9).

Appendix Two:

COMMITTEE NOMINATION FORM

Cobram Football Club (insert year)

I, the undersigned, hereby apply for nomination to the Cobram Football Club Committee.

Position: *(Please circle position you are nominating for).*

President	Senior Vice President	Junior Vice President
Secretary	Treasurer	Committee Member

Signed: _____ Print Full Name: _____

Proposer: _____ Print Full Name: _____

Seconder: _____ Print Full Name: _____

N.B. Proposer and Seconder must be Financial Members of Cobram Football Club

as at 1st November (insert year)

Cobram Football Club Inc.

Secretary

P.O. Box 94

Cobram, Victoria 3644

Appendix Three

Cobram Football Club

Membership Application Form (insert year)

Full name:

Partner's name:

Home Address:

.....

Phone Numbers:

Home:..... Office:.....

Mobile:.....

Fax:..... Email

Address:.....

Mailing address (if different from the above):

.....

Type of Membership applying for: (Please tick the appropriate)

Tigerian \$

Double \$

Single \$

Pensioner \$

Shirt size (for those wishing to take out a Tigerian membership) **S M L XL 2XL 3XL 4XL 5XL** (please circle the size required)

I wish to pay by: Cheque/ Cash/ Credit Card/ or

Direct deposit (please use your name and phone number as reference)

Credit card type: Visa/Mastercard/Bankcard

Credit Card Number:.....

Exp date:.....

Name on Card:.....

Amount:.....

Direct deposit account: BSB 083577 Account number 456405401

Please return to: The Secretary P.O. Box 94 Cobram Vic 3644