

Football and Netball East Gippsland Inc.

Statement of Purposes

The objectives of **Football and Netball East Gippsland Inc.** are:

- (i) To promote, control and manage football and netball competitions to be played between the member clubs and such other matches as shall be arranged from time to time.
- (ii) To foster, assist and advance the games of football and netball within the region of **Football & Netball East Gippsland Inc.** and its member clubs.
- (iii) To promote responsible social relationships amongst the member clubs and generally to manage and control the affairs of **Football & Netball East Gippsland Inc.** and its members.
- (iv) To subscribe to, become a member of, or otherwise affiliate with any organisation having purposes and aims wholly or in part similar to those of **Football & Netball East Gippsland Inc.**
- (v) To lead the sporting community of the **East Gippsland** region in the continued growth, development, management and enjoyment of sport.

Football and Netball East Gippsland Incorporated

Rules

1. Name

The name of the incorporated association is **Football and Netball East Gippsland Incorporated** ("the **Association**").

2. Definitions

2.1. In these Rules, unless the contrary intention appears:

"**Act**" means the Associations Incorporation Act 1981 or any statutory amendment or modification thereof;

"**financial year**" means the year ending on 31 October;

"**general meeting**" means a general meeting of members convened in accordance with rule 12.

"**commissioners**" means the commissioners of the Association;

"**independent**" means a person who does not hold a current executive position or coaching position at a member club.

"**member**" means a financial member of the Association and where appropriate in these Rules the member is to be construed as member's representative;

"**member's representative**" means the representative of the member as notified in writing to the Association by the member. The member's representative may be changed from time to time by the member advising the Association in writing;

"**Minister**" means the Minister for Fair Trading and Small Business;

"**Regulations**" means regulations under the Act;

"**relevant documents**" has the same meaning as in the Act; and

“Statement of Purposes” means the Statement of Purposes which accompanied the application for incorporation of the Association, as amended from time to time.

- 2.2. In these Rules, a reference to the General Manager of an Association is a reference:
 - 2.2.1. if a person holds office under these Rules as General Manager of the Association, to that person; and
 - 2.2.2. in any other case, to the public officer of the Association.
- 2.3. Words or expressions contained in these Rules shall be interpreted in accordance with the provisions of the Acts Interpretation Act as in force from time to time.

3. Alteration of the rules

The Statement of Purposes and these Rules shall in particular, but not limited to the provisions for trading and winding up, shall not be altered:

- 3.1. without the consent of the Minister; and
- 3.2. except in accordance with the Act.

4. Membership, entry fees and subscription

- 4.1 The initial members of the Association will be as follows:-
 - (a) The eight football and football-netball clubs being incorporated Associations which are currently members of the Bairnsdale and District Junior Football Association Incorporated; and
 - (b) The seven football and football-netball clubs being incorporated Associations who are currently members of the East Gippsland Football Netball League Incorporated.
 - (c) And any additional club which may from time be granted the status of membership to the Bairnsdale and District Junior Football Association Incorporated or East Gippsland Football Netball League Incorporated.
- 4.2. A club or other organisation that is not a member of the Association must not be admitted to membership unless:
 - 4.2.1. it applies for membership in accordance with sub-rule 4.3; and
 - 4.2.2. the admission as a member is approved by the commission.
- 4.3. An application of a club or other organization for membership of the Association must:
 - 4.3.1. be made in writing in the form set out in Appendix 1;

- 4.3.2. be lodged with the General Manager of the Association;
 - 4.3.3 must state the league, club or organisation is incorporated under the Act;
 - 4.3.4 must state names of current office bearers and addresses for services of notice
- 4.4. As soon as is practicable after the receipt of an application, the General Manager shall refer the nomination to the independent commissioners.
- 4.5. The independent commissioners must determine whether to approve or reject the application.
- 4.6. If the independent commissioners approve an application for membership, the General Manger must, as soon as practicable:
- 4.6.1. notify the applicant in writing of the approval for membership; and
 - 4.6.2. request payment within 28 days after receipt of the notification of the sum payable under these Rules as the entrance fee and the first year's annual subscription.
- 4.7. The General Manager must, within 28 days after receipt of the amounts referred to in sub-rule 4.6.2 enter the applicant's name in the register of members.
- 4.8. An applicant for membership becomes a member and is entitled to exercise the rights of membership when its name is entered in the register of members.
- 4.9. If the independent commissioners reject an application, the independent commissioners must, as soon as practicable, notify the applicant in writing that the application has been rejected.
- 4.10 Members acknowledge and agree that:
- 4.10.1 the Rules of Association constitute a contract between each of them and the Association and that they are bound by the Rules of Association and the Regulations;
 - 4.10.2 they shall comply with and observe the Rules of Association and the Regulations;
by submitting to the Rules of Association and the Regulations they are subject to the jurisdiction of the Association;
 - 4.10.3 the Rules of Association and Regulations are necessary and reasonable for promoting the purposes of the Association;
 - 4.10.4 they are entitled to all benefits, advantages, privileges and services of their membership as determined by the Board; and
 - 4.10.5 they shall supply a copy of their Annual Statement by Public Officer to the Association no later than 14 days following the member's annual general meeting.

- 4.11 Members may by virtue of membership of the Association and subject to the Rules of Association:
- 4.11.1 express in writing or otherwise their views and opinions in any meeting in respect of which they are entitled to participate in accordance with this Constitution;
 - 4.11.2 make proposals or submissions to the Commission;
 - 4.11.3 engage and participate in any activity approved, sponsored or recognised by the Association; and
 - 4.11.4 conduct any activity approved by the Association.
- 4.12 Members can contest a decision of the Independent Commission at a General Meeting of the Association provided a minimum of 6 members have given notice to contest that decision not more than 14 days after the decision has been circulated to members.
- 4.12.1 The decision that has been notified as being contested will be reversed when 75% of the members from either league, being the Bairnsdale and District Junior Football Association and East Gippsland Football Netball League or 75% from both leagues combined vote in favour of reversing that decision.
 - 4.12.2 Members must be present at the date of the appointed meeting to cast a vote.
- 4.13. A right, privilege, or obligation of a club by reason of membership of the Association:
- 4.13.1. is not capable of being transferred or transmitted to another club; and
 - 4.13.2. terminates upon the cessation of membership.
- 4.14. The affiliation levy is the amount set at the AGM each year and is payable in advance on or before 30th April in each year.

5. Register of members

- 5.1. The General Manager must keep and maintain a register of members and/or member's representative containing:
 - 5.1.1. the name and address of each member; and
 - 5.1.2. the date on which each member's name was entered in the register.
- 5.2. The register is available for inspection free of charge by any member upon request.
- 5.3. A member may make a copy of entries in the register.

6. Ceasing membership

- 6.1. A member of the Association who has paid all moneys due and payable by a member to the Association may resign from the Association by giving one month's notice in writing to the General Manager of its intention to resign.
 - 6.1.1. The General Manager of the Association must refer the matter as soon as practicable to the Independent Commission. The independent Commission shall meet with the member and its representatives within seven days to discuss the basis of and/or resolution of the intention to resign.
- 6.2. After the expiry of the period referred to in sub-rule 6.1:
 - 6.2.1. the member ceases to be a member; and
 - 6.2.2. the General Manager must record in the register of members the date on which the member ceased to be a member.

7. Discipline, suspension and expulsion of members

- 7.1. Subject to these Rules, if the commissioners are 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 Association, the commissioners may by resolution:
 - 7.1.1. suspend that member from membership of the Association for a specified period; or
 - 7.1.2. expel that member from the Association.
- 7.2. A resolution of the independent commissioners under sub-rule 7.1 does not take effect unless:
 - 7.2.1. at a meeting held in accordance with sub-rule 7.3, the independent commission confirms the resolution; and
 - 7.2.2. if the member exercises a right of appeal to the Association, the Association confirms the resolution in accordance with this rule.
- 7.3. A meeting of the independent commissioners to confirm or revoke a resolution passed under sub-rule 7.1 must be held not earlier than 7 days, and not later than 14 days, after notice has been given to the member in accordance with sub-rule 7.4.
- 7.4. For the purposes of giving notice in accordance with sub-rule 7.3, General Manager must, as soon as practicable, cause to be given to the member a written notice:
 - 7.4.1. setting out the resolution of the independent commissioners and the grounds on which it is based; and

- 7.4.2. stating that the member, or its representative, must address the independent commissioners at a meeting to be held not earlier than 7 days and not later than 14 days after the notice has been given to that member; and
- 7.4.3. stating the date, place and time of that meeting; and
- 7.4.4. informing the member that it must do one or both of the following:
 - 7.4.4.1. attend that meeting;
 - 7.4.4.2. give to the independent commissioners before the date of that meeting a written statement seeking the revocation of the resolution; and
- 7.4.5. informing the member that, if at that meeting, the independent commission confirms the resolution, it may, not later than 48 hours after that meeting, give the General Manager a notice to the effect that it wishes to appeal to the Association in general meeting against the resolution.
- 7.5. At a meeting of the independent commissioners to confirm or revoke a resolution passed under sub-rule 7.1, the independent commissioners must:
 - 7.5.1. give the member, or its representative, an opportunity to be heard; and
 - 7.5.2. give due consideration to any written statement submitted by the member; and
 - 7.5.3. determine by resolution whether to confirm or to revoke the resolution.
- 7.6. If at the meeting of the independent commissioners, the independent commission confirms the resolution, the member may, not later than 48 hours after that meeting, give the General Manager a notice to the effect that it wishes to appeal to the Association in general meeting against the resolution.
- 7.7. If the General Manager receives a notice under sub-rule 7.6, he or she must notify the independent commissioners and the independent commissioners must convene a general meeting of the Association to be held within 14 days after the date on which the General Manager received the notice.
- 7.8. At a general meeting of the Association convened under sub-rule 7.7:
 - 7.8.1. no business other than the question of the appeal may be conducted; and
 - 7.8.2. the independent commissioners may place before the meeting details of the grounds for the resolution and the reasons for the passing of the resolution; and
 - 7.8.3. the representative of the member must be given an opportunity to be heard; and

- 7.8.4. the members present must vote by secret ballot on the question whether the resolution should be confirmed or revoked.
- 7.9. A resolution is confirmed if, at the general meeting, more than two-thirds of the members vote in person, or by approved proxy, in favor of the resolution. In any other case, the resolution is revoked.

8. Disputes and mediation

- 8.1. The grievance procedure set out in this rule applies to disputes under these Rules between:
- 8.1.1. a member and another member; or
- 8.1.2. a member and the Association.
- 8.2. The parties to the dispute must meet and discuss the matter in dispute, and, if possible, resolve the dispute within 14 days after the dispute comes to the attention of all of the parties.
- 8.3. If the parties are unable to resolve the dispute at the meeting, or if a party fails to attend that meeting, then the parties must, within 10 days, hold a meeting in the presence of a mediator.
- 8.4. The mediator must be:
- 8.4.1. an independent person chosen by agreement between the parties; or
- 8.4.2. in the absence of agreement:
- 8.4.2.1. in the case of a dispute between a member and another member, an independent person appointed by the independent commissioners of the Association; or
- 8.4.2.2. in the case of a dispute between a member and the Association, a person who is a mediator appointed or employed by the Dispute Settlement Center of Victoria (Department of Justice).
- 8.5. A member of the Association can be a mediator.
- 8.6. The mediator cannot be a representative of a member who is a party to the dispute.
- 8.7. The parties to the dispute must, in good faith, attempt to settle the dispute by mediation.
- 8.8. The mediator, in conducting the mediation, must:
- 8.8.1. give the parties to the mediation process every opportunity to be heard; and
- 8.8.2. allow due consideration by all parties of any written statement submitted by any party; and

- 8.8.3. ensure that natural justice is accorded to the parties to the dispute throughout the mediation process.
- 8.9. The mediator must not determine the dispute.
- 8.10. If the mediation process does not result in the dispute being resolved, the parties may seek to resolve the dispute in accordance with the Act or otherwise at law.

9. Annual general meetings

- 9.1. The independent commissioners may determine the date, time and place of the annual general meeting of the Association provided that the annual general meeting must take place prior to 30 November each year.
- 9.2. The notice convening the annual general meeting must specify that the meeting is an annual general meeting.
- 9.3. The ordinary business of the annual general meeting shall be:
 - 9.3.1. to confirm the minutes of the previous annual general meeting and of any general meeting held since that meeting; and
 - 9.3.2. to receive from the independent commissioners financial and business reports upon transactions and business of the Association during the preceding financial year;
 - 9.3.3. to elect officers of the Association and the independent commissioners;
 - 9.3.4. to consider any general business.
- 9.4. The annual general meeting may conduct any special business of which notice has been given in accordance with these Rules.

10. Special general meetings

- 10.1. In addition to the annual general meeting, any other general meetings may be held in the same year.
- 10.2. All general meetings other than the annual general meeting are special general meetings.
- 10.3. The independent commissioners may, whenever they think fit, convene a special general meeting of the Association.
- 10.4. If, but for this sub-rule, more than 15 months would elapse between annual general meetings, the independent commissioners must convene a special general meeting before the expiration of that period.

- 10.5. The independent commissioners must, on the request in writing of members representing not less than 6 members, convene a special general meeting of the Association.
- 10.6. The request for a special general meeting must:
 - 10.6.1. state the objects of the meeting; and
 - 10.6.2. be signed by the members requesting the meeting; and
 - 10.6.3. be sent to the address of the General Manager.
- 10.7. If the independent commissioners do not cause a special general meeting to be held within one month after the date on which the request is received by the General Manager, the members making the request, or any of them, may convene a special general meeting to be held not later than 3 months after that date.
- 10.8. If a special general meeting is convened by members in accordance with this rule, it must be convened in the same manner so far as possible as a meeting convened by the independent commissioners and all reasonable expenses incurred in convening the special general meeting must be refunded by the Association to the persons incurring the expenses.

11. Special business

All business that is conducted at a special general meeting and all business that is conducted at the annual general meeting, except for business conducted under the rules as ordinary business of the annual general meeting, is deemed to be special business.

12. Notice of general meetings

- 12.1. The General Manager of the Association, at least 14 days, or if a special resolution has been proposed at least 21 days, before the date fixed for holding a general meeting of the Association, must cause to be sent to each member of the Association, a notice stating the place, date and time of the meeting and the nature of the business to be conducted at the meeting.
- 12.2. Notice may be sent:
 - 12.2.1. by prepaid post to the address appearing in the register of members;
or
 - 12.2.2. if the member requests, by facsimile transmission or electronic transmission.
 - 12.2.3. Records of the notices sent will be maintained by the office of the Association.

- 12.3. No business other than that set out in the notice convening the meeting may be conducted at the meeting.
- 12.4. A member intending to bring any business before a meeting may notify in writing, or by electronic transmission, the General Manager of that business, who must include that business in the notice calling the next general meeting.

13. Quorum at general meetings

- 13.1. No item of business may be conducted at a general meeting unless a quorum of members entitled under these Rules to vote is present at the time when the meeting is considering that item.
- 13.2. Seven members present, being a minimum of 4 BDJFA and 3 EGFNL members, (being members entitled under these Rules to vote at a general meeting) constitute a quorum for the conduct of the business of a general meeting.
- 13.3. If, within half an hour after the appointed time for the commencement of a general meeting, a quorum is not present:
 - 13.3.1. in the case of a meeting convened upon the request of members, the meeting must be dissolved; and
 - 13.3.2. in any other case, the meeting shall stand adjourned to the same day in the next week at the same time and (unless another place is specified by the Chairperson at the time of the adjournment or by written notice to members given before the day to which the meeting is adjourned) at the same place.
- 13.4. If at the adjourned meeting the quorum is not present within half an hour after the time appointed for the commencement of the meeting, the members personally present (being not less than 7) shall be a quorum.
- 13.5 EGFNL business or matters is for EGFNL members only.
A quorum for EGFNL business or matters is the Independent Commission chairman and 3 EGFNL members.
BDJFA business or matters is for BDJFA members only.
A quorum for BDJFA business or matters is the Independent Commission chairman and 4 BDJFA members.
In the situation where there is doubt as to whether the business arising is an EGFNL or BDJFA matter, then the chairperson may determine which League is responsible.
Except for the chairperson, all other Independent Commissioners have no voting rights at General Meetings. (Added 24th November 2010)**

14. Presiding at general meetings

- 14.1. The Chairman, or in the Chairman's absence, the Deputy Chairman, shall preside as Chairperson at each general meeting of the Association.
- 14.2. If the Chairman and the Deputy Chairman are absent from a general meeting, or are unable to preside, the members present must select another Independent Commissioner present to preside as Chairperson.

15. Adjournment of meetings

- 15.1. The person presiding may, with the consent of a majority of members present at the meeting, adjourn the meeting from time to time and place to place.
- 15.2. No business may be conducted at an adjourned meeting other than the unfinished business from the meeting that was adjourned.
- 15.3. If a meeting is adjourned for 14 days or more, notice of the adjourned meeting must be given in accordance with rule 12.
- 15.4. Except as provided in sub-rule 15.3, it is not necessary to give notice of an adjournment or of the business to be conducted at an adjourned meeting.

16. Voting at general meetings

- 16.1. Upon any question arising at a general meeting of the Association, the Chairperson and members have one vote only.
- 16.2. All votes must be given personally or by approved proxy.
- 16.3. A member is not entitled to vote at a general meeting unless all moneys due and/or agreed payment terms between member/s and the Association have been met/paid by the member to the Association.
- 16.4. A BDJFA (Junior) club that has merged with an EGFNL (senior) club to form one club will be entitled to have two delegates attending the meeting and two votes.

17. Poll at general meetings

- 17.1. If at a meeting a poll on any question is demanded by not less than **2** (5 was replaced by 2 as of 25 November 2009) members, it must be taken at that meeting in such manner as the Chairperson may direct and the resolution of the poll shall be deemed to be a resolution of the meeting on that question.
- 17.2. A poll that is demanded on the election of a Chairperson or on a question of adjournment must be taken immediately and a poll that is demanded on any other question must be taken at such time before the close of the meeting as the Chairperson may direct.

18. Manner of determining whether resolution carried

If a question arising at a general meeting of the Association is determined on a show of hands:

A declaration by the Chairperson that a resolution has been:

- 18.1. carried; or
- 18.2. carried unanimously; or
- 18.3. carried by a particular majority; or
- 18.4. lost; and
- 18.5. an entry to that effect in the minute book of the Association is evidence of the fact, without proof of the number or proportion of the votes recorded in favour of, or against, that resolution.

19. Proxies

19.1. Each member is entitled to appoint another member as a proxy by notice given to the General Manager no later than 24 hours before the time of the meeting in respect of which the proxy is appointed.

19.2. The notice appointing the proxy must be:

- 19.2.1. for a meeting of the Association convened under sub-rule 7.7, in the form set out in Appendix 2; or
- 19.2.2. in any other case, in the form set out in Appendix 3.

20. Independent Commissioners

20.1. The affairs of the Association shall be managed by the independent commissioners.

20.2. The independent commissioners:

- 20.2.1. shall control the business and affairs of the Association; and
- 20.2.2. may, subject to these Rules, the Act and the Regulations, exercise all such powers and functions as may be exercised by the Association other than those powers and functions that are required by these Rules to be exercised by general meetings of the members of the Association; and
- 20.2.3. subject to these Rules, the Act and the Regulations, has power to perform all such acts and things as appear to the independent commissioners to be essential for the proper management of the business and affairs of the Association.
- 20.2.4. may from time to time, following consultative meeting/s and/or processes with member clubs, alter and/or arrange matters associated

with the strategic and agreed directions of the Association and its members under its guidance as it thinks fit.

20.2.5. may enter into licencing agreements for the benefit of the Association as it thinks fit.

20.3. Subject to section 23 of the Act, the independent commission shall consist of: a minimum of eight elected representatives;

21. Office holders

21.1. The independent commissioners of the Association shall appoint amongst themselves the following:

21.1.1. a Chairman;

21.1.2. a Deputy Chairman; and

21.1.3. a Treasurer.

21.2. Also there shall be a General Manager, who shall be appointed in accordance with Rule 21.3 and additional staff who shall be appointed in accordance with Rule 21.4.

21.3. There shall be a General Manager of the Association and the following sub-rules shall apply:

21.3.1 shall be appointed by the independent commissioners on such salary, allowances and/or remuneration as the commissioners may from time to time determine;

21.3.2 shall retain office in accordance with the terms and conditions as embodied in a written agreement between the General Manager and the independent commissioners;

21.3.3 shall cause to be kept minutes of the resolutions of each annual general meeting or special general meeting and of each independent commissioners' meeting, in books provided for that purpose together with a record of the names of persons present at each meeting and to provide a copy of such minutes to all members of the Association within seven days of the respective meeting; and

21.3.4 shall not be entitled to vote at any meetings of independent commissioners.

21.4 There shall be additional staff appointed as the independent commission sees fit to conduct the professional administration of the Association and the followings sub-rules shall apply:-

21.4.1 shall be appointed by the independent commissioners on such salary, allowances and/or remuneration as the independent commissioners may from time to time determine;

21.4.2 shall retain office in accordance with the terms and conditions as embodied in a written agreement between the staff members and the independent commissioners; and

21.4.3 shall not be entitled to vote at any meetings of independent commissioners.

22. Commissioners

22.1. Subject to these Rules, each independent commissioner shall hold office until the annual general meeting next after the date of election but is eligible for re-election.

22.2. In the event of a casual vacancy occurring in the office of an independent commissioner, the independent commissioners may appoint a member of the Association to fill the vacancy and the member appointed shall hold office, subject to these Rules, until the conclusion of the annual general meeting next following the date of the appointment.

23. Election of Independent Commissioners

23.1. Nominations of candidates for election as independent commissioners must be:

23.1.1. made in writing signed by or on behalf of two members of the Association and accompanied by the written consent of the members' representative (which may be endorsed on the form of nomination); and

23.1.2. delivered to the General Manager of the Association not less than 14 days before the date fixed for the holding of the annual general meeting.

23.2. If insufficient nominations are received to fill all vacancies on the independent commission, the candidates nominated shall be deemed to be elected and further nominations may be received at the annual general meeting.

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

23.4. If the number of nominations exceeds the number of vacancies to be filled, a ballot must be held.

- 23.5. The ballot for the election of independent commissioners must be conducted at the annual general meeting in such manner as the independent commission may direct.
- 23.6 The Independent Commissioners shall be elected for a period of two years.

24. Vacancies

The office of an independent commissioner becomes vacant if the member:

- 24.1. ceases to be an independent commissioner of the Association for any reason whatsoever (i.e. retires, resigns, is removed from office by the Association; or
- 24.2. becomes an insolvent under administration within the meaning of the Corporations Law.

25. Meetings of the Independent Commissioners

- 25.1. The independent commissioners must meet at least 6 times in each year at such place and such times as the independent commission may determine.
- 25.2. Special meetings of the independent commission may be convened by the Chairman or by any 4 independent commissioners.

26. Notice of Independent Commissioners meetings

- 26.1. Written notice of each independent commissioner's meeting must be given to each independent commissioner at least 5 business days before the date of the meeting.
- 26.2. Written notice must be given to independent commissioners of any special meeting specifying the general nature of the business to be conducted and no other business may be conducted at such a meeting.

27. Quorum for Independent Commissioner meeting

- 27.1. Any 4 independent commissioners constitute a quorum for the conduct of the business of the independent commissioners;
- 27.2. No business may be conducted unless a quorum is present.
- 27.3. If within half an hour of the time appointed for the meeting a quorum is not present:
 - 27.3.1. in the case of a special meeting, the meeting lapses;
 - 27.3.2. in any other case the meeting shall stand adjourned to the same place and the same time and day in the following week.
- 27.4. The independent commission may act notwithstanding any vacancy of a independent commissioner or commissary.

28. Presiding at Independent Commissioner meetings

At meetings of the independent commission:

- 28.1. the Chairman or, in the Chairman's absence, the Deputy Chairman presides;
or
- 28.2. if the Chairman and the Deputy Chairman are absent, or are unable to preside, the members present must choose one of their number to preside.

29. Voting at Independent Commission meetings

- 29.1. Questions arising at a meeting of the independent commissioner, or at a meeting of any sub-committee appointed by the independent commission, shall be determined on a show of hands or, if a member requests, by a poll taken in such manner as the person presiding at that meeting may determine.
- 29.2. Each **Independent Commissioner** (The word 'member' was deleted and replaced with 'Independent Commissioner' as of 25th November 2009) present at a meeting of the independent commission, or at a meeting of any sub-committee appointed by the independent commission (including the person presiding at the meeting), is entitled to one vote and, in the event of an equality of votes on any question, the person presiding may exercise a second or casting vote.

30. Removal of Independent Commissioner

- 30.1. The Association in general meeting may, by resolution, remove any independent commissioner or all independent commissioners before the expiration of the independent commissioner's term of office and appoint another member in his or her place to hold office until the expiration of the term of the first-mentioned independent commission.
- 30.2. An independent commissioner who is the subject of a proposed resolution referred to in sub-rule 30.1 may make representations in writing to the Chairman of the Association (not exceeding a reasonable length) and may request that the representations be provided to the members of the Association.
- 30.3. The Chairman may give a copy of the representations to each member of the Association or, if they are not so given, the member may require that they be read out at the meeting.

31. Minutes of the meetings

The General Manager of the Association must keep minutes of the resolutions and proceedings of each general meeting, and each independent commission meeting, together with record of the names of persons present at independent commission meetings.

32. Funds and Financial Matters

32.1. The Treasurer of the Association must oversee:

32.1.1. the collection and receipt all monies due to the Association and make all payments authorised by the Association; and

32.1.2. correct accounting and bookkeeping showing the financial affairs of the Association with full details of all receipts and expenditure connected with the activities of the Association.

32.2. All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments must be signed by two authorised representatives of the Association as appointed by the independent commission,

32.3. The funds of the Association shall be derived from:

32.3.1. entrance fees;

32.3.2. annual subscriptions;

32.3.3. donations;

32.3.4. fundraising activities;

32.3.5. such other sources as the independent commission determines.

32.4. The financial statements and accounts of the Association shall be kept in accordance with the Act.

33. Seal

The seal of the Association shall be kept in the custody of the General Manager and may be affixed on any documents in the presence of the Chairman or Deputy Chairman and another officer of the independent commission.

34. Notice to members

Except for the requirement in rule 12, any notice that is required to be given to a member, by or on behalf of the Association, under these Rules may be given by:

34.1. sending it by prepaid post addressed to the member at that member's address shown in the register of members; or

34.2. facsimile transmission, if the member has requested that the notice be given to it in this manner; or

34.3. electronic transmission, if the member has requested that the notice be given to it in this manner.

34.4 record of notices sent will be maintained by the office of the Association.

35. Winding up or Dissolution

If upon the winding up or dissolution of the Association there remains, after satisfaction of all its debts and liabilities, any property, whatsoever, the same shall not be paid to or distributed among the members of the Associations but shall be given or transferred to one or more other corporations or institutions having similar objects to the Association and which prohibit the distribution of income and property amongst members to an extent at least as great as is imposed on the Association.

36. Books and records

36.1. The full name and registered number of the Association must be shown on all business documents.

36.2 Except as otherwise provided in these Rules, the General Manager must keep in his or her custody or under his or her control all books, documents and securities of the Association for at least seven years.

36.3. All accounts, books, securities and any other relevant documents of the Association must be available for inspection free of charge by any member upon reasonable notice of request.

36.4. A member may make a copy of any accounts, books, securities and any other relevant documents of the Association.

37. No profit to members

The income and property of the Association will be applied solely towards the promotion of the purposes of the Association, and no portion of it will be paid or transferred directly or indirectly, by way of dividends, bonus or otherwise or by way of profit or gain to the individual members of the Association. This clause shall not prevent the payment, in good faith, of reasonable and proper remuneration to any officer or servant or member of the Association in return for any services actually rendered to the Association nor prevent the payment for out of pocket expenses, interest on money lent or reasonable and proper rent for premises or let by any officer or servant or member of the Association.

38. Manner of Altering, Adding To and Rescinding the Rules

- 38.1 The Rules and/or Statement of Purposes of the Association may only be altered, added to or rescinded by a special resolution of the Association.
- 38.2 On a special resolution being passed to alter, add to or rescind the Rules and/or Statement of Purposes of the Association. The amendments shall be lodged with the Registrar for approval in accordance with the provisions of section 22 of the Act.
- 38.3 In the event that there is an amendment to the Act which results in a section of the Act being renumbered being a section of the Act referred to in these Rules then these Rules are to be interpreted so that the renumbered section is referred to in these Rules in order to give the correct and proper interpretation of these Rules.

39. Football and Netball Competition Rules

- 39.1 The Playing Rules; Regulations and By-Laws of the football and netball competitions may be altered at a **Special General Meeting** (The words 'meeting of the independent commission' were deleted and replaced with 'Special General Meeting' as of 25th November 2009) provided that one month's prior notice is given to members and the General Manager will notify members of the Association of any alterations which will be binding upon all members.
- 39.2 A member or **commissioner** (The word 'commissioner' was added as of 25th November 2009) may **propose motions**** to the **members** (The words 'independent commission' were deleted and replaced by the 'members' as of 25th November 2009) for the alteration of the football and netball competition Rules by notice in writing delivered to the General Manager. (The words 'at least seven days before an independent commission meeting and the member making the said suggestion shall be invited to make submissions in relation to the suggested alterations to the independent commissioners' meeting' were deleted as of 25th November 2009.)

****The wording of the FNEG Rules of Association with regard to 'making suggestions' in relation to alterations to the By-laws, was changed from a 'suggestion' to a 'motion' as of 24th November 2010.**

- 39.3 That the Rules of Association of FNEG be amended to empower the Independent Commissioners to govern the EGFNL and BDJFA including the Playing Rules, Regulations and By-laws. In the event of the Board of Independent Commissioners receiving, in writing, opposition from 4 out of 6 senior clubs and/or 6 out of 8 junior clubs to a proposed motion, then the Board of Independent Commissioners will not proceed with that motion.

****This motion was approved at the meeting of FNEG Commissioners and Member Clubs held January 12th 2011.**