

DCAFC Constitution

The Constitution and Rules of the Dapto City Australian Football Club Inc. are in accordance with Section 11 and contain those matters specified in Schedule 1 of the Associations Incorporation Act 1984.

Adopted this 16th day of October 2014

By Executive Board Members: Schell Yates, Anthony Mountney and Jon Cleverly.



INTERPRETATIONS

In this constitution:

Club	means Dapto City Australian Football Club Inc.
League	means the AFL South Coast
Commission	Means the AFL (NSW/ACT) Commission Limited
Committee	Means the group of members elected to manage the operation and administration of the Club.
Game	Means Australian Football
Secretary means	(a) The person holding office under this constitution as secretary of the club, or (b) if no such person holds that office – the public officer of the club.
Players	means all persons registered as such with the Club
the Act	means the Associations Incorporation Act 2009
the Regulation	means the Associations Incorporation Regulation 2010

a) Words importing the singular shall mean and include the plural and vice versa, any gender shall mean and include all genders, references to persons shall include corporations and other entities recognised by law.

b) Any doubt arising as to the application or meaning of any clause shall be decided by the Committee whose decision will remain until altered by a vote of a General Meeting, whose decision shall then be final and conclusive.

c) If any case occurs which, in the opinion of the Committee, is not provided for in this constitution, it shall be determined by the Committee in such manner as deemed expedient.

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1. Name

The Association shall be called Dapto City Australian Football Club Inc.

2. Club Colours

The Club colours and Logo and or Trademark shall be such as are approved by the League.

3. Objectives

The objectives of the Club shall be:

3.1 The promotion, control, management and encouragement of the game as permitted under the constitution of the league.

3.2 To promote and encourage the game within the Club's district and boundaries as defined by the League.

3.3 To raise money by subscription, and/or levies or other means as may be determined by the Club.

3.4 To assist (pecuniary or otherwise) and to recognise the services of the present or past members of the clubs may be determined from time to time.

3.5 To invest the monies of the Club not immediately required for any of its objects in such a manner as may from time to time be determined.

3.6 To lease or acquire by purchase or otherwise, any freehold or leasehold land which may be required for carrying out any of the objects of the Club.

3.7 To layout, construct, maintain or alter any building or grounds for football, or other athletic sports or pastimes, necessary or convenient for the purpose of the Club.

3.8 To construct, erect, maintain or alter any building, house or works which may be required for the purposes of the club, and to furnish and equip the same in such a manner as may be necessary or convenient for such purposes.

3.9 To acquire by purchase, lease, exchange or otherwise, land, building and hereditaments of any tenure or description estate or interest therein, and any rights over or connect with land so situated and to turn the same to account as may seem.

3.10 To borrow, or raise money, or secure payment of the money in a manner as the club shall think fit.

3.11 to sell, improve, manage, let, mortgage, dispose of or turn to account all, or any part of the real estate or personal property of the club.

3.12 To render assistance (pecuniary or otherwise) to any other body promoting the interests of any form of sport, and to any patriotic and/or charitable institution or bodies

3.13 To acquire, establish, print newspapers, periodicals, books and leaflets, or otherwise literary work that the club may think desirable for the promotion of its objects.

3.14 To delegate all or any of its power to any committees, or committee consisting of one or more persons.

3.15 To do such acts and things as are incidental or subsidiary to all or any of the above objects.

3.16 To encourage the promotions of players, including junior players, into teams for which the ability is considered by the selection committee to be most suited.

3.17 To merge or affiliate with any other club having similar objects or purposes

4. Membership

Membership of this Club shall be open to any member of the community who possesses an interest in the game of Australian Football. Members must support the Club objectives and abide by the rules, regulations and bylaws of the Club, League and Commissions Rules, Regulations and Bylaws'

4.1 The memberships will fall into four categories:

- i. Registered Members – Playing Register Members
- ii. Registered Members – Non Playing
- iii. Supporter Members
- iv. Life Members

4.2 Club membership will be for 1 Calendar year only and require renewal.

4.3 For the purposes of this constitution a member must be financial specified by the committee and must be recorded in the official membership register maintained by the Club

4.4 The registrar of the club shall establish and maintain a register of members of the Club specifying the name of each person who is a member of the Club together with the date on which the person became a member

4.5 The committee shall have the power to refuse any application for membership of the Club as either a player or supporter

4.6 A copy of the register or parts thereof shall be made available to any official for the performance of their duty, unless otherwise requested in writing by law enforcement employees at the discretion of the committee

4.7 Cessation of Membership

A person ceases to be a member, and terminates all rights, privileges or obligations of being a member, of the Club if the person:

- i. dies, or
- ii. Resigns membership, by way of written or verbal notification, or
- iii. fails to pay the nominated annual fee for membership,
- iv. Is expelled from the Club.

5. Fees and Subscriptions

5.1 There shall be no entrance fee for admission to the membership of the club.

5.2 All members shall pay an annual subscription fee as determined by the committee.

5.3 Such fee shall fall due on the 1st April in each calendar year.

5.4 Membership shall cease automatically when the subscription is two (2) months in arrears unless otherwise determined by the committee.

5.5 The player's subscription fee shall be included in the player's registration fee

5.6 The registration fee payable by a player who has been awarded Life Membership of the Club after 1st January 2024 shall be 50% of the registration fee payable by a member of the first grade team of the club

5.7 As membership falls into categories of playing and non playing members, the fees shall be determined as follows;

a) Registered Playing Members

This fee will include, but not be limited to:

- i. A fee equal to that, determined by the Committee, to be paid by Non Playing Member,
- ii. Any affiliation fees required by governing bodies,
- iii. And an amount as determined by the Committee to cover administration, award and uniform costs.

b) Registered Non Playing Members

This fee will include, but not be limited to:

- i. A fee equal to that, determined by the Committee, to be paid by Non Playing Member,
- ii. Any affiliation fees required by governing bodies,
- iii. And an amount as determined by the Committee to cover administration, award and uniform costs.

c) Supporter Member – Non-playing members shall pay a nominal fee, as determined by the Committee, but not less than \$1.

d) Life Member – Playing Members refer to Rule 5.6
This fee will include, but not be limited to:

- i. A fee equal to that, determined by the Committee, to be paid by Non Playing Member,
- ii. Any affiliation fees required by governing bodies,
- iii. And an amount as determined by the Committee to cover administration, award and uniform costs.

6 Members' Liabilities

The liability of a member of the Club to contribute towards the payment of debts and liabilities of the Club or the cost, charges and expenses of the winding up of the Club is limited to the amount, if any, of any unpaid by the member in respect of their membership of the Club as required by fees as required by Rule 5

7 Life Members

Life members shall be awarded only for special services rendered to the Club or game. No life members shall be elected unless recommended by a special resolution of the committee in writing by the 1st August each year for selection process of the committee. Life Membership shall be conferred at the Club presentation ceremonies, or at the next Annual General Meeting.

Life membership of the Club shall be awarded:

- i. To any player in completion of ten (10) years football with the club or when a player has played 150 senior games
- ii. Is a member who has been elected as a life member by the committee in its absolute discretion, after at least ten (10) years service.

Senior Football means a competitive game of football in either the First Grade Team or any of the Reserves Grade Team/s of the Club but does not include any pre season games of football.

8 Voting Rights for Members

8.1 A member must be 18 years of age or over and financial to be eligible to vote.

8.2 A member under the age of 18 years old cannot transfer voting rights to an adult. Parents or guardians must become members to hold voting rights.

8.3 Life Members are considered to be financial.

8.4 Non-Playing Members will become un-financial, immediately following the end of the AGM. Payment of registration fees will be required prior to the next meeting.

9 Resolutions of Disputes

9.1 Disputes between members;

- i. (in their capacity as members) of the Club shall be referred to the full committee for resolution.
- ii. and the Club, are to be referred to a Community Justice Centre for mediation in accordance with the Community Justice Centres Act 1983.

9.2 At least 7 days before a mediation session is to commence, the parties are to exchange statements of the issues that are in dispute between them and supply copies to the mediator.

10 Disciplining of Members

10.1 The committee must accept a complaint made in writing by any person that a member of the club:

- i. has persistently refused or neglected to comply with a provision or provisions of these rules, or
- ii. has persistently and wilfully acted in a manner prejudicial to the interests of the club, or
- iii. has failed to comply with the code of conduct of the AFL, or
- iv. has failed to comply with the protection policy of the Club, or
- v. has deliberately or recklessly endangered other members.

10.2 On receiving such a complaint, the committee must:

- i. notify the member concerned of the complaint; and

- ii. give the member at least fourteen (14) days from the time the notice is served within which to make submissions to the committee in connection with the complaint, and
- iii. take into consideration any submissions made by the member in connection with the complaint.
- iv. the committee may refuse to deal with complaint if it considers the complaint to be trivial or vexatious in nature, the committee must then refer matter to Rule 9

10.3 The committee may, by resolution, expel the member from the club or suspend the member from membership of the Club if, after considering the complaint, it is satisfied that the facts alleged in the complaint have been proved.

10.4 If the committee expels or suspends a member, the secretary must, within seven (7) days after the decision is taken, and a written notice to be is given to the member of the action to be taken, of the reasons given by the committee for having taken that action and of the member's right of appeal under rule 11.

10.5 The expulsion or suspension does not take effect:

- i. until the expiration of the period within which the member is entitled to appeal against the resolution concerned, or
- ii. if within that period the member exercises the right of appeal, unless and until the club confirms the resolution under rule 11.5, whichever is the later.

11 Right of Appeal of Disciplined Members

11.1 A member may appeal to the club in general meeting against a resolution of the committee under rule 10, within seven (7) days after notice of the resolution is served on the member, by lodging with the secretary a notice to that effect

11.2 The notice may, but need not be accompanied by a statement of the grounds on which the member intends to rely for the purposes of the appeal.

11.3 On receipt of a notice from a member under clause 4.10a, the secretary must notify the committee which is to convene a special general meeting of the Club to be held within twenty eight (28) days after the date on which the secretary received the notice.

11.4 At a special general meeting of the Club convened under clause 4.10c:

- i. no business other than the question of the appeal is to be transacted, and

- ii. the committee and the member must be given the opportunity to state their respective cases orally or in writing, or both, and
- iii. the members present are to vote by secret ballot on the question of whether the resolution should be confirmed or revoked.

11.5 If at the special general meeting the Club passes a special resolution in favour of the confirmation of the resolution, the resolution is confirmed.

12. Office and Place of Business

The office and principal place of business of the Club shall be at such place as the Committee from time to time may determine.

13. Affiliation

The Club shall be affiliated with the League and the Commission in such manner as is required to enable the club to field teams in such competitions as deemed appropriate by the committee subject to the control and direction of the League.

14. Committee & Management

Management of the Club is to be controlled by a Club management committee and is referred to as the "Committee". The Committee subject to these Rules, Regulations and Bylaws of all governing bodies and to any resolutions passed by the Club in a general meeting is to control and manage the affairs of the Club, and has power to perform all such acts and do all such things as appear to the Club management committee to be necessary or desirable for the proper management of the affairs of the Club. The Club President, or their delegate, is entitled to negotiate with other clubs and bodies such as local councils and associations in accordance with these terms and those outlined in rule 3 on behalf of the Committee.

14.1 The Club management committee will include five (5) Executive Office Bearers and no more than nine (9) other committee members.

14.2 All Club management committee positions shall be elected for terms as stated below:

- i. President Four (4) year
- ii. Vice President Four (4) year
- iii. Secretary Four (4) year
- iv. Treasurer Four (4) year
- v. Registrar Four (4) year
- vi. General member/s Four (4) year

14.3 The President, Vice Presidents, Secretary, Treasurer and Registrar shall constitute an executive committee which shall exercise the powers of the committee, if necessary, between meetings of the committee or any other matter delegated to it by the committee.

14.4 The Committee shall, at its first meeting after the Annual General Meeting, appoint its official delegates to the League. These appointees may be varied at any time at the discretion of the Committee.

14.5 The Committee shall arrange for the safe custody of all books, securities, certificates and related documents of the Club.

15. Duties and Powers of Committee and it's Office Bearers

a) The President shall:

- i. be the Chairman of the Committee of the Club;
- ii. preside at all meetings of the Club;
- iii. ensure that the business of the committee and all club meetings is conducted in a proper manner;
- iv. have a deliberate vote on questions arising at a meeting of the committee, and in the case of an equality of voting the President shall also have a casting vote.
- v. In the absence of the President either Vice President shall act as Chairman of the Committee or any other meeting of the Club and in doing so shall have the full power and authority of the President.

b) The Secretary shall:

- i. attend all meetings of the Club and the Committee and record the minutes of all General and Annual General Meetings of the Club and all Committee and executive meetings;
- ii. retain all correspondence received and a copy of correspondence sent by the club or committee;
- iii. maintain a register of all members and office bearers;
- iv. notify the League of the appointment of the Club's delegates to any meeting of the League;
- v. forward an audited statement of receipts and expenditure of the Club for each season when required by the League;

- vi. perform all such other duties and services as directed by the Committee from time to time.

c) The Registrar shall maintain:

- i. a detailed record of all registered player permits and clearances;
- ii. a detailed record of all player registration fees
- iii. a statistical record of the Club activities including teams and matches played.

d) The Treasurer shall;

- i. keep a correct account of all monies received and expended;
- ii. deposit within three banking days of receipt all monies belonging to the Club into such Bank or Banks as shall be approved by the Management Committee;
- iii. prepare and submit to the Auditors a cash statement and balance sheet as at 30th September annually for presentation to the Annual General Meeting of the Club;
- iv. submit to each meeting of the Committee, a current statement of receipts and expenditure; and
- v. obtain receipts for all payments made by him and issue receipts for all monies received.
- vi. Prepare an annual budget for committee and league requirements

15.1 The Committee, shall as soon as expedient after the Annual General Meeting, appoint Sub - Committees and/or Chairpersons for such responsibilities as it considers necessary for the proper operation of the club. Such responsibilities shall include but shall not be limited to:

a) Coaching Coordinator

- i. Provide leadership and guidance to club coaches and staff
- ii. Represent coaching staff at all committee meetings
- iii. Ensure the governing bodies policies and guidelines that apply to the club, players and officials are abided by
- iv. Develop good communication between players, coaching staff and club official

b) Canteen Manager

- i. Ensure the canteen operates in safe and hygienic environment in accordance with relevant State department safe handling of food and WHS Regulations
- ii. Arrange orders and receipt of stock
- iii. Manage all financial aspects of canteen and ensure all incomings and outgoings for the Canteen operation are correctly reported and money requiring banking or invoices requiring payment is provided to the Treasurer on a weekly basis, or as determined by the Committee.
- iv. Reporting monthly to club committee all aspects of operations
- v. Control all authorised access to the canteen

c) Grounds Manager and/or Game Day Manager

Ensure the availability of suitable volunteers to;

- i. Supervise the risk management of the ground prior to the commencement of all club activities and record as required by League and Club insurance policies
- ii. Ensure Commission & League policies and code of conduct are adhered whilst matches are in progress
- iii. Provide timekeeper duties for all matches
- iv. Maintain and control the behaviour of club officials, players and spectators at all matches engage police or others as necessary to manage situations and ensure a safe environment is maintained for officials, players and spectators.

d) Sponsorship & Membership

e) Social

15.2 The Committee may at any other time appoint such other Sub Committees as it may deem expedient.

15.3 The powers of any Sub Committee shall be limited to inquiring into and reporting upon the question or questions or class or kind of questions as the case may be in respect of which it is appointed.

15.4 The Committee shall determine and lay down policy directives and prescribe regulations within which any Sub Committee shall operate.

15.5 The Committee shall also appoint a Junior Development Officer and a Media Officer and such other positions as it considers expedient for the proper operation and management of the club.

16. Elections

16.1 The election of the following office bearers shall be by means of a ballot and shall, with such exceptions as hereunder provided, be held each year at the Annual General Meeting of the Club.

16.2 Nominations shall be made verbally. The proposer and seconder and shall be members of the Club.

16.3 A nominee for any position on the Committee must be a member of the Club over the age of 18 years.

16.4 The following procedure shall be used at the annual elections:

16.5 A returning officer and two scrutineers shall be appointed

16.6 The returning officer shall declare all positions in the Club vacant before proceeding to ballot

16.7 Elections shall take place in the following order:

1. President
2. Vice Presidents
3. Secretary
4. Treasurer
5. Registrar
6. Ordinary Committee Members

16.8 The newly elected office bearers shall take office at the close of the elections.

16.9 Each member of the committee shall, subject to these rules, hold office until the commencement of the next annual general meeting following the date of the member's election and is eligible for re-election at the next annual general meeting.

16.10 in the event of any office becoming vacant from any cause during between annual general meetings the Committee shall have the power to delegate the duties associated with such vacant office to a club member eligible for election to the committee.

16.11 in the event of a position on the committee not being filled at the annual general meeting then the committee shall have the power to fill such vacancy(ies).

17. Representatives

17.1 Persons appointed to officially represent the Club at the League shall;

- i. Carry out their duties in accordance with the constitution of the League
- ii. Report to the Committee and any other committee, of League decisions affecting or interesting the Club.
- iii. Maintain at all times a strict policy of representing the Club to the fullest.

17.2 Alternate representatives where appointed shall carry out these responsibilities in the absence of the representatives.

- i. Honorary Canteen Manager; who need not be a member of the Club, shall perform such duties as would normally be considered in keeping with the position in the interests of the players.
- ii. The Auditor will be required to audit the books of the Club at least once annually and such other items as the Committee or Club shall request. In the event of the Auditors elect, as chosen at the Annual Meeting, declining office, or after accepting, resign, the Committee shall have the power, without further reference to the Club of obtaining the services of other Auditors.
- iii. Players Representative – To be elected by the playing members of the Club and may attend Committee meetings.

18. Match Committee

18.1 The Match Committee shall select all teams to represent the Club.

18.2 The Match Committee shall announce the list of players selected for the ensuing weekend following training on each Thursday evening or in such other fashion or time as may be necessary from time to time.

18.3 The Match Committee shall consist of:

1. Team Managers
2. Senior Coach
3. Reserve Grade Coach(es)
4. Under 18 Coach(es)
5. Junior Coach(es)
6. One other non playing member appointed by the Management Committee
7. The coach of any other team that represents the Club from time to time.

18.4 In any case where the Captain of the First Grade Team and the Senior Coach may be one and the same person, the Vice Captain of the First Grade Team may be elected as a member of the match committee if deemed necessary by the Committee.

19. Notice of meetings

19.1 The notice required for calling meetings of the Club shall be as follows:

- i. General Meetings of the club – 14 days notice in writing
- ii. General Meetings of the club requiring a special resolution of the club – 21 days notice in writing.
- iii. Emergency Committee or Executive Meetings called by any two of the President, Vice President or Secretary - any time

19.2 The notice of an Ordinary meeting or Annual General Meeting or Special General Meeting of the Club can be delivered by hand, electronic means or by post.

20. Annual General Meeting

20.1 The Annual general meeting shall be held no earlier than then 15th October and no later than the 15th November each year.

20.2 The business to be considered at such meeting shall be:

- i. Confirmation of minutes of the previous Annual General Meeting
- ii. Presentation of the annual financial report
- iii. To elect the office – bearers as provided in rule 10
- iv. To consider any notice of motion of which notice has been previously given to the secretary
- v. To consider any other general business.

21. Proceedings at General Meetings

21.1 No business shall be transacted at any general meeting including an Annual general Meeting, unless a quorum of members is present at the time when the meeting proceeds to business. The Chairman of such a meeting may with the consent of those present adjourn the same from time to time and place to place.

21.2 At any general meeting a resolution put to the vote of the meeting shall be decided on a show of hands unless a poll is (before or on the declaration of the result of the show of hands) demanded:

- i. by the Chairman; or
- ii. by at least three members present in person or by proxy.

21.3 Unless a poll is so demanded a declaration by the Chairman that a resolution has on a show of hands been carried or carried unanimously or by a particular majority or lost and an entry to that effect in the book containing the minutes of the proceedings of the Club shall be conclusive evidence of the fact without proof of the number or proportion of the votes recorded in favour of or against the resolution. The demand for a poll may be withdrawn.

21.4 If a poll is duly demanded it shall be taken in such manner and either at once or after an interval or adjournment or otherwise as the Chairman directs and the result of the poll shall be the resolution of the meeting at which the poll was demanded however a poll demanded on the election of a Chairman or a question of adjournment shall be taken forthwith

21.5 In the case of an equality of votes whether on show of hands or on a poll, the Chairman of the meeting at which the show of hands takes place or at which the poll is demanded shall be entitled to a second or casting vote.

21.6 A member entitled to vote in person or through an authorised representative or by proxy and on a show of hands every member present who is entitled to vote or an authorised representative of a member who is entitled to vote shall have one vote and on a poll every member present in person or by proxy who is entitled to vote or other duly authorised representative of a member who is entitled to vote shall have one vote.

21.7 A member to be entitled to vote at any general meeting must be financial.

21.8 No member under the age of 18 years shall be entitled to vote at any general meeting of the club. A member under the age of 18 years old cannot transfer voting rights to an adult. Parents or guardians must become members to hold voting rights

21.9 Life Members are considered to be financial.

21.10 Non-Playing Members will become un-financial, immediately following the end of the AGM. Payment of registration fees will be required prior to the next meeting.

21.11 No objection may be made to the validity of any vote except at the meeting or poll at which the vote was tendered and every vote not disallowed at such meeting or poll shall be deemed valid. In case of any dispute as to the admission or rejection of a vote, the Chairman of the meeting shall determine

the same and such determination made in good faith shall be final and conclusive.

21.12 The instrument appointing a proxy shall be in writing (in the common or usual form) under the hand of the appointer or if the appointer is a corporation whether incorporated or not either under seal or under the hand of an officer duly authorised. A proxy must be a member of the Club. The instrument appointing a proxy shall be deemed to confer authority to demand or join in demanding a poll.

21.13 Where it is desired to afford members an opportunity of voting for or against a resolution the instrument appointing the proxy shall be in the following form or a form as near thereto as circumstances admit:

Dapto City Australian Football Club Inc.
I, _____
of _____
being a member of the above named Club hereby
appoint _____
of _____
as my proxy to vote for me on my behalf at the
(Annual or General as the case may be) Meeting of
the Club to be held on the
day of _____ 20____
and at any adjournment thereof.
Signed this _____
day of _____ 20____

This proxy is to be used *

In favour of the resolution
Against the resolution

*Strike out whichever is not desired. (Unless otherwise instructed the proxy may vote as he thinks fit).

21.14 The instrument appointing a proxy and the power of attorney or other authority if any under which it is signed or a notoriety certified copy of that power or authority shall be deposited with the Secretary of the Club not less than forty-eight hours before the time for holding the meeting.

22. Non Attendance at Meetings

22.1 In the event of a casual vacancy occurring in the membership of the committee, the committee may appoint a member of the club to fill the vacancy and the member so appointed is to hold office, subject to this

constitution, until the conclusion of the annual general meeting next following the date of the appointment.

22.2 A casual vacancy in the office of a member of the committee occurs if the member:

- i. dies, or
- ii. ceases to be a member of the association, or
- iii. becomes an insolvent under administration within the meaning of the Corporations Act 2001 of the Commonwealth, or
- iv. resigns office by notice in writing given to the secretary, or
- v. is removed from office under clause 16 of the constitution, or
- vi. becomes a mentally incapacitated person, or
- vii. is absent without the consent of the committee from 3 consecutive meetings of the committee, or
- viii. is convicted of an offence involving fraud or dishonesty for which the maximum penalty on conviction is imprisonment for not less than 3 months, or
- ix. is prohibited from being an officer of a company under Part 2D.6 (Disqualification from managing corporations) incorporated under the Corporations Act 2001

23. Removal of Committee Members

23.1 The club at a properly convened general meeting may by resolution remove any member of the committee from the office held by the member before the expiration of the member's term of office and may by resolution appoint another person to hold office until the expiration of the term of office of the member so removed.

23.2 If a member of the committee to whom a proposed resolution referred to in the preceding sub clause makes representations in writing to the secretary or president (not exceeding a reasonable length) and requests that the representations be notified to the members of the club, the secretary or the president may circulate a copy of the representations to each member of the club or, if the representations are not so sent, the member is entitled to require that the representations be read out at the meeting at which the resolution is considered.

23.3 Any official, with the exception of the President, absenting himself from three consecutive meetings of the Committee or any subcommittee of which they are a member without consent of the committee shall be deemed to have

vacated their office. Any such vacancy shall be filled by the Committee at its next meeting. The Committee shall have power at any meeting to grant leave of absence to any member.

24. Quorum

The quorum for meetings of the Club and its Committee shall be as follows:

- i. General and Annual Meetings 10 members
- ii. Committee Meetings 5 members
- iii. Sub Committees a majority of members of that sub committee

25. Indemnity

Every member of the Committee and every officer for the time being of the Club shall be indemnified out of the assets of the Club against any liability arising out of the execution of the duties of the office which is incurred by him in defending any proceedings, whether civil or criminal, in which he is acquitted or in connection with any application under the Act in which relief is granted to him by the Court in respect of any negligence default breach of duty or breach of trust.

26. Finance

26.1 A true accounts shall be kept of all monies received and expended by the Club.

26.2 The Committee may raise funds by way of sponsorships, donations, voluntary contributions or by such other lawful means which are not inconsistent with the objects of the Club.

26.3 If at any time the funds of the Club shall not be sufficient to meet the expenditure of the Club, the Club may, by special resolution, order a levy to be struck upon the members of the Club. Notice in writing that such a levy has been struck, and specifying the amount thereof, shall be sent to each member by the Secretary, and each member so notified shall pay the amount of such levy into the funds of the Club within the time specified.

26.4 The committee may at any time create any special fund for any special purpose and may prescribe the means by which such fund shall be maintained, and at any time thereafter may order that special fund be closed, and prescribe the manner in which all monies remaining therein shall be used or applied.

26. 5 All monies received for, and on behalf of the Club shall be paid to the credit of the Club into such financial institution as shall be approved by the Committee within three banking days of the receipt thereof, and all monies of one hundred dollars and more shall paid by or on behalf of the Club shall be

paid by cheques and/or by electronic banking drawn against the funds of the Club and signed by any two of the following officers:

- i. President
- ii. Secretary
- iii. Treasurer
- iv. Officer appointed by the Committee.

26.6 Payment of accounts can also be made by electronic means provided a proper invoice is received or held for such payment.

All payments made out the funds of the Club shall be first approved for payment by the Committee provided always that in case of emergency the President and/or Secretary may authorise such payment.

27. Financial Year

The financial year of the Club will commence on the first day of November and end on the last day of October.

28. Annual Awards

28.1 At the conclusion of each season the club shall make the following awards:

28.2 Perpetual Senior Grade Trophies

Subject to the availability of funds, and the committees discretion, the following Perpetual

Trophies may be awarded;

Footballer of the Year - is awarded to the player adjudged by the committee to have achieved and contributed to the game during the season

Best First Year Player - is awarded to the player who is in his first season with the club and has played more than 5 senior games.

Club Person - is awarded to the person be they player, official, supporter or other who has contributed to the club during the season

28.3 Individual Senior Grade Team/s Player Awards

Subject to availability of funds, any of the following individual player recognition Award shall be presented:

- i. Best and Fairest Award, as determined by a 3,2,1 vote system, and
- ii. Best and Fairest (Runner up)
- iii. Most Improved, as determined by Coaching committee, and
- iv. Coaches Award, as determined by Coaching committee, and
- v. Highest Goal Kicker for current season

28.4 Perpetual Junior Grade Trophies

Subject to the availability of funds, and the committees discretion, the following Perpetual

Trophies may be awarded;

Footballer of the Year - is awarded to the player adjudged by the committee to have achieved and contributed to the game during the season

28.5 Individual Junior Grade Team/s Player and/or Auskick Colts Awards

Each registered Player shall receive a participation acknowledgement at the end of every playing season. The award shall be in a form as agreed by the Club Management Committee.

Subject to availability of funds, any of the following individual player recognition Award shall also be presented:

- i. Most Improved, as determined by the age group Coach/s, and
- ii. Coaches Award, as determined by the age group Coach/s, and
- iii. Encouragement award, as determined by the age group Coach/s

28.6 For the purpose of determining eligibility for a Player Award, a Player must have attended at least five (5) competition games.

29. Code of Conduct

Each member of the club shall adhere to the codes of conduct adopted by the League whilst such member is attending a game of football be it a preseason game, a home and away game or during the finals series of each season.

30. Club Protection Policies

30.1 The Club shall adopt and / or develop policies, strategies and guidelines for the protection of all members from discrimination, harassment and child protection, as required by law and by the governing bodies.

30.2 The Club shall provide and support clear processes and procedures for the handling and resolution of any complaint.

30.3 The Club shall not allow any person deemed to be a 'prohibited person' or a 'registrable person' to work in the Club in any capacity.

30.4 All office bearers, coaches, assistant coaches, managers and any other volunteers working on behalf of the Club shall;

- i. complete any form required by law for the protection of children, or by the governing bodies or as deemed necessary by the Committee.
- ii. agree to abide by and enforce any and all codes of conduct, anti-discrimination and/or protection policies adopted by the Club.

30.5 Failure to comply with the completion of any form required in Section 30.4(i), will render the person ineligible to work in any capacity within the Club.

30.6 The Club shall maintain records of all distribution of information processes relating to all protection policies.

30.7 The Club shall maintain accurate and detailed records of all matters relating to the handling of any complaint arising as a result of incidents relating to any of the protection policies.

30.8 The Club shall review the policies, strategies and guidelines for the protection of all members from discrimination, harassment and child protection, on an annual basis. This review shall consider content, ACT alterations and legal updates as well as implementation, facilitation and complaint processes.

31. Dissolution

31.1 The Club shall be dissolved if:

- i. A resolution to this effect is carried by a General Meeting, fourteen (14) days of notice of the proposed resolution having been given.
- ii. Financial membership falls to below ten (10) or less members.

31.2 If upon the dissolution of the Club there remains, after satisfaction of any debts and liabilities, any property or funds whatsoever, the same shall not be distributed or paid among the members of the Club but shall be transferred or given to some other Club or institution having objects similar to those of the

Club, to be determined by members of the Club at or before the time of dissolution, and in default thereof as may be directed upon application to the Supreme Court of Australia in that behalf.

32. Alterations of Constitution

The constitution shall not be altered, repealed or added to except by special resolution passed at a properly convened general meeting of the Club providing seven (7) days notice of the proposed amendment has been given to all members.

33. Copies of Constitution

The Secretary shall supply a copy of this constitution, without charge, upon reasonable request, to any new member or existing member.

34. Custody and Use of Common Seal

The Club shall have a Common Seal, which shall consist of the words Dapto City AFC. The seal shall be kept in the custody of the Secretary and shall only be affixed by the Secretary to documents at a meeting of the Committee and in pursuance of a resolution of the Committee; the affixing of the same shall be attested to by at least two (2) members of the Committee.

35. Service of notices

a) For the purpose of these rules, a notice may be served on or given to a person:

- i. by delivering to the person personally, or
- ii. by sending it by pre-paid post to the address of the person, or
- iii. by sending it by facsimile transmission or some other form of electronic transmission to an address specified by the person for giving or serving the notice.

b) For the purpose of these rules, a notice is taken, unless the contrary is proved, to have been given or served:

- i. in the case of a notice given or served personally, on the date on which it is received by the addressee, and
- ii. in the case of a notice sent by pre-paid post, on the date when it would have been delivered in the ordinary course of post, and
- iii. in the case of a notice sent by facsimile transmission or some other form of electronic transmission, on the date it was sent, or if the transmission was sent produces a report indicating that the notice was sent on a later date, on that date.