

CONSTITUTION HAWKESBURY AUSTRALIAN RULES FOOTBALL CLUB

INTRODUCTION

- 1.1 The Club shall be known as HAWKESBURY AUSTRALIAN RULES FOOTBALL CLUB hereinafter referred to as the Club and is formed under the provisions of the Association Incorporation Act 1984 and its regulations.

Aims of the Club

- 1.2 The aims of the Club are to participate and promote AUSTRALIAN RULES FOOTBALL.

Club Assets

- 1.3 The following are deemed Club assets which shall at all times be under the control of a Committee member:

- a) Monies;
- b) Club records of any type;
- c) Perpetual trophies;
- d) Canteen equipment and stock;
- e) Football and Umpiring equipment; and
- f) Any tangible thing, Goodwill, or Benefit donated to or purchased by the Club.

Custody of Books

- 1.3.1 Club records being books or any other documents shall be held in custody by as follows:

Secretary	Minutes of all meetings and inwards and outwards correspondence and Public Liability insurance policy.
Treasurer	All Accounting records including books for all Club accounts, receipts, invoices, bank statements, deposit slips.
Registrar	Club membership register and all game records and player registration data.
Property Officer	Club property register detailing custodian for club assets not being of a documentary nature.
Public Officer	A register showing the name and address of custodian and description of Club records held by Club Committee Members and all correspondence related to the Corporate Affairs Commission.

Affiliation

- 1.4 The Club will be affiliated with the AFL NSW/ACT and the Greater Sydney Juniors – Western Sydney Region, or any future Australian Rules League or Association which will enable the aims of the Club to be achieved.

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ORGANISATION AND ADMINISTRATION

Membership

- 2.1 Club membership shall be open to any member of the community having an interest in AUSTRALIAN RULES FOOTBALL. There shall be the following categories of membership:
- a) Ordinary members
 - b) Playing members
 - c) Life members
 - d) Affiliated members
- 2.1.1 Ordinary membership shall be granted upon acceptance of an application for Ordinary membership and payment of an Ordinary membership fee as may from time to time be determined by the Club Executive Committee.
- 2.1.2 Player membership shall be granted upon acceptance of player registration and payment of a Players membership fee as may from time to time be determined by the Club Executive Committee. All paid registered players are ordinary members.
- 2.1.3 Affiliated membership shall be granted to all parents and guardians of Junior members.
- 2.1.4 The status and existing rights of members of the Hawkesbury Junior Australian Rules Football Club and the Hawkesbury Australian Rules Football Club as at 18 May 1997 will be transferred to the new Hawkesbury Australian Rules Football Club.
- 2.1.5 Life membership may be conferred by the Club upon any member or official for outstanding contributions to the Club or code. Life membership shall only be conferred by a 75% majority vote of Ordinary members and Life members present at an Annual General or Extraordinary General Meeting. A minimum of ten (10) years service to the Club is required before a players nomination will be accepted.
Non playing members of the club may be nominated after a minimum of 10 years membership and continuous active service to the club.

Constitution and Amendments

- 2.2 The Annual General Meeting or Extraordinary General Meeting, by a 75% majority vote of the members present, shall approve any amendment to this Constitution. Ordinary, Affiliated and Life members shall be entitled to vote. Only members entitled to vote and actually voting shall be deemed present for the purpose of calculating the 75% majority vote.
- 2.2.1 All members entitled to vote at an Annual or Extraordinary General Meeting shall be notified in writing, not less than 28 days before such meeting is to take place. This notification shall include detail of the amendment to the constitution that is to be considered.
- 2.2.2 No motion to amend this Constitution shall be accepted unless presented, in writing, to the Committee for an impact analysis. The Committee shall conduct an impact analysis and prepare a written report on the impact of the proposed amendment. The impact analysis report and the proposed amendment shall be made available to Ordinary members, Affiliated members and Life members at least ten (10) days prior to the Extraordinary General Meeting considering the amendment.

Management

- 2.3 The Club is to be managed by a Committee of Ordinary members, Affiliated members and Life members, elected by the Ordinary members, Affiliated members and Life members, at an Annual General Meeting or an Extraordinary General Meeting.

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Committee

2.4 The Committee positions of President, Secretary and Treasurer shall be held by separate persons. The Committee may comprise the following members:

- a) Public Officer
- b) President - Juniors; President - Seniors
- c) Secretary – Juniors; Secretary - Seniors
- d) Treasurer – Juniors; Treasurer - Seniors
- e) Football Manager - Juniors; Football Manager - Seniors
- f) Registrar – Juniors; Registrar - Seniors
- g) Property Officer – Juniors; Property Officer - Seniors
- h) Canteen Manager – Juniors; Canteen Manager - Seniors
- i) Sponsorship Manager – Juniors; Sponsorship Manager - Seniors
- j) Ground Manager- Juniors; Ground Manager - Seniors
- k) 2 General Committee Members for each committee

Coaches are to be appointed by the respective junior and senior committees.

The Executive Committee shall consist of the following from both the senior division and junior division of the club – President, Secretary, Treasurer and Football Manager.

- 2.4.1 The Executive Committee, Senior Committee, and Junior Committee shall, subject to decisions made at General Meetings, exercise all powers of the Club and do all such acts and deeds as maybe necessary to carry out the aims of the Club.
- 2.4.2 The senior division President, or in his absence, the junior division President, or in the absence of both, a nominated Executive Member, is to chair all meetings of the Club.
- 2.4.3 The Committee shall have power to produce and promulgate Committee directives to assist with the good management of the Club. Committee directives shall be adhered to by all club members and should include a statement of duties for each Committee member. the Committee is prohibited from issuing Committee directives that contravenes any provision of this Constitution.
- 2.4.4 Any Ordinary member or Life member may be nominated for any Committee position and such nominations shall be made in writing and shall be proposed and seconded by two (2) Ordinary members of the Club and acknowledged as accepted by the nominee and such nomination is to be in the hands of the Secretary no later than seven days prior to the meeting. Failing this requirement verbal nominations will be accepted at General Meetings provided that the Proposer and Secunder are present and the Nominee accepts the nomination.
- 2.4.5 Any Committee member excepting those controlling Club assets who has absent himself from three (3) consecutive Committee Meetings without providing a satisfactory explanation or without having an apology accepted at such meetings shall be deemed to have vacated his office thereby creating a casual vacancy.
- 2.4.6 Any Committee member controlling Club assets who has absent himself from three (3) consecutive Committee Meetings without providing a satisfactory explanation or without having an apology accepted at such meetings shall be suspended from office thereby creating a casual vacancy.
- 2.4.7 The only means a suspended Committee member may relinquish his liability or responsibility to the Club is by him, or his Estate, handing control of all assets controlled by the suspended member to a member of the Club Executive.
- 2.4.8 A casual vacancy which occurs may be filled by the Committee from the Ordinary Members of the Club, subject to a maximum of three (3) replacements in any one financial year. A member so co-opted shall hold office for the unexpired portion of his predecessor's term. If further vacancies occur that prevent a quorum being attainable, or in the opinion of the Committee, the efficiency of the administration has been reduced to an unacceptable level then such vacancies shall be filled at a

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Extraordinary General Meeting called for that purpose. Members so elected shall hold office until the Annual General Meeting which occurs immediately after their election.

- 2.4.9 The Chairman at all Committee Meetings shall have a casting vote in addition to his deliberative vote.
- 2.4.10 All acts or decisions done or made by any meeting of the Committee shall be valid. Notwithstanding that it be afterwards discovered that there was some defect in the appointment of such Member, or all or any Member of the Committee, be as valid and effective as if they had all been properly appointed, unless it is proved that the appointment was made in fraud or bad faith.
- 2.4.11 The Committee shall have the authority to delegate any of its power to a Sub-Committee or an individual to deal with any particular matter or matters and upon such terms as the Committee may think fit. The President and Secretary shall be ex-officio members of all Sub-Committees. No Sub-Committee shall survive beyond the Annual General Meeting. Should business be incomplete then the Sub-Committee must be dissolved and reconstituted at the Annual General Meeting.
- 2.4.12 The quorum for all Committee Meetings shall be five (5) members present in person.
- 2.4.13 The Club Presidents may, outside Committee meetings, make decisions on any matter of business concerning the good management of the Club. If decisions involve expenditure of Club funds then details of expenditure must be presented to the next Committee meeting for ratification. If an item of expenditure does not receive Committee ratification then members signing the cheque for payment shall be liable under the Purchases provisions of this Constitution.
- 2.4.14 The Public Officer shall perform those duties as specified in the Associations Incorporation Act 1984.
- 2.4.15 The Junior and Senior Club Registrars shall maintain a register of Club members.
- 2.4.16 The common seal of the Club shall be kept in the custody of the Secretary and shall only be affixed to a document with the approval of the Committee. The stamping of the common seal shall be witnessed by the signatures of two members of the Club executive.

Social and Fund Raising Activities

- 2.5 The Junior and Senior committees may nominate an individual or sub committee to arrange social activities or fund raising activities for the club.
Such individuals or sub committee will be accountable to their respective committee to report the income and expenditure of all social events or fund raising activities.

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General Meetings

- 2.6 An Annual General Meetings of the Club shall be held in October at such time and place as the Executive Committee shall determine for the following purposes:
- a) To receive from each Committee a report from the President, Balance Sheet and Statement of Income and Expenditure for each club account for the period dating back to the last Annual General Meeting;
 - b) To elect members of Committee for the ensuing year;
 - c) Any other business of which notice shall have been given to the Secretary at least ten (10) days prior to the meeting;
 - d) To re-constitute any sub-committees or individuals with ongoing business.
- 2.6.1 The Secretary (as nominated by the Executive Committee) shall at least twenty one (21) days before an Annual General Meeting, provide written notification to all members entitled to vote, the Date, Time and Venue for the meeting.
- 2.6.2 The quorum at all General Meetings shall be a total of ten (10) Ordinary members, Affiliated members and Life members or one sixth of the Ordinary and Life membership, whichever is the smaller. An Annual General Meeting shall not lapse for want of a quorum. If at any Extraordinary general Meeting there be no quorum within thirty (30) minutes of the time appointed for the meeting then it shall lapse unless a majority of the members present decide to adjourn the meeting for a period not exceeding fourteen (14) days. If there be no quorum within thirty (30) minutes after the time appointed for such adjourned meeting then the meeting shall lapse altogether. A meeting shall be adjourned, if at any time during the course of such meeting, a quorum ceases to be in attendance.
- 2.6.3 All newly elected Committee members shall take up their positions immediately following their election at the AGM.

Extraordinary General Meetings

- 2.7 All requests, other than Committee initiated requests, for an Extraordinary General Meeting shall be in writing addressed to the **(Junior or Senior) Division** Club Secretary and clearly state the names and addresses of members making those requests, together with details of the matter to be resolved.
- 2.7.1 The Executive Committee may at any time, and shall on the requisition of four (4) members of the Executive Committee or eight (8) Ordinary members call an Extraordinary General Meeting. If less than four (4) Executive Committee members request an Extraordinary General Meeting then a fee of \$250 shall be payable to the Club by each member requesting such meeting.
- 2.7.2 Such meeting shall be held within one (1) month from the date the requisition is lodged with the Secretary.
- 2.7.3 The Secretary (as nominated by the Executive Committee) shall at least twenty one (21) days before an Extraordinary General Meeting, provide written notification to all members entitled to vote advising the Date, Time and Venue for the meeting. The agenda for such meeting shall be included with the notification.

Committee Meetings

- 2.8 Each Division Committee shall meet Monthly, with the exception of January and as required to conduct the business of the Club. The President or Secretary or four (4) members of the Committee shall have the power to call a meeting of the Committee. The President of the Club Division shall take the chair at Committee meetings. If the Division President is not present then a nominated member of the Executive shall chair the meeting.

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- 2.8.1 All notices of Committee meetings shall be oral or in writing and conveyed to members of the Committee at least seven (7) days before the date of the meeting.

Voting

- 2.9 Only Ordinary members (18 years of age or over at the time of the meeting), Affiliated members and Life members may take part in the management of the Club or vote on any matter of business. All votes shall be cast by the member attending the applicable meeting and casting his/her own vote. Proxy votes are prohibited.
- 2.9.1 Except as may be specified elsewhere in this constitution, decisions on any matter of business shall be decided by simple majority vote.

Minutes

- 2.10 An accurate record of all meetings of the Club is to be maintained by the Club Secretary. These minutes are to contain:
- a) a record of those who attended the meeting;
 - b) an account of the proceedings in their order of happening;
 - c) full details of any motion, amendments to any motions and the results of voting on motions;
 - d) notification of the date for the next meeting;
 - e) Treasurers financial statement for the preceding period.
- 2.10.1 Minutes of all Committee meetings are to be prepared by the Secretary and presented to the next meeting for ratification.

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ACCOUNTS

Club Deposits

- 3.1 All Club funds shall be deposited in Committee approved accounts in such a manner that all withdrawals shall require the signature of the President and Treasurer.
- 3.1.1 A separate account will be held for the Junior Division, the Senior Division, and an Executive Account. The Executive account will be operated by a divisional treasurer as nominated by the Executive Committee. The Executive account will serve to deposit and pay all income and expenses that are common to the overall club. This will include, but not limited to, all canteen receipts and expenditure and also ground hire fees, security charges etc.

Funds Source

- 3.2 Club funds shall be derived from Ordinary membership fees, players memberships, fund raising activities and community donations.

Treasurer

- 3.3 The Junior and Senior Club Treasurer is to:
- a) maintain separate records for each division of the Club and present at the AGM an audited statement for that division.
 - b) receive all monies due to the Club for which he/she is to issue a receipt from the Club's official receipt book;
 - c) hold all monies received in a secure place until Deposit to the appropriate account has been made;
 - d) ensure that Club debts are paid promptly;
 - e) prepare and present to the Committee meeting a monthly statement of Income and Expenditure for the period dating back to the last Committee meeting;
 - f) have prepared and present at each General Meeting a statement of accounts for the period dating back to the last General Meeting;
 - g) propose a budget for each season;
 - h) hold all Club financial records in a secure place.

Subscription

- 3.4 The annual subscription for various forms of membership of the Club shall be determined by a General Meeting.

Registration

- 3.5 Each player must be registered with the Club and AFL NSW/ACT or Western Sydney Juniors and shall pay a registration fee as determined by each divisional committee.

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Purchases

- 3.7 Except for petty cash purchases, under no circumstances are goods or services of any description to be procured or donations made, without:
- a) the approval of the Junior or Senior Committee;
 - b) payment being made by a Not Negotiable cheque (cash cheques are prohibited);
 - c) the Treasurer being advised of all details that are required to correctly maintain Club records.
- 3.7.1 The Treasurer may have at his/her disposal Club funds in the form of petty cash not exceeding one hundred dollars (\$100), to meet minor day to day requirements. Complete details of any petty cash transaction for which a receipt was not received must be tabled and recorded in the minutes of the first Committee meeting after the transaction.
- 3.7.2 Details of ALL purchases shall be presented for ratification at the first Committee meeting after the purchase is made. If ratification is refused then Members signing a cheque for payment that failed to gain ratification shall be required to repay the Club from their own personal funds with each member liable to repay 50% of the total value. If members object to repayment they shall be entitled to defer repayment until a General Meeting decides by a majority vote that the Committee decision to refuse ratification was justified. Ownership of goods or services for which repayment is being sought shall pass to the members upon repayment of the full purchase price of the goods or services.

LEGAL LIABILITY AND INSURANCE

Medical Costs

- 4.1 Payment for treatment of player injuries and payment of ambulance charges is the sole responsibility of the playing member or the guardian/caregivers of the player.

Insurance

- 4.2 The Club is to hold insurance as specified under the provisions of the Associations Incorporation Act 1984 and any other insurance that may from time to time be considered necessary by the Committee, or the New South Wales Football League Ltd.

Members Liability

- 4.3 The liability of a member of the Club to contribute towards the payment of debts and liabilities of the Club or the costs, charges and expenses of winding up the Club is limited to the amount, if any, unpaid by the non Committee members in respect of membership of the Club as required by Rules 3.4, 3.5, 3.6 and, in the case of Club Committee members, by Rules 3.4, 3.5, 3.6, 2.4.6, 2.4.7, 2.4.13, 3.7.2 and 6.4.

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GENERAL PROVISIONS

Club Colours

- 5.1 The principal colours of the Junior Club are red, white and black and for the senior Club are Blue and White. Other colours may be used as determined by the Executive of the Club to meet the aims of the Club.

Computers

- 5.2 Should any Committee member use a computer for Club purposes then no records shall be valid unless printed on paper.

Conduct

- 5.3 The conduct of all Ordinary members, Affiliated members, Playing members and Life members must be above reproach at all times. Should, in the opinion of a Club member, the conduct of any person holding membership be contrary to the welfare or interests of the Club, the offending person is to be reported to the Executive Committee.
- 5.3.1 The Executive Committee shall require the person reported to explain and justify their conduct. If after due consideration the Executive Committee is of the opinion that the conduct of the person has been detrimental to the Club and or the good name of the Club, they shall determine if the person should be cautioned, suspended, membership revoked for Life or reported to the Governing bodies of New South Wales Football Australian Football League Ltd. All decisions of the Executive Committee shall be conveyed to the member in writing and no correspondence shall be entered into thereafter.
- 5.3.2 Any fine imposed by the Governing bodies of AFL NSW/ACT or WESTERN SYDNEY JUNIORS will be met by the member concerned.

Coaching and Team Manager Appointments

- 5.4 The Committees shall advertise for Coaches and Team Managers prior to the commencement of the forthcoming season. All Coaches and Team Managers shall be appointed by the Committee. All such positions need not be filled from initial applicants or from only those persons who have submitted written applications.

Public Relations

- 5.5 No press statements on behalf of or in the name of the Club shall be made except by the President or by his authority or that of the Committee.

Inspection of Books and Documents

- 5.6 All Ordinary, Affiliated and Life members shall be permitted to inspect any Club book or Document provided reasonable notification is given in writing to the Secretary. The Club Secretary shall present all requests to the first Club Committee meeting after receipt of a request. All requests for inspection of financial or property records shall be satisfied by the person making such request, attending committee meetings. The committee shall attempt to satisfy all reasonable requests for information.

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DISSOLUTION OF CLUB

- 6.1 Twenty-eight (28) days prior to any action toward the dissolution of the Club or a change of procedure for dissolution of the Club is to be taken, all members shall be automatically granted, free of membership charges, Ordinary member status for a period of six (6) months.
- 6.2 An advertisement not less than one (1) column wide and four (4) cm in height shall be placed in a minimum of two (2) locally circulated newspapers, once per week, for a minimum of three (3) weeks immediately prior to any meeting at which action to dissolve the Club or change the procedure for dissolution of the Club is contemplated. Advertisements must clearly state:
- a) the agenda for the meeting;
 - b) all members of the HAWKESBURY AUSTRALIAN RULES FOOTBALL CLUB are invited to attend the meeting and vote on the issue.
- 6.3 In addition to the above, ALL Life members must be advised of the proposed contents of advertisements and be provided with a copy of all Minutes of meetings and correspondence pertaining to dissolution of the Club, by registered mail fourteen (14) days before an advertisement is placed.
- 6.4 Should Club funds be insufficient to cover the cost of advertisements and postage, then Committee members shall meet these costs equally from their private resources.
- 6.5 If a meeting called to discuss dissolution of the Club passes a special resolution (ie more than 75% of members entitled to vote), then the resolution is carried and the Club shall cease to exist after distribution of assets in accordance with the provisions of section 53 of the Associations Incorporation Act 1984. After passage of a special resolution to dissolve the Club, those members entitled to vote on the special resolution, shall also determine by a special resolution the precise distribution of Club assets.

.....
PRESIDENT SENIOR DIVISION

.....
PRESIDENT JUNIOR DIVISION

Dated, this Day of **2010.**

This Constitution was accepted by an Annual General Meeting held at on the

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