

YERRINBOOL BARGO SOCCER CLUB CONSTITUTION

As amended 11/12/1995

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1. NAME

The name shall be " YERRINBOOL BARGO SOCCER CLUB".

2. INTERPRETATION

In this Constitution and in all regulations and decisions made hereunder, the following words and expressions shall (except where or to the extent that the contrary indication appears) have the meanings hereby assigned to them, that is to say:

- (a) "Yerrinbool Bargo Soccer Club" shall mean " Yerrinbool Bargo Soccer Club".
- (b) "YBSC" shall mean "Yerrinbool Bargo soccer club".
- (c) "Constituent Club" shall mean any of the clubs approved as constituent under this Constitution.
- (d) "General Committee" shall mean the General Committee of the Yerrinbool Bargo Soccer Club as constituted under this Constitution.
- (e) "Executive" shall mean the Executive of the Yerrinbool Bargo Soccer Club as constituted under this Constitution.
- (f) "Member" shall mean a member of the Yerrinbool Bargo Soccer Club.

3. OBJECTS

The objects of the Yerrinbool Bargo Soccer Club shall be:

- (a) To encourage, establish, foster, promote, develop, extend and control the sport of soccer.
- (b) To co-ordinate, encourage, assist and support the soccer activities of the various Constituent clubs and to represent them in relations both with the Highlands Soccer Assoc and with other sporting organisations.
- (c) To provide and maintain, where necessary, grounds, playing fields, materials, equipment, and other facilities for sport and physical recreation for use by and benefit to the members of the Yerrinbool Bargo Soccer Club as defined under this Constitution.
- (d) To undertake and implement in such manner as it thinks fit, such other matters relating to any or all of the foregoing objects as may from time to time be deemed expedient by the General Committee.

4. MEMBERSHIP

- (a) Full Membership

All players, coaches, managers and committee members who have paid the required annual subscription or who are exempt from fees under the provisions of (d) below shall be full Members of the Yerrinbool Bargo Soccer Club. Full Membership of the Yerrinbool Bargo Soccer Club entitles a person to:

- (i) Voting rights at all General Meetings of the Yerrinbool Bargo Soccer Club;

(b) Associate Membership

(i) Associate Membership of the Yerrinbool Bargo Soccer Club may be granted on payment of the required subscription, to persons recommended by one or more Constituent clubs, provided that it is in the interests of the Yerrinbool Bargo Soccer Club to accept them as Associate Members.

(ii) Associate Membership of the Yerrinbool Bargo Soccer Club may be granted to any person who does not qualify for any other category of Membership. Associate Membership entitles a person to membership of the Constituent club concerned without further subscription to the Yerrinbool Bargo Soccer Club.

(c) Honorary Life Members

Honorary Life Membership of the Yerrinbool Bargo Soccer Club may be granted by the General Committee, on the recommendation of the Life Members, to any person, who in the opinion of the General Committee, has rendered 15 years services including 5 years in an Administration role to the Yerrinbool Bargo Soccer Club. Honorary Life Membership entitles a person to all the rights and privileges of Full Membership.

(d) Temporary Membership

The Executive Officer of the Yerrinbool Bargo Soccer Club may admit any person to Temporary Membership of the Yerrinbool Bargo Soccer Club for a period not exceeding one month.

5. SUBSCRIPTIONS

(a) Any person eligible for membership of the Yerrinbool Bargo Soccer Club in any category of membership, except Honorary Life Membership or Temporary Membership, shall pay the appropriate subscription.

(b) The subscription for Full Membership, with the exception of members of ADFA, shall be determined by the Committee following recommendations from the Yerrinbool Bargo Soccer Club and HSA.

6. CESSATION OF MEMBERSHIP

(a) Membership rights in all categories shall cease upon expulsion under the provisions of this Constitution.

7. CONSTITUENT CLUB

(a) No person shall be entitled to take part in any sport as a member of the Yerrinbool Bargo Soccer Club if such participation may jeopardise the amateur status of other competitors as determined by the body recognised by the Yerrinbool Bargo Soccer Club as controlling that sport in this State or in the Commonwealth of Australia.

(b) The President, Honorary Secretary and Honorary Treasurer of the Yerrinbool Bargo Soccer Club shall be ex-officio members of the Committee of each Constituent Club, but

they shall have no right to vote at any meeting of any such Committee solely by virtue of these offices.

(c) Each Constituent Club shall prescribe its own Constitution, which shall be in the general form of the Model Constitution as set down in Schedule 1 to this Constitution. Club Constitutions and rules made thereby shall be subject to this Constitution and By-Laws made hereunder, and to the approval of the General Committee. Amendments to the Constitution of any Constituent Club shall not become effective until approved by the General Committee.

(d) Each Constituent Club may operate club accounts with approved financial institutions provided statements of the accounts are lodged annually.

(e) Each Constituent Club shall submit to the General Committee an Annual Report and Balance Sheet within thirty (30) days of the Annual General Meeting of the club.

8. APPLICATION FOR CLUB AFFILIATION

(a) (a) Any group of Full Members wishing to form a sporting club shall become a Constituent Club by:

(i) (i) Making application to the Executive, in writing, and if required, in person

(ii) (ii) Making application to the General Committee in person, or by way of Executive recommendation

(iii) acceptance of the Club's sporting activity and the Club's Constitution, upon a decision to that effect by at least two-thirds of those present and entitled to vote at a General Committee Meeting, provided there is no such Constituent Club currently in existence.

(iv) the inaugural meeting of the affiliated Club shall be advertised on Web Site, in Local publications where practicable, and, in addition, the Honorary Secretary of the Yerrinbool Bargo Soccer Club shall be notified in writing;

(v) all such advertisements and notifications shall be made at least fourteen (14) days before the meeting and shall specify that the nature of the business to be dealt with thereat shall be the formation of a club, the adoption of a Constitution in terms of the Yerrinbool Bargo Soccer Club Model constitution, and the election of office bearers.

(a) (a) The Executive and General Committee, in considering a proposal for affiliation shall give consideration to the Regulations of the day.

9. AFFILIATION

The Yerrinbool Bargo Soccer Club may affiliate with other organisations and with other sporting organisations, in order to further the objects of the Yerrinbool Bargo Soccer Club as set out in this Constitution.

10. OFFICE BEARERS

All office bearers of the Yerrinbool Bargo Soccer Club shall be Full Members. Any person elected or appointed under this clause shall, subject to the Constitution, hold office until a successor has been elected or appointed. The office bearers shall consist of:

(a) (a) A Patron, who shall be elected annually at the Annual General Meeting of the Yerrinbool Bargo Soccer Club.

- (b) (b) A President, who shall be elected annually at the Annual General Meeting of the Yerrinbool Bargo Soccer Club.
- (c) (c) Not more than one (1) Vice-Presidents, who shall be elected annually by the Annual General Meeting of the Yerrinbool Bargo Soccer Club.
- (d) (d) All Members of the Executive.

11. GENERAL COMMITTEE

- (a) The General Committee of the Yerrinbool Bargo Soccer Club shall consist of:
 - (i) The Office Bearers of the Yerrinbool Bargo Soccer Club
 - (ii) Such other members of the Yerrinbool Bargo Soccer Club as the General Committee may from time to time co-opt, at no time exceeding Five (5) in number.
- (b) No person shall be entitled to represent more than one club on the General Committee.
- (c) The President shall be the chairperson at all meetings of the General Committee, except that in the President's absence the General Committee shall choose a member of the Yerrinbool Bargo Soccer Club from its own number to act as chairperson.
- (d) All members of the General Committee shall be eligible to vote except the chairperson. The chairperson shall have a casting vote only. All voting shall be by show of hands unless the meeting decides otherwise.
- (e) A quorum shall consist of 2/3 members of the General Committee. If a quorum is not achieved within thirty (30) minutes from the notified time of the meeting, the meeting shall be postponed to a date to be fixed by the Executive.
- (f) The General Committee, notwithstanding any vacancy thereon, may proceed to the despatch of business at any properly constituted meeting.
- (g) At least seven (7) clear days notice in writing of each meeting of the General Committee shall be given to each member thereof. Every such notice shall specify the nature of the business to be dealt with thereat.
- (h) The names of the representatives of each Constituent Club shall be forwarded in writing by the Club Secretary to the Honorary Secretary. All changes in representation shall also be forwarded in writing by the Club Secretary to the Honorary Secretary before such change shall become effective. A member of the General Committee representing a club may be represented thereat by a proxy, who shall be a member of that club, provided that notice in writing of such proxy over the hand of the principal shall have been submitted to the Honorary Secretary prior to the advertised commencement time of the meeting. Any other member of the General Committee shall not be entitled to be represented thereat by proxy.
- (i) A person who is not a member of the General Committee shall not be entitled to be present at a meeting thereof, unless invited to attend by the chairperson. Such person shall not have the right to vote.
- (j) The place of any member of the General Committee who is the representative of a Constituent Club may become vacant if she/he should be absent from more than one meeting of the General Committee without the leave of the General Committee.

(k) In the case of the resignation or death of any office bearer, the General Committee may appoint a substitute to hold office for the remainder of the term of that office. In the event of any other vacancy occurring on the General Committee, the particular body concerned may fill the vacancy.

(l)

(i) The General Committee shall hold meetings at least 1 once a month.

12. POWERS OF THE GENERAL COMMITTEE

Subject to this Constitution, the General Committee shall have power to do all such acts and things as may be incidental or conducive to the attainment of any of the objects of the Yerrinbool Bargo Soccer Club, and without prejudice to the generality of the foregoing it may:

(a) Delegate to any Committee established under this Constitution such powers or duties as may be specified in the delegation, and to a Sub-Committee any other matter for investigation and report, and may at any time revoke any such delegation.

(b) Enter into and make agreements and employ such persons on such terms and conditions as the General Committee deems proper.

(c) Receive, acquire, manage, deal with and dispose of any property or money, borrow money, give security over any property of the Yerrinbool Bargo Soccer Club and open a banking account, or accounts, and operate thereon, enter into contracts and generally have the control of the financial affairs and all the property of the Yerrinbool Bargo Soccer Club.

(d) The amount of Full Membership subscription after it has sought the opinion of a General Meeting.

(e) Invest any money in any investment in which Trustees are authorised by law to invest, and vary and realise any investment.

(f) Appoint, remove and prescribe the duties of such officers of the Yerrinbool Bargo Soccer Club as it thinks fit, not inconsistent with this Constitution.

(g) Make Regulations not inconsistent with this Constitution, and may amend or repeal any Regulations so made, prescribing any matters necessary or convenient to be prescribed for giving effect to this Constitution, provided that notice in writing of any proposal to make, amend, or repeal any such Regulations shall be given to the Honorary Secretary not less than twenty-one (21) clear days before the meeting of the General Committee to which it is intended to submit such proposal, and the Honorary Secretary shall, at least fourteen (14) clear days before such meeting of the General Committee, forward a copy of such proposal to the Honorary Secretary of each Constituent club.

13. EXECUTIVE

(a) (a) The Executive of the Yerrinbool Bargo Soccer Club shall consist of:

(i) The President of the Yerrinbool Bargo Soccer Club.

(ii) One Vice-President of the Yerrinbool Bargo Soccer Club who shall be elected annually by the General Committee at its first meeting after the Annual General

Meeting. The Vice-President shall be a Full Member, or Honorary Life Member of the Yerrinbool Bargo Soccer Club.

(iii) The Honorary Secretary of the Yerrinbool Bargo Soccer Club.

(iv) The Honorary Treasurer of the Yerrinbool Bargo Soccer Club.

(v) Not less than two (2) nor more than four (4) members elected by the General Committee from its members at its first meeting after the Annual General Meeting of the Yerrinbool Bargo Soccer Club.

(b) (b) All members of the Executive, subject to sections 10 and 11 of this Constitution may vote at General Meetings.

(c) (c) No member of the Executive may, upon election to the Executive, may continue as a General Committee Representative of any affiliated club.

(d) (d) The Honorary Secretary and Honorary Treasurer shall be elected annually by the General Committee at its first meeting after the Annual General Meeting of the Yerrinbool Bargo Soccer Club.

14. POWERS OF THE EXECUTIVE

(a) The Executive may review all correspondence and business of the Yerrinbool Bargo Soccer Club. A list of all such correspondence shall be tabled at the next meeting of the General Committee.

(b) The Executive may act on or respond to any correspondence which does not require a decision by the General Committee. Any non-trivial action taken by the Executive along with a list of all outgoing correspondence shall be tabled at the next meeting of the General Committee.

(c) The Executive may make recommendations to the General Committee on any matter which comes before it for review.

(d) The Executive may review all applications for membership of the Yerrinbool Bargo Soccer Club which require acceptance by either the Executive or General Committee. Recommendations for Associate Membership as well as a list of all nominations shall be tabled at the next meeting of the General Committee.

(e) All financial matters which require a decision of the General Committee must be submitted to the Executive for review prior to submission to the General Committee. In extenuating circumstances and with the concurrence of the chairperson of the General Committee this requirement may be waived;

(f) The Executive in cases of emergency may act for the General Committee provided that it shall submit its decision for ratification at the next meeting of the General Committee.

(g) The General Committee, at any time, may appoint additional members from its number to the Executive to bring it up to its maximum or to fill any vacancy.

(h) The Executive may request information from any Constituent Club or member of the Yerrinbool Bargo Soccer Club relating to any matter before it for review. Such a request may require a written or verbal reply.

15. FINANCE

(a) No financial liability or obligation shall be incurred by or on behalf of the Yerrinbool Bargo Soccer Club or any Constituent club from the general revenue of the Yerrinbool Bargo Soccer Club, unless motions therefore have been previously passed by the General Committee, provided that in cases of extreme urgency the Executive may authorise any such financial liability or obligation without the prior authority of the General Committee. The Executive shall report its action to the next meeting of the General Committee.

(b) The Honorary Treasurer shall keep proper accounts of the property of the Yerrinbool Bargo Soccer Club, and of all monies received and expended and shall cause all such accounts to be presented at least once a session to the meeting of the General Committee and to be audited at least once in every year.

(c) The financial year of the Yerrinbool Bargo Soccer Club shall be from 1 January to 31 December.

(d) The Auditor shall be elected annually at the Annual General Meeting of the Yerrinbool Bargo Soccer Club.

16. LEGAL ADVISER

A legal adviser shall be elected annually at the Annual General Meeting of the Yerrinbool Bargo Soccer Club.

17. GENERAL MEETINGS

(a) The General Committee shall summon an Annual General Meeting of the members of the Yerrinbool Bargo Soccer Club to be held during the first session of each year and shall submit thereat the Annual Report, Statement of Accounts and Audited Balance Sheet of the Yerrinbool Bargo Soccer Club.

(b) A Special General Meeting of the Yerrinbool Bargo Soccer Club may be called by the General Committee. At least twenty (4) members of the Yerrinbool Bargo Soccer Club may submit to the Honorary Secretary a requisition in writing for a Special General Meeting, provided that such requisition states the object of the Meeting. On receipt of such requisition the Honorary Secretary shall within seven (7) days and in accordance with clause (d) call a Special General Meeting.

(c) The President shall be chairperson at all General Meetings of the Yerrinbool Bargo Soccer Club, except that in the President's absence the Meeting shall choose a member, preferably a Vice-President, to act as chairperson.

(d) Notice of the Annual and of every Special General Meeting of the Yerrinbool Bargo Soccer Club shall be advertised on the Yerrinbool Bargo Soccer Club notice boards, in Local publications, where practicable, and in addition, the members of the General Committee and all Honorary Secretaries of Constituent Clubs shall be notified in writing at least fourteen (14) clear days before such meeting. All such notifications and advertisements shall specify the nature of the business to be dealt with thereat.

(e) Full Members only shall be eligible to vote at General Meetings of the Yerrinbool Bargo Soccer Club. Elections at this Meeting shall be by simple majority and by secret ballot. In the case of an equal number of votes being recorded the chairperson of the meeting shall give a casting vote.

(f) At any General Meeting of the Yerrinbool Bargo Soccer Club the presence of 10 Full Members shall constitute a quorum. If a quorum is not achieved within thirty (30) minutes from the notified time of the meeting, the meeting shall be postponed for at least seven (7) and not more than twenty-one (21) clear days. Due notice of at least five (5) clear days having been given, the postponed meeting shall then be held and, irrespective of the number of members present, the meeting shall be empowered to transact legally the business for which the General Meeting was called.

(g) Every resolution passed at any General Meeting of the Yerrinbool Bargo Soccer Club shall be binding on all members thereof whether present there or not.

18. PENALTIES

(a) The General Committee may, by a vote of at least three-fourths of those present, censure, fine, suspend, or expel, any member or members proved to its satisfaction to have been guilty of:

(i) conduct likely to bring the Yerrinbool Bargo Soccer Club into disrepute or financial loss;

(ii) anything detrimental to the interests of the Yerrinbool Bargo Soccer Club or its members.

(b) At least fourteen (14) days notice in writing shall be given to any member or members against whom it is proposed to take any action under this clause, and such member or members shall be entitled to:

(i) be heard by the General Committee at a meeting dealing with the matter;

(ii) the right to appeal against the decision of the General Committee to a General Meeting of the Yerrinbool Bargo Soccer Club, provided that notice of appeal is given to the Honorary Secretary within fourteen (14) days of the notice of penalty having been given to the member or members concerned. No penalty shall become effective until such time as the right of appeal has expired or the appeal has been heard and dismissed.

19. CONTRACTS AND PROPERTIES

All property of the Yerrinbool Bargo Soccer Club, including its funds, shall be deemed to be vested in the members for the time being of the Executive, and they shall have power to take such proceedings, legal or otherwise, in respect thereof, as they may deem expedient, and all contracts and engagements entered into on behalf of the Yerrinbool Bargo Soccer Club shall be deemed to be made in the name of the Executive who shall hold the benefit thereof for and on behalf of the Yerrinbool Bargo Soccer Club and each of them shall be indemnified by the Yerrinbool Bargo Soccer Club, and each member thereof, and by each Constituent Club in respect of all claims for damages or otherwise, howsoever arising out of or in any manner connected with any and every such contract or engagement.

20. OPERATION OF CONSTITUTION

This Constitution and all Regulations and decisions made by the General Committee hereunder shall be binding on each Constituent Club and upon all the members of the Yerrinbool Bargo Soccer Club.

21. ALTERATION TO THE CONSTITUTION

(a) Notice of motions to amend this Constitution shall be given to the Honorary Secretary in writing, over the hand of at least twenty (20) Full Members of the Yerrinbool Bargo Soccer Club, or by the General Committee in meeting, at least sixty (60) days prior to the General Meeting at which the proposed amendment or amendments are to be put and the meeting shall be convened in accordance with clause 17(d).

(b) No alteration in, addition to, or deletion from this Constitution shall be made except by a vote of at least two-thirds of those present and voting at a duly convened General Meeting and subsequently approved by the Council of the HSA.

22. ALTERATION TO THE REGULATIONS

(a) (a) Notice of motions to amend the Regulations shall be given to the Honorary Secretary in writing at least thirty (30) days prior to the General Meeting at which the proposed amendment or amendments are to be put to the meeting.

(b) (b) The motion should include:

- (i) (i) Identification of the Regulation or Regulations to be amended, by name and by number,
- (ii)(ii) The current reading of said Regulation or Regulations,
- (iii)(iii) The proposed change
- (iv)(iv) The proposed reading of said Regulation or Regulations
- (v)(v) Argument in favour of proposed change

(c) (c) Consideration must be given to the potential effect that changes to a Regulation or Regulations may have on other Regulations, with particular regard to the interpretation of the Regulation or Regulations once amended.

23. DISSOLUTION OF THE YERRINBOOL BARGO SOCCER CLUB

Notice of motion to dissolve the Yerrinbool Bargo Soccer Club shall be given to the Honorary Secretary by at least Ten (10) members in writing, not less than twenty-one (21) clear days prior to an Extraordinary General Meeting which shall be convened with the item "Dissolution of the Yerrinbool Bargo Soccer Club" the only item on the Agenda. A quorum for such a meeting shall be Ten (10) Full Members. If the motion is agreed to by at least two-thirds of those present and entitled to vote, this decision shall be put to all members of the Yerrinbool Bargo Soccer Club by a postal ballot and shall be carried if agreed to by at least two-thirds of all members. If such a dissolution is agreed to, the Yerrinbool Bargo Soccer Club shall inform the HSA . The HSA shall take over the control of the affairs, property, finances, staff, and other responsibilities of the Yerrinbool Bargo Soccer Club, reporting at the earliest opportunity to the HSA what has occurred. Any assets of the Yerrinbool Bargo Soccer Club and funds held in trust by the Yerrinbool Bargo Soccer Club shall become assets of the HSA and their disposal shall be determined by the HSA.