



WESTON-MOLONGLO FOOTBALL CLUB

CONSTITUTION

2016

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Part 1 Preliminary

1 Definitions

Note A definition applies except so far as the contrary intention appears (see *Legislation Act 2001*, s 155).

In this Constitution:

Member Federation means the body responsible for running football (soccer) in the ACT, howsoever named, which is affiliated through the national soccer association to the international body, FIFA

Club means the Weston Molonglo Football Club

Incorporated **Committee** means the Executive

Committee of the Club **financial year** means the year ending on 30 September. **member** means a member as described in section 3.

ordinary committee member means a member of the committee who is not an office-bearer of the association as mentioned in section 12 (1) (a) or a member of a sub-committee.

registration day is the first day in a calendar year which is deemed a registration day for Junior registrations, as determined by the Association.

secretary means the person holding office under these rules as secretary of the association or, if no such person holds that office, the public officer of the association.

the Act means the *Associations Incorporation Act 1991*. **the**

regulations means the *Associations Incorporation Regulations 1991*.

1A Application of Legislation Act 2001

The *Legislation Act 2001* applies to these rules in the same way as it would if they were an instrument made under the Act.

Part 2 The Club

1B Name

The name of the club shall be the Weston Molonglo Football Club Incorporated.

1C Objects of the Club

The basic object of the Club is to foster and develop the cause of soccer generally and in the Weston Creek and Molonglo Valley areas in particular. In pursuing this objective the Committee of the club shall be entitled to take whatever action it deems necessary, in accordance with this Constitution, including, but not limited to, raising and expenditure of monies, promotion of activities and the formation of commercial and strategic alliances with sponsors and other sporting clubs and associations.

1D Club Colours

The club colours shall be black and white and derivations of the colours shall be used in the playing uniform of the club wherever possible except in instances where the Committee deems other colours are appropriate.

1E Club Emblem

The Club emblem is a magpie in flight, carrying a soccer ball between its feet.

Part 3 Membership

2 Membership qualifications

A person is qualified to be a member of the Club if –

- (a) the person is a person mentioned in the Act, section 21 (2) (a) or (b) and has not ceased to be a member of the association at any time after incorporation of the association under the Act; or
- (b) the person—
 - (i) has been nominated for membership in accordance with section 3 (1); and
 - (ii) has been approved for membership of the association by the committee of the association.

3 Nomination for membership

- (1) A nomination of a person for ordinary membership of the club can be made by –
 - (a) any person wishing to play in a Senior team using the online MyFootballClub system, or the registration documents issued by the member federation.
 - (b) any person wishing to coach, manage or perform other voluntary duties with a genuine interest in the Club via a written nomination request or using the online MyFootballClub system, or
 - (c) the parents or legal guardian of any child wishing to play with a Junior team with the Club using the online MyFootballClub system.
 - (2) Other than Life Membership all membership shall be from Registration Day to Registration Day.
 - (3) A period grace of one month shall apply from Registration Day to all members whose membership of the club is solely due to their satisfying the requirements of section 3 (1) (a) or (b) in the previous year. All such members will cease to be members of the Club if the relevant player registration has not been renewed within one month of Registration Day unless their membership continues by virtue of section 3 (1) (c) or 3 (3).
 - (4) As soon as is practicable after receiving a nomination for ordinary membership, the registrar or secretary must decide whether to approve or reject the nomination.
 - (5) If the registrar or secretary decides to approve a nomination for membership, the registrar or secretary must as soon as practicable after that decision notify the nominee of that approval and request the nominee to pay within 28 days after receipt of the notification the sum payable under these rules by a member.
 - (6) The registrar or secretary must, on payment by the nominee of the amounts mentioned in subsection (5) within the period mentioned in that subsection, enter the nominee's name in the register of members and, on the name being so entered, the nominee becomes a member of the Club.
- (7) Nomination for Life Membership.
- Members may at the Annual General Meeting elect to Life Membership of the Club a person or persons whom they desire to recognise as having given outstanding service to the Club over a period of not less than ten years. The following process shall be followed in the election of Life Members:

- (a) Members of the Club who wish to nominate persons for Life Membership will submit such nominations in writing to the Secretary not less than 14 days before the Annual General Meeting.
- (b) No person will be declared a Life Member unless 75% of the members present at the Annual General Meeting and entitled to vote have voted in favour of such a declaration.

4 Membership entitlements not transferable

A right, privilege or obligation that a person has because of being a member of the association—

- (a) cannot be transferred or transmitted to another person; and
- (b) terminates on cessation of the person's membership.

5 Cessation of membership

A person ceases to be a member of the association if the person—

- (a) dies or, for a corporation, is wound up; or
- (b) resigns from membership of the association; or
- (c) is expelled from the association; or
- (d) fails to renew membership of the association.

6 Resignation of membership

- (1) A member is not entitled to resign from membership of the association except in accordance with this section.
- (2) A member who has paid all amounts payable by the member to the association may resign from membership of the association by first giving notice (of not less than 1 month or, if the committee has determined a shorter period, that shorter period) in writing to the registrar or secretary of the member's intention to resign and, at the end of the period of notice, the member ceases to be a member. This notice may be given by the member de-registering online using the MyFootballClub system.
- (3) If a person ceases to be a member, the secretary must make an appropriate entry in the register of members recording the date the member ceased to be a member.

7 Fee, subscriptions etc

- (1) The membership fees of the club will:
 - (a) cover the costs to the club for that player to play in competition or a tournament offered by the club,
 - (b) be any other amount determined by resolution of the committee for coaches, managers or other volunteers.
 - (c) be determined by the committee before registration day each season, and
 - (d) will be published on the club website and in the MyFootballClub system for the information of the general public.
- (2) The membership fee is payable—

- (a) except as provided by paragraph (b)—before the player commences playing in a competition; or
- (b) if a person becomes a member on or after 1 July in any calendar year—before 31 December in that same calendar year.

8 Members' liabilities

The liability of a member to contribute towards the payment of the debts and liabilities of the association or the costs, charges and expenses of the winding up of the association is limited to the amount (if any) unpaid by the member in relation to membership of the association as required by section 7.

9 Disciplining of members

- (1) If the committee is of the opinion that a member—
 - (a) has persistently refused or neglected to comply with a provision of this constitution; or
 - (b) has persistently and wilfully acted in a manner prejudicial to the interests of the club; the committee may, by resolution—
 - (c) expel the member from the club; or
 - (d) suspend the member from the rights and privileges of membership of the club that the committee may decide for a specified period.
- (2) A resolution of the committee under subsection (1) is of no effect unless the committee, at a meeting held not earlier than 14 days and not later than 28 days after service on the member of a notice under subsection (3), confirms the resolution in accordance with this section.
- (3) If the committee passes a resolution under subsection (1), the secretary must, as soon as practicable, serve a written notice on the member—
 - (a) setting out the resolution of the committee and the grounds on which it is based; and
 - (b) stating that the member may address the committee at a meeting to be held not earlier than 14 days and not later than 28 days after service of the notice; and
 - (c) stating the date, place and time of that meeting; and
 - (d) informing the member that the member may do either or both of the following:
 - (i) attend and speak at that meeting;
 - (ii) submit to the committee at or before the date of that meeting written representations relating to the resolution.

- (4) Subject to the [Act](#), section 50, at a meeting of the committee mentioned in subsection (2), the committee must—
 - (a) give to the member mentioned in subsection (1) an opportunity to make oral representations; and
 - (b) give due consideration to any written representations submitted to the committee by that member at or before the meeting; and
 - (c) by resolution decide whether to confirm or to revoke the resolution of the committee made under subsection (1).
- (5) If the committee confirms a resolution under subsection (4), the secretary must, within 7 days after that confirmation, by written notice inform the member of that confirmation and of the member's right of appeal under section 10.
- (6) A resolution confirmed by the committee under subsection (4) does not take effect—
 - (a) until the end of the period within which the member is entitled to appeal against the resolution if the member does not exercise the right of appeal within that period; or
 - (b) if within that period the member exercises the right of appeal—unless and until the association confirms the resolution in accordance with section 10 (4).

10 Right of appeal of disciplined member

- (1) A member may appeal to the association in general meeting against a resolution of the committee that is confirmed under section 9 (4), within 7 days after notice of the resolution is served on the member, by lodging with the secretary a notice to that effect.
- (2) On receipt of a notice under subsection (1), the secretary must notify the committee which must call a general meeting of the association to be held within 21 days after the date when the secretary received the notice or as soon as possible after that date.
- (3) Subject to the [Act](#), section 50, at a general meeting of the association called under subsection (2)—
 - (a) no business other than the question of the appeal may be transacted; and
 - (b) the committee and the member must be given the opportunity to make representations in relation to the appeal orally or in writing, or both; and
 - (c) the members present must vote by secret ballot on the question of whether the resolution made under section 9 (4) should be confirmed or revoked.
- (3) If the meeting passes a special resolution in favour of the confirmation of the resolution made under section 9 (4), that resolution is confirmed.

Part 4 Management of the Club

11 Powers of committee

The committee, subject to the Act, the regulation, this constitution, and to any resolution passed by the club in general meeting—

- (a) controls and manages the affairs of the club; and
- (b) may exercise all functions that may be exercised by the club other than those functions that are required by this constitution to be exercised by the club in general meeting; and
- (c) has power to perform all acts and do all things that appear to the committee to be necessary or desirable for the proper management of the affairs of the club.

12 Constitution and membership

- (1) The committee consists of the office-bearers of the club; each of whom must be elected under section 13 or appointed in accordance with subsection (4).
- (2) The office-bearers of the association are—
 - (a) the president; and
 - (b) one or more vice-presidents; and
 - (c) the treasurer; and
 - (d) the assistant treasurer; and
 - (e) the secretary; and
 - (f) the chairperson of the Junior Management committee; and
 - (g) the chairperson of the Senior Management committee; and
 - (h) the Member Protection Information Officer.
- (3) Each member of the committee holds office, subject to this constitution, until the conclusion of the annual general meeting following the date of the member's election, but is eligible for re-election.
- (4) If there is a vacancy in the membership of the committee, the committee may appoint a member of the club to fill the vacancy and the member so appointed holds office, subject to these rules, until the conclusion of the next annual general meeting after the date of the appointment.

13 Election of committee members

- (1) Nominations of candidates for election as office-bearers of the club —
 - (a) must be made in writing, signed by 2 members of the club and accompanied by the written consent of the candidate (which may be endorsed on the nomination form); and
 - (b) must be given to the secretary of the club not less than 7 days before the date fixed for the annual general meeting at which the election is to take place.

- (2) If insufficient nominations are received to fill all vacancies on the committee, the candidates nominated are taken to be elected and further nominations may be received at the annual general meeting.
- (3) If insufficient further nominations are received, any vacant positions remaining on the committee are taken to be vacancies.
- (4) If the number of nominations received is equal to the number of vacancies to be filled, the people nominated are taken to be elected.
- (5) If the number of nominations received exceeds the number of vacancies to be filled, a ballot must be held.
- (6) The ballot for the election of office-bearers must be conducted at the annual general meeting in the way the committee may direct.
- (7) A person is not eligible to simultaneously hold more than 1 position on the committee.
- (8) An office-bearer may not hold a particular office continuously for more than three years, or immediately after the next annual general meeting following their third anniversary in that office, whichever occurs last.

14 Secretary

- (1) The secretary of the club must, as soon as practicable after being appointed as secretary, notify the club of his or her address.
- (2) The secretary must keep minutes of—
 - (a) all elections and appointments of office-bearers and ordinary committee members; and
 - (b) the names of members of the committee present at a committee meeting or a general meeting; and
 - (c) all proceedings at committee meetings and general meetings.
- (3) Minutes of proceedings at a meeting must be signed by the person presiding at the meeting or by the person presiding at the next succeeding meeting.
- (4) The Secretary shall be the Public Officer of the Club.

15 Treasurer and Assistant Treasurer

- (1) The treasurer and assistant treasurer of the association must—
 - (a) collect and receive all amounts owing to the association and make all payments authorised by the association; and
 - (b) keep correct accounts and books showing the financial affairs of the association with full details of all receipts and expenditure connected with the activities of the association.

16 Vacancies

A vacancy in the office of a member of the committee or subcommittee happens if the member—

- (a) dies; or

- (b) ceases to be a member of the club; or
- (c) resigns the office; or
- (d) is removed from office under section 17 (Removal of committee members); or
- (e) becomes bankrupt or personally insolvent; or
- (f) suffers from mental or physical incapacity; or
- (g) is disqualified from office under the [Act](#), section 63 (1); or
- (h) is subject to a disqualification order under the [Act](#), section 63A; or
- (i) is absent without the consent of the committee from all meetings of the committee held during a period of 6 months.
- (j) In the event of the office of any member of the Executive becoming vacant through resignation or for any other reason, the Executive may appoint a member of the Club to fill such vacancy, unless there are insufficient members holding office to form a quorum.
- (k) If there are insufficient office-holders to form a quorum all positions on the Committee will be declared vacant and a Special General Meeting will be convened for the purpose of electing a new Executive.

17 Removal of committee members

The club in general meeting may by resolution, subject to the [Act](#), section 50, remove any member of the committee or subcommittee from the office of member of the committee before the end of the member's term of office.

18 Committee meetings and quorum

- (1) The committee must meet at least 6 times in each calendar year at the place and time that the committee may decide. (Note: Model rules state 3 meetings per year)
- (2) Additional meetings of the committee may be called by any member of the committee.
- (3) Oral or written notice of a meeting of the committee must be given by the secretary to each member of the committee at least 48 hours (or any other period that may be unanimously agreed on by the members of the committee) before the time appointed for the holding of the meeting.
- (4) Notice of a meeting given under subsection (3) must specify the general nature of the business to be transacted at the meeting and no business other than that business may be transacted at the meeting, except business that the committee members present at the meeting unanimously agree to treat as urgent business.
- (5) Any 4 members of the committee constitute a quorum for the transaction of the business of a meeting of the committee. (Note Model rules have 3 members forming a quorum for a committee of 6 members)
- (6) No business may be transacted by the committee unless a quorum is present and, if within half an hour after the time appointed for the meeting a quorum is not present, the meeting stands adjourned to the same place and at the same hour of the same day in the following week.

- (7) If at the adjourned meeting a quorum is not present within half an hour after the time appointed for the meeting, the meeting is dissolved.
- (8) At meetings of the committee—
 - (a) the president or, in the absence of the president, one of the vice-presidents presides; or
 - (b) if the president and all of the vice-presidents are absent—1 of the remaining members of the committee may be chosen by the members present to preside.

19 Delegation by committee to subcommittee

- (1) The committee may, in writing, delegate to 1 or more subcommittees (consisting of the member or members of the association that the committee considers appropriate) the exercise of the functions of the committee that are specified in the instrument, other than—
 - (a) this power of delegation; and
 - (b) a function that is a function imposed on the committee by the Act, by any other Territory law, or by resolution of the association in general meeting.
- (2) A function, the exercise of which has been delegated to a subcommittee under this section may, while the delegation remains unrevoked, be exercised from time to time by the subcommittee in accordance with the terms of the delegation.
- (3) A delegation under this section may be made subject to any conditions or limitations about the exercise of any function, or about time or circumstances, that may be specified in the instrument of delegation.
- (4) Despite any delegation under this section, the committee may continue to exercise any function delegated.
- (5) Any act or thing done or suffered by a subcommittee acting in the exercise of a delegation under this section has the same force and effect as it would have if it had been done or suffered by the committee.
- (6) The committee may, in writing, revoke wholly or in part any delegation under this section.
- (7) A subcommittee may meet and adjourn as it considers appropriate.

20 Subcommittee membership

- (1) There will be three Standing Subcommittees. The powers delegated to these Subcommittees are as follows:
 - (a) The Junior Management Committee will organise and administer the affairs related to the junior teams and players. This Committee will be responsible for raising moneys for the fielding of junior teams and sponsoring of junior soccer in general within the Club.
 - (b) The Senior Management Committee will organise and administer the affairs related to the men's and women's teams and players. This Committee will be responsible for raising moneys for the fielding of men's and women's teams and sponsoring of men's and women's soccer in general within the Club.

(c) The Finance Committee will prepare for presentation to the Committee annual budgets for each section of the Club and for the Club as a whole and make recommendations the Committee on any proposed expenditure which has not been foreseen in those budgets. The Finance Committee will also advise the Committee on proposed measures to compensate for any shortfall in budgeted revenue.

(2) The Subcommittee membership shall be constituted as follows:

(a) The Junior Management Committee shall have at least five members (including the Chairperson) and shall include members who are designated to be the Registrar, the Finance Officer and the Property Officer. Other positions and duties can be assigned according to the wishes of the Subcommittee according to need.

(b) The Senior Management Committee shall have at least five members (including the Chairperson) and shall include members who are designated to be the Registrar, the Finance

Officer and the Property Officer. Other positions and duties can be assigned according to the wishes of the Subcommittee according to need.

(c) The Finance Committee shall consist of the Treasurer who shall chair the Committee, the Assistant Treasurer and the Finance Officers from each of the other Standing Subcommittees.

21 Election of Subcommittee Members

(1) Nominations shall be called from the floor of the Annual General Meeting, or Special General Meeting called under clause 16(c), for membership of the Subcommittees.

(2) Except in the case of the Finance Subcommittee, if insufficient members nominate to fill Subcommittee positions, those Subcommittees may invite people to join those Subcommittees as required without further reference to the Committee. All positions on the Finance Subcommittee are derived from membership of the Committee or other Subcommittees and those positions will be filled in accordance with the provisions relevant to that membership.

22 Standing Subcommittee Meetings and Quorum

(1) Except for the Finance Subcommittee, the Standing Subcommittees shall meet as often as necessary, but not less than once a month between February and September each year. (***) Model rules has the subcommittees meeting and adjourning as often as they like. Refer Section 19 (7) above)

(2) The Finance Subcommittee shall meet as required but at least three times a year as follows:

(a) prior to Registration Day to determine player registration fees;

(b) after Registration Day but before the start of the junior competition to finalise budgets for the year after registration details are known; and

(c) in July to monitor progress of revenue and expenditure against budgets.

- (3) Members of the Committee are entitled to attend any Subcommittee meeting with all the entitlements of a member of that Subcommittee
- (4) Any 3 members of the Subcommittee constitute a quorum for the transaction of the business of a meeting of the Subcommittee.
- (5) The Chair of each Subcommittee is to report to the Committee upon the deliberations of the Subcommittee at the next Committee meeting following a Subcommittee meeting.

23 Vacancies - Standing Subcommittees

- (1) The office of a member of a Standing Subcommittee may be declared vacant by the Subcommittee if the representative ceases to be a member of the Club or is absent without leave of absence for three consecutive meetings of the Subcommittee.
- (2) The Chairperson of the Standing Subcommittee may grant leave of absence to any member of that Subcommittee.

24 Removal of Subcommittee members

Except in accordance with clause 25(d) a member of a Standing Subcommittee will not be removed from office except at a Special General Meeting convened for that purpose.

25 Voting and decisions

- (1) Questions arising at a meeting of the Committee or of any Subcommittee of the Committee are to be determined by a majority of the votes of members of the Committee or Subcommittee present at the meeting.
- (2) Each member present at a meeting of the Committee or of any Subcommittee of the Committee (including the person presiding at the meeting) is entitled to one vote but, in the event of an equality of votes on any question, the person presiding may exercise a second or casting vote.

Part 5 General meetings

26 Annual general meetings—holding of

- (1) The Club shall, at least once in each calendar year and within 5 months after the end of each financial year and within the period of two months after Registration Day, call an annual general meeting of its members.
- (2) Subsection (1) has effect subject to the powers of the registrar-general under the [Act](#), section 120, in relation to extensions of time.

27 Annual general meetings—calling of and business at

- (1) The annual general meeting of the association must, subject to the Act, be called on the date and at the place and time that the committee considers appropriate.
- (2) In addition to any other business that may be transacted at an annual general meeting, the business of an annual general meeting is—
 - (a) to confirm the minutes of the last annual general meeting and of any general meeting held since that meeting; and
 - (b) to receive from the committee reports on the activities of the association during the last financial year; and
 - (c) to elect members of the committee, including office-bearers; and
 - (d) to receive and consider the statement of accounts and the reports that are required to be submitted to members under the [Act](#), section 73 (1).
- (3) An annual general meeting must be specified as such in the notice calling it in accordance with section 29 (Notice).
- (4) An annual general meeting must be conducted in accordance with the provisions of this part.

28 General meetings—calling of

- (1) The committee may, whenever it considers appropriate, call a general meeting of the association.
- (2) The committee must, on the requisition in writing of not less than 5% of the total number of members, call a general meeting of the association.
- (3) A requisition of members for a general meeting—
 - (a) must state the purpose or purposes of the meeting; and
 - (b) must be signed by the members making the requisition; and
 - (c) must be lodged with the secretary; and
 - (d) may consist of several documents in a similar form, each signed by 1 or more of the members making the requisition.
- (4) If the committee fails to call a general meeting within 1 month after the date when a requisition of members for the meeting is lodged with the secretary, any 1 or more of the members who made the requisition may call a general meeting to be held not later than 3 months after that date.

- (5) A general meeting called by a member or members mentioned in subsection (4) must be called as nearly as is practicable in the same way as general meetings are called by the committee and any member who thereby incurs expense is entitled to be reimbursed by the association for any reasonable expense so incurred.

29 Notice

- (1) Except if the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the association, the secretary must, at least 14 days before the date fixed for the holding of the general meeting, send to each member entitled to vote at a general meeting appearing in the register of members, a notice specifying the place, date and time of the meeting and the nature of the business proposed to be transacted at the meeting. This notice may be sent by post or electronic messaging systems including email.
- (2) If the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the association, the secretary must, at least 21 days before the date fixed for the holding of the general meeting, send notice to each member in the way provided in subsection (1) specifying, in addition to the matter required under that subsection, the intention to propose the resolution as a special resolution.
- (3) No business other than that specified in the notice calling a general meeting may be transacted at the meeting except, for an annual general meeting, business that may be transacted under section 27 (2).
- (4) A member desiring to bring any business before a general meeting may give written notice of that business to the secretary who must include that business in the next notice calling a general meeting given after receipt of the notice from the member.

30 General meetings—procedure and quorum

- (1) No item of business may be transacted at a general meeting unless a quorum of members entitled under these rules to vote is present during the time the meeting is considering that item.
- (2) Five members present in person (who are entitled under these rules to vote at a general meeting) constitute a quorum for the transaction of the business of a general meeting.
- (3) If within 30 minutes after the appointed time for the start of a general meeting a quorum is not present, the meeting if called on the requisition of members is dissolved and in any other case stands adjourned to the same day in the following week at the same time and (unless another place is specified at the time of adjournment by the person presiding at the meeting or communicated by written notice to members given before the day to which the meeting is adjourned) at the same place.
- (4) If at the adjourned meeting a quorum is not present within 30 minutes after the time appointed for the start of the meeting, the members present (being not less than 3) constitute a quorum.

31 Presiding member

- (1) The President, or in the absence of the President, one of the Vice-presidents, shall be elected to preside at each General Meeting of the association.

- (2) If the President and all of the Vice-presidents are absent from a General Meeting, the members present shall elect 1 of their number to preside at the meeting.

32 Adjournment

- (1) The person presiding at a General Meeting at which a quorum is present may, with the consent of the majority of members present at the meeting, adjourn the meeting from time to time and place to place, but no business shall be transacted at an adjourned meeting other than the business left unfinished at the meeting at which the adjournment took place.
- (2) Where a General Meeting is adjourned for 14 days or more, the Secretary must give written or oral notice of the adjourned meeting to each member of the club stating the place, date and time of the meeting and the nature of the business to be transacted at the meeting.
- (3) Except as provided in subsections (1) and (2), notice of an adjournment of a General Meeting or of the business to be transacted at an adjourned meeting is not required to be given.

33 Making of decisions

- (1) A question arising at a general meeting of the Club is to be determined on a show of hands and, unless before or on the declaration of the show of hands a poll is demanded, a declaration by the person presiding that a resolution has, on a show of hands, been carried or carried unanimously or carried by a particular majority or lost, or an entry to that effect in the minute book, is evidence of the fact without proof of the number or proportion of the votes recorded in favour of or against that resolution.
- (2) At a General Meeting of the Club, a poll may be demanded by the person presiding or by not less than 3 members present in person or by proxy at the meeting.
- (3) Where the poll is demanded at a General Meeting, the poll shall be taken—
 - (a) immediately if the poll relates to the election of the person to preside at the meeting or to the question of an adjournment; or
 - (b) in any other case, in the way and at the time before the close of the meeting as the person presiding directs, and the resolution of the poll on the matter is taken to be the resolution of the meeting on that matter.

34 Voting

- (1) Subject to subsection (3), on any question arising at a General Meeting of the Club a member has one vote only.
- (2) All votes shall be given personally or by proxy but no member may hold more than 5 proxies.
- (3) In the case of an equality of votes on a question at a General Meeting, the person presiding is entitled to exercise a second or casting vote.
- (4) A member or proxy is not entitled to vote at any General Meeting of the Club unless all money due and payable by the member or proxy to the Club has been paid, other

than the amount of the annual registration fee payable in respect of the then current year.

35 Appointment of proxies

- (1) Each member shall be entitled to appoint another member as proxy by notice given to the Secretary no later than 24 hours before the time of the meeting for which the proxy is appointed.
- (2) The notice appointing the proxy shall include the name of the member providing the proxy, the name of the member who is to exercise the proxy and the date of the meeting for which the proxy is provided.

Part 6 Miscellaneous

36 Funds—source

- (1) The funds of the Club shall be derived from registration fees, sponsorship, fund-raising activities organised by the Committee or the Standing Subcommittees and donations and subject to the Act, section 114, such other sources as the Committee determines.
- (2) All money received by the Club must be deposited as soon as practicable and without deduction to the credit of the club's bank account.
- (3) The Club shall, as soon as practicable after receiving any money, except for receipt of money from the Canteen, or for sales of socks or second hand equipment, issue an appropriate receipt.

37 Funds—management

- (1) The Financial Year of the Club shall be the calendar year to 30 September.
- (2) Subject to any resolution passed by the Club in General Meeting, the funds of the Club shall be used for the objects of the Club in such manner as the Committee determines.
- (3) All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments must be signed by any 2 members of the Committee except that the Treasurer and Assistant Treasurer cannot both be a cheque signatory.
- (4) Prior to Registration Day each the Treasurer, with the assistance of the Finance Subcommittee, shall prepare a draft budget to support the level of registration fees set for each category of player and present this draft budget to the Committee for approval.
- (5) Following Registration Day but prior to the start of the Junior Season, the Treasurer, with the assistance of the Finance Subcommittee, shall prepare a final draft budget based on registration fees actually received and present this budget to the Committee for approval.
- (6) The Committee shall not approve the final draft budget unless budgeted revenue for the Club as a whole exceeds or is equal to budgeted expenditure, with the exception of abnormal items of a capital nature. =
- (7) The Committee shall not approve the final draft budget unless budgeted revenue for each of the playing sections of the Club exceeds or is equal to budgeted expenditure for that section of the Club.
- (8) The approved budget will be the basis for expenditure over the course of the season and further approval for expenditure will only need to be sought from the Committee if:
 - (a) budgeted revenue proves to be overestimated or financial reports indicate that it may be overestimated; or
 - (b) actual expenditure in relation to any individual item exceeds the budget estimate or financial reports indicate that expenditure on a particular item may be underestimated; or

- (c) the Committee or a Management Subcommittee proposes to expend funds for an item which has not been included in the approved budget.
- (9) The approved budget for each section of the Club and for the Club as a whole shall include budget estimates for the following items:
 - (a) registration revenue;
 - (b) sponsorship revenue;
 - (c) net fundraising revenue;
 - (d) payments to the Association for capitation fees, insurance and ground hire;
 - (e) referees fees;
 - (f) ground hire costs for training;
 - (g) equipment and strip purchases;
 - (h) presentation costs including awards and trophies and the Club Yearbook;
 - (i) costs of coaching and coach development;
 - (j) costs associated with the administration of the Club including advertising, postage, telephone and rent; and
 - (k) net taxation costs.
 - (l) Other items of revenue and expenditure should be estimated if such items are anticipated.

38 Alteration of objects and Constitution

Neither the objects of the Club referred to in the Act, section 29 nor this Constitution shall be altered except in accordance with the Act.

39 Common seal

- (1) The common seal of the Club must be kept in the custody of the secretary.
- (2) The common seal shall not be affixed to any instrument except by the authority of the Committee and the affixing of the common seal shall be attested by the signatures either of two members of the committee or of one member of the Committee and of the Secretary.

40 Custody of books

Subject to the Act, the regulations and this Constitution, the Secretary must keep in his or her custody or under his or her control all records, books, and other documents relating to the Club.

41 Inspection of books

The records, books and other documents of the Club shall be open to inspection at a place in the ACT, free of charge, by a member of the Club at any reasonable hour.

42 Service of notice

For this Constitution, a notice may be served by or on behalf of the Club on any member either personally or by sending it by post to the member at the member's address shown in the register of members.

43 Surplus property

For the purposes of the Act, section 92 (1) (a), in the event of the winding up of the Club, the surplus property of the Club will vest in the club which at that time is responsible for running junior soccer in the Weston Creek and Molonglo Valley areas or, if no such body exists, in the club which is responsible for running junior soccer in the Woden area.