

Constitution & Rules of Incorporation - Hampton Park Junior Football Club Inc.

Rule 1a *The club shall be known as the Hampton Park Junior Football Club and shall hereinafter be called the Club. All members of the Club shall abide by this constitution.*

1b *The address of the Club will be that of the Secretary or post office box as nominated by the Secretary.*

Rule 2 Alteration of the Rules

a *These Rules and the statement of purposes of the Association must not be altered except in accordance with the Act.*

Rule 3a *The Club shall have as its objectives; the promotion and encouragement of junior football.*

3b *The Club shall consist of ordinary, associate "A" (voting rights and membership privileges) associate "B" (social member only no voting rights) & life members herein known as "a member".*

3c *The Secretary shall keep and maintain a register of members in which shall be entered the full name, address and date of entry of the name of each member.*

Rule 4 Office Bearers

a *Office bearers of the Club shall consist of "Executive Committee", "Committee", "Football Manager", "Promotions Officer" & "Sub-Committees". The Executive committee shall consist of President, Snr Vice President, Jnr Vice President, Secretary & Treasurer.*

b *Each officer of the Association shall hold office from the 1st of October to the 30th of September following the date of his or her election, but is eligible for re-election.*

c *In the event of a casual vacancy in any office referred to in Rule 4a, the committee may appoint one of its members to the vacant office and the member appointed may continue in office up to and including the conclusion of the Annual General Meeting next following the date of the appointment.*

Rule 5 Rules & By-Laws

a *The Executive Committee shall make the rules and by-laws to govern the Club, to hear & determine any allegation, or charge, involving the breach of rules within this constitution. They also shall determine any matters concerning the interest of the club and any decision will be binding.*

Rule 6 Membership

a *Membership shall be granted to any person upon payment of the appropriate fees, but the Executive Committee shall have the right to refuse any application for membership.*

Rule 7 Entry Fees & Subscriptions

a *All members of the Club must be financial and fees shall be payable by the fourth game of the current season. Any player who is not a financial member by the fourth game of the current season shall not be eligible to play until such fees are paid.*

b *The entrance fee is the relevant amount set out in the Club's By-Laws.*

c *The Annual subscription is the relevant amount set out in the Club's By-Laws and is payable in advance on or before round four (4) each year.*

d *Any player who has outstanding fees for the previous season will not be presented a club jumper or allowed to play until the previous years fees are paid.*

e *If a member has any difficulty in paying the appropriate fee, they must notify a member of Executive Committee prior to the fourth game of the current season. The Executive Committee shall decide if a repayment schedule may be drawn up.*

f Any player who is not financial will not be eligible for sponsor awards.

Rule 8 Annual General Meeting

a The Annual General Meeting of the club shall be held in a month suitable to the current Executive Committee, but no later than 30th September each year.

b The Secretary must advise the members of the date of the Annual General Meeting at least 21 days prior, in the club's football record or local paper.

c Nominations of candidates for election of officers of the Association or as ordinary members of the committee must be:-

- (i) made in writing, signed by two members of the Association and accompanied by the written consent of the candidate (which may be endorsed on the form of nomination);and
- (ii) delivered to the Secretary of the Association not less than seven days before the date fixed for the holding of the Annual General Meeting.

d If insufficient nominations are received to fill all vacancies on the committee, the candidates nominated will be deemed to be elected and further nominations may be received at the Annual General Meeting.

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

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

g The ballot for the election of office bearers and ordinary members of the committee must be conducted at the Annual General Meeting in such manner as the committee may direct.

e Eleven (11) financial members shall constitute a quorum at the AGM and the procedure shall be as follows:

1. Confirm the minutes of the previous AGM and of any General Meetings.
2. Presentation of balance sheets and statements of accounts along with the auditors report.
3. Elect Office Bearers as per Rule 3

Rule 9 Special General Meetings

a All General Meetings other than the Annual General meeting shall be called special general meetings.

b The Committee may, whenever it thinks fit, convene a special general meeting of the Association and, where, but for the sub-clause, more than fifteen months would elapse between Annual General Meetings, shall convene a special general meeting before the expiration of that period.

c The Committee shall, on the requisition in writing of members representing not less than 5 % of the total number of members, convene a special general meeting of the Association.

d The requisition of a special general meeting shall state the objects of the meeting and shall be signed by the members making the requisition and be sent to the Secretary and may consist of several documents in a like form, each signed by one or more of the members making the requisition.

e If the Committee does not cause a special general meeting to be held within one month after the date on which the requisition is sent to the address of the Secretary, the members making the requisition, or any of them, may convene a special general meeting to be held no later than three months after that date.

f A special general meeting convened by member in pursuance of these Rules shall be convened in the same manner as nearly as possible as that in which those meetings are convened by the Committee and all reasonable expense incurred in convening the meeting shall be refunded by the Association to the persons incurring the expense.

g The Secretary of the Association shall, at least 14 days before the date fixed for holding a general meeting of the Association, cause to be sent to each member of the Association at the address appearing in the register of members, a notice by pre-paid post stating the place, date and time of the meeting and the nature of the business to be transacted at the meeting.

h No business other than set out in the notice convening the meeting shall be transacted a the meeting.

- l A member desiring to bring any business before a meeting may give notice of that business in writing to the Secretary, who shall include that business in the notice calling the next general meeting after receipt of the notice.*

Rule 10 Proceedings at Meetings

- a All business that is transacted at a special general meeting and all business that is transacted at the annual general meeting with the exception of that specially referred to in these rules as being the ordinary business of the annual general meeting shall be deemed to be special business.*
- b No item of business shall be transacted at a general meeting unless a quorum of members entitled under these rules to vote is present during the time when the meeting is considering that item.*
- c Five (5) members personally present constitute a quorum for the transaction of the business of a general meeting.*
- d If within half an hour after the appointed time for the commencement of a general meeting, a quorum is not present, the meeting if convened upon the requisition of members shall be dissolved and in any other case shall stand adjourned to the same day in the next week at the same time and (unless another place is specified by the Chairperson at the time of the adjournment or by written notice to members given before the day to which the meeting is adjourned) at the same place and if at the adjourned meeting the quorum is not present within half an hour after the time appointed for the commencement of the meeting, the members present (being not less than three (3)) shall be a quorum.*
- e The President, or in the absence, the Vice-President, shall preside as chairperson at each general meeting of the association.*
- f If the President and the Vice-Presidents are absent from a general meeting, the members present shall elect one of their number to preside as Chairperson at the meeting.*
- g The Chairperson of a general meeting at which a quorum is present may, with the consent of 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.*
- h Where the meeting is adjourned for fourteen days or more, a like notice of the adjourned meeting shall be given as in the case of the general meeting.*
- Except as provided in sub-clause (g) and (h), it is not necessary to give notice of an adjournment or of the business to be transacted at an adjourned meeting.*
- j A question arising at a general meeting of the Association shall 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 Chairperson that a resolution has, on a show of hands, been carried or carried unanimously or carried by a particular majority or lost, and an entry to that effect in the Minute Book of the Association is evidence of the fact, without proof of the number or proportion of the votes recorded in favour of, or against that resolution.*
- k Upon any question arising at a general meeting of the Association, a member has one vote only. All votes shall be given personally or by proxy. In the case of an equality of voting on a question, the Chairperson of the meeting is entitled to exercise a second or casting vote.*
- l A member is not entitled to vote at any general meeting unless all moneys due and payable by the member to the Association have been paid, other than the amount of annual subscription payable in respect of the current financial year.*

Rule 11

Committee Meetings

- a *The Executive Committee shall meet at least once per month during the playing season & at its discretion during the off season. The meetings procedure shall be as follows:*
1. *Reading of the minutes & their confirmation*
 2. *Business arising from the minutes*
 3. *Correspondence read by the Secretary*
 4. *Treasurers report*
 5. *Sub-Committee report*
 6. *League report*
 7. *General Business*
- b *Any four members of the Committee constitute a quorum for the transaction of the business of a meeting of the Committee. No business shall be transacted unless a quorum is present and if within half an hour of the time appointed for the meeting a quorum is not present the meeting shall stand adjourned to the same place and at the same hour of the same day in the following week.*
- c *At meeting of the Committee, the President or in the Presidents absence the Vice President(s) shall preside; or if the President and the Vice Presidents are absent, such one of the remaining members of the Committee as may be chosen by the members present shall preside.*
- d *Questions arising at a meeting of the Committee or of any Sub-Committee appointed by the Committee shall be determined on a show of hands or, if demanded by a member, by a poll taken in such manner as the person presiding at the meeting may determine.*
- e *Each member present at a meeting of the Committee or of any Sub-Committee appointed by the Committee is entitled to one vote and, in the event of an equality of votes on any question, the person presiding may exercise a second or casting vote.*
- f *Written notice of each Committee meeting shall be served on each member of the Committee by delivering it to the member at a reasonable time before the meeting or by sending it by pre-paid post addressed to him or her at his or her usual or last known place of abode at least two (2) business days before the date of the meeting.*
- g *Any office bearer absenting themselves from three (3) consecutive meetings without a satisfactory explanation to the Executive Committee shall be deemed to have vacated office.*

Rule 12

Books & Records

- a *All cheques issued on behalf of the club must be signed by at least two (2) Executive Committee members who are authorised signatories as nominated by the executive.*
- b *The auditors shall be qualified accountants who may be members of the Club but not hold office.*
- c *Except as otherwise provided in these rules, the Secretary shall keep in his or her custody or under his or her control all books, documents and securities of the Association.*
- d
- 1 *. The Common Seal of the Association shall 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 signature either of two members of the Committee or of one member of the Committee and of the Public Officer of the Association.*

Rule 13

Life Members

- a *Life Members may be elected annually upon the recommendation of the outgoing Committee's at the AGM.*
- b *The Committee, at their absolute discretion, may appoint as a life member any person who has given at least 10 years service to the club or as recommended by the Executive Committee.*
- C
1. *Life Members with children playing shall be entitled to free membership.*

- 2 *Life Members who have no children playing at the Club shall be entitled to free entry to all functions.*
- d 1 *Any player having played 130 games with the Hampton Park Junior Football Club will Receive a Junior Life Membership.*
- 2 *Any current player who continues playing for Hampton Park Junior Football Club in season 2009 and has already reached this milestone of 130 games will be granted Junior Life Membership.*
- e *Any girl to consistently play their football from Under 9's to the Under 14's at the Hampton Park Junior Football Club will be granted an Honorary Junior Life Membership.*

Rule 14 Misconduct

- a *Any misconduct or misdemeanor by a member of the Club shall be dealt with as the executive deems fit. It shall have the power to expel any member deemed guilty of misconduct or misdemeanor. Any misconduct or misdemeanor must be advised in writing to the Executive Committee. Any member deemed guilty of such conduct, shall be requested to appear before the Executive Committee. Any member requested to appear before the committee will be given seven (7) days notice, in writing by the Secretary.*
- b *Any person who, in any manner shall cease to be a member of the club under Rule 14a shall not be entitled to exercise any of the benefits or privileges of membership and shall forfeit all rights or claims upon the Club or its property.*

Rule 15 Disputes and Mediation

- a *In the event of any dispute arising amongst players, parents, coaching staff or the controlling league the dispute must be presented to the Executive Committee in writing for arbitration.*
- b *The grievance procedure set out in this rule applies to disputes under these Rules between-*
 - 1. *a member and another member; or*
 - 2. *a member and the Association*
- c *The parties to the dispute must meet and discuss the matter in dispute, and, if possible, resolve the dispute within 14 days after the dispute comes to the attention of all parties.*
- d *If the parties are unable to resolve the dispute at the meeting, or if a party fails to attend that meeting, then the parties must, within 10 days, hold a meeting in the presence of a mediator.*
- e *The mediator must be —*
 - 1. *a person chosen by agreement between the parties;*
or
 - 2. *in the absence of agreement—*
 - a. *in the case of a dispute between a member and another member, a person appointed by the committee of the Association; or*
 - b. *in the case of a dispute between a member and the Association, a person who is a mediator appointed or employed by the Dispute Settlement Centre or Victorian (Department of Justice).*
- f *A member of the Association can be a mediator.*
- g *The mediator cannot be a member who is a party to the dispute.*
- h *The parties to the dispute must, in good faith, attempt to settle the dispute by mediation.*
- i *The mediator, in conducting the mediation, must —*
 - 1. *give the parties to the mediation process every opportunity to be heard; and*
 - 2. *allow due consideration by all parties of any written statement submitted by any party; and*
 - 3. *ensure that natural justice is accorded to the parties to the dispute throughout the mediation process.*
- j *The mediator must not determine the dispute.*

- k *If the mediation process does not result in the dispute being resolved, the parties may seek to resolve the dispute in accordance with the Act otherwise at law.*

Rule 16 **Uniform**

- a *The colours of the Club shall be red & black and any uniform or other article supplied by the Club shall remain the property of the Club and shall be returned on demand.*

Rule 17 **Coaching Positions**

- a ***The coaching staff will be selected by a committee consisting of at least three (3) current committee members who will be present during an interview with the applicant.***
- b ***All applications for coaching positions must be in writing to the Secretary.***
- c *All coaching positions will be advertised in the football record and if necessary the local newspaper at a time selected by the Executive Committee.*

Miscellaneous

Rule 18 *A copy of these Rules & By Laws made herewith and any amendments thereof, shall be made available in the clubrooms for inspection by members. Any person on their first election on to a committee shall be supplied with a copy of this constitution.*

Rule 19 *The Executive Committee shall be the sole authority for the interpretation of the Rules & By-Laws of this constitution and any question of the interpretation, or matters affecting the Club that are not provided for by the Rules & By-Laws will be dealt with by the Executive Committee and their answer shall be binding.*

Rule 20 **Alterations to the Incorporated Rules**

- a *Any alterations to this constitution will be considered and presented to the members at the AGM. Any request for alterations will need to be in writing to the Executive Committee at least 21 days prior to the AGM.*
- b *To pass an alteration to these Incorporated Rules a majority of at least % of those financial members present must approve it.*

Rule 21 **Winding Up**

- a *In the event of the Club being disbanded, the assets and property after payment of all debts and liabilities shall not be distributed to members but shall be distributed to a fund or funds with objects similar to those of the Club or Association and/or to a fund or funds exclusively for charitable purposes.*

Rule 22 **Funds**

- a *The funds of the Association shall be derived from entrance fees, annual subscriptions, donations and other sources as the Committee determines.*