

Springwood District Athletic Club

Constitution

Version 2.4

21 May 2003



Championships Coordinator Roles & Responsibilities	Error! Bookmark not defined.
Coaching Coordinator Roles & Responsibilities	Error! Bookmark not defined.
Canteen Coordinator Roles and Responsibilities	Error! Bookmark not defined.
Officer for Officials Roles and Responsibilities	Error! Bookmark not defined.
Age Managers Coordinator Roles and Responsibilities	Error! Bookmark not defined.
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Selection of Athletes for Higher Level Meets	Error! Bookmark not defined.
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Little Athletics Awards	Error! Bookmark not defined.
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Records	Error! Bookmark not defined.
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Part 1. Preliminary

1. Definitions

- (1) In these rules:

Director-General means the Director-General of the Department of Fair Trading.

Ordinary member means a member of the Club who is not an office-bearer or member of the Executive Committee of the Club.

Secretary means:

- (a) The person holding office under these rules as secretary of the club, or
- (b) If no such person holds that office – the public officer of the Club.

Special General Meeting means a general meeting of the Club other than the annual general meeting.

The Act means the *Association Incorporation Act 1984*.

The Regulation means the *Association Incorporation Regulation 1999*.

- (2) In these rules:

- (a) A reference to a function includes a reference to a power, authority and duty, and
- (b) A reference to the exercise of a function includes, if the function is a duty, a reference to the performance of the duty.

- (3) The provisions of the *Interpretation Act 1987* apply to and in respect of these rules in the same manner as those provisions would so apply if these rules were an instrument made under the Act.

2. Name

The Incorporated Body shall be known as 'SPRINGWOOD DISTRICT ATHLETIC CLUB INC'.

3. Objects

The objects of Springwood District Athletic Club Inc shall be:

- (1) To provide a high standard of athletic training, coaching and competition for its members who are defined as
- Members of Springwood District Athletic Club Inc who (a) are deemed to be members of Springwood District Little Athletic Centre which is affiliated with Little Athletics Association of NSW Inc, and (b) though this are registered members of Little Athletics Association of NSW Inc. These members are hereinafter referred to as "Juniors".
 - Members of Springwood District Athletic Club Inc who are (a) collectively identified as Springwood Athletics Seniors and (b) are registered member of either or both of Athletics NSW Ltd and NSW Masters, or any other athletic body, which the Club

may agree from time to time. These members are hereinafter referred to as “Seniors”.

- (2) To promote the ideal of children, teenagers and adults competing for personal satisfaction through improved performance.
- (3) To organise and conduct Championships for athletic events.
- (4) To assist other Clubs in the area.
- (5) To support members through coaching, mentoring and organisation to achieve their objectives and potential as athletes and administrators
- (6) According to Club policies, By-Laws and sound financial management, provide assistance for athletes to participate at national or greater level.
- (7) According to Club policies, By-Laws and sound financial management, encourage and support Club coaches and officials to develop their skills through related associations.
- (8) To use all available means to place athletics before the public.
- (9) To set down the basic requirements and rules for competition.

4. Structure

The above Objects will be achieved through:

Springwood District Athletic Club Inc (hereinafter referred to as the “Club”) comprising

- Members referred to as Springwood District Little Athletic Centre in affiliation with Little Athletics Association of NSW Inc
- Members referred to as Springwood Athletics Club in affiliation with Athletics NSW Ltd and/or NSW Masters and any other athletic body which the Club may agree from time to time.

Part 2. Membership

5. Membership Qualifications

- Any one parent or guardian of a Junior athlete registered with the Club. In the event that there may be more than one such registered athlete residing at a common address then the maximum number of voting members from anyone family shall be one.
- All athletes and officials registered as Seniors and in turn with ANSW or NSW Masters
- Life Members of the Club who have been formally awarded such honour by an Annual General Meeting
- Adults who have a genuine interest in the activities of the Centre/Seniors, who fail to qualify for membership in accordance with Clause 5.1 (a) or (b), may make application for membership of the Club in the form set out in Appendix 1. The process to be followed in this case is set out in Clause 5.1.

5.1. Nomination for membership

5.1.1. A nomination of a person for membership of the Club:

- (a) Must be made by a member of the club in writing in the form set out in Appendix 1 to these rules, and
- (b) Must be lodged with the secretary of the Club

5.1.2. As soon as possible after receiving a nomination for membership, the secretary must refer the nomination to the committee which is to determine whether to approve or to reject the nomination.

5.1.3. As soon as practicable after the committee makes that determination, the secretary must:

- (a) Notify the nominee in writing, that the committee approved or rejected the nomination (whichever is applicable), and
- (b) If the committee approved the nomination, request the nominee to pay (within the period of 28 days after receipt by the nominee of the notification) the sum payable under these rules by a member as entrance fee and annual subscription.

5.1.4. The secretary must, on payment by the nominee of the amounts referred to in clause 5.1.3 (b) within the period referred to in that provision, arrange for the registrar to 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.

6. Cessation of membership

A person ceases to be a member of the Club if the person:

- (1) Dies, or
- (2) Ceases to qualify for membership in accordance with Clause 5.
- (3) Resigns membership, or
- (4) Is committed of any fraud, or
- (5) Is expelled from the Club.

A person may continue to be a member of the Club but may not continue to occupy a position on the Executive Council (creating a casual vacancy) if the person becomes bankrupt or an insolvent under administration within the meaning of the Corporations Law.

7. Membership entitlements not transferable

A right, privilege or obligation which a person has by reason of being a member of the Club:

- (1) Is not capable of being transferred to transmitted to another person, and
- (2) Terminates on cessation of the person's membership.

8. Resignation of membership

- (1) A member of the Club is not entitled to resign that membership except in accordance with this rule.
- (2) A member of the Club who has paid all amounts payable by the member of the Club in respect of the member's membership may resign from membership of the Club by first giving to the secretary written notice of at least one month (or such other period as the committee may determine) of the member's intention to resign and, on expiration of the period of notice, the member ceases to be a member.
- (3) If a member of the Club ceases to be a member under clause (2), and in every other case where a member ceases to hold membership, the secretary must make an appropriate entry in the register of members recording the date on which the member ceased to be a member.

9. Register of members

- (1) The Registrars of the Club must establish and maintain a register of members of the Club specifying the name and address of each person who is a member of the Club together with the date on which the person became a member.
- (2) The register of members must be kept at the principal place of administration of the Club and must be open for inspection, free of charge, by any member of the Club at any reasonable hour subject to reasonable notice being given.

10. Fees and subscriptions

- (1) A member of the Club must, on admission to membership, pay to the Club a membership fee of \$1. This membership fee is deemed to be paid from the first dollar of any registration fees payable by the member.
- (2) The Executive Committee shall determine the amount of fees and subscriptions to be paid by members for the annual registration of athletes.
- (3) Life Members are exempt from all fees, subscriptions and membership fees.

11. Members' liabilities

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 the winding up of the Club is limited to the amount, if any, unpaid by the member in respect of membership of the Club as required by rule 10(1).

12. Resolution of internal disputes

- (1) Disputes between members (in their capacity as members) of the Club, and disputes between members and the Club, are to be referred to a community justice centre for mediation in accordance with the *Community Justice Centres Act 1983*.
- (2) At least 7 days before a mediation session is to commence, the parties are to exchange statements of the issues that are in dispute between them and supply copies to the mediator.

13. Disciplining of members

- (1) A complaint may be made to the committee by any person that a member of the Club:
 - a) Has persistently refused or neglected to comply with a provision or provisions of these rules, or
 - b) Has persistently and wilfully acted in a manner prejudicial to the interests of the Club.

A member of the Club is considered to be any registered athlete, parent, carer or guardian of that athlete.

- (2) On receiving such a complaint, the committee:
 - a) Must cause notice of the complaint to be served on the member concerned, and
 - b) Must give the member at least 14 days from the time the notice is served within which to make submissions to the committee in connection with the complaint, and
 - c) Must take into consideration any submissions made by the member in connection with the complaint.
- (3) The committee may, by resolution, expel the member from the Club or suspend the member from membership of the Club if, after considering the complaint and any submissions made in connection with the complaint, it is satisfied that the facts alleged in the complaint have been proved.
- (4) If the committee expels or suspends a member, the secretary must, within 7 days after the action is taken, cause written notice to be given to the member of the action taken, of the reasons given by the committee for having taken that action and of the member's right of appeal under Rule 14.
- (5) The expulsion or suspension does not take effect:
 - a) Until the expiration date of the period within which the member is entitled to appeal against the resolution concerned, or
 - b) If within that period the member exercises the right of appeal, unless and until the Club confirms the resolution under rule 14(5).

14. Right of appeal of disciplined member

- (1) A member may appeal to the Club in general meeting against a resolution of the committee under rule 14, within 7 days after notice of the resolution is served on the member, by lodging with the secretary a notice to that effect.
- (2) The notice may, but need not, be accompanied by a statement of the grounds on which the member intends to rely for the purposes of the appeal

- (4) On receipt of a notice from a member under clause (1), the secretary must notify the committee which is to convene a general meeting of the club to be held within 28 days after the date on which the secretary received the notice.
- (5) At a general meeting of the Club convened under clause (3):
 - a) No business other than the question of appeal is to be transacted, and
 - b) The committee and the member must be given the opportunity to state their respective cases orally or in writing, or both, and
 - c) The members present are to vote by secret ballot on the question of whether the resolution should be confirmed or revoked
- (6) If at the general meeting the Club passes the resolution in favour of the resolution, the resolution is confirmed.

Part 3. The Committee

15. Powers of the Committee

The control and management of the Club shall be vested in a Committee, referred to as the Executive Committee of the Club. Subject to the Act, the Regulation and these rules and to any resolution passed by the Club in general meeting, the Executive Committee:

- (a) Will control and manage the affairs of the Club, and
- (b) May exercise all such functions as may be exercised by the Club, other than those functions that are required by these rules to be exercised by a general meeting of the club, and
- (c) Has power to perform all such acts and do all such things as appear to the committee to be necessary or desirable for the proper management of the affairs of the Club.
- (d) Will impose and collect levies, subscriptions, fees and other charges from members or to raise money for the carrying out of this Constitution or for matters connected therewith.
- (e) May seek the assistance of members, athletes and other interested persons to carry out the activities of the Club, with such persons being covered by the insurances of the Club and the respective State Associations, but not limited thereto, at all times whilst carrying out the requests of the Club.
- (f) May act with other Little Athletics Centres and Senior Athletic Clubs in the interest of athletes and the Club.

16. Constitution and Membership

- (1) The committee is to consist of:
 - a) The Office-Bearers of the Club as set out in Clause 16(2)
 - b) Registrar Little Athletics membership
 - c) Registrar Athletics NSW membership
 - d) Championships Coordinator
 - e) Equipment & Technical Officer
 - f) Grounds Maintenance Coordinator
 - g) Canteen & Catering Coordinator
 - h) Officer for Organisation of Officials
 - i) Team Managers Coordinator
 - j) Coaching & Education Coordinator
 - k) Information & Publicity Officer
 - l) A minimum of 3 ordinary members to act on a General Committee

Together with any other positions the Office bearers and Executive Committee deem necessary from time to time for the effective management of all activities, each of whom is to be elected at the Annual General Meeting of the Club under rule 18.

- (2) The Office-Bearers of the Club are:
 - a) President
 - b) Vice-President
 - c) Treasurer

- d) Secretary
- (3) Each member of the Executive Committee is, subject to these rules, to hold office until the conclusion of the Annual General Meeting following the date of the member's election, and is eligible for re-election.
- (4) In the event of a casual vacancy occurring in the membership of the committee, the committee may appoint a member of the Club to fill the vacancy and the member so appointed is to hold office, subject to these rules, until the conclusion of the Annual General Meeting next following the date of appointment.

17. Election of Executive Committee

- (1) Elections will be confirmed by members at the Annual General Meeting.
- (2) Nominations for candidates for election as Office-Bearers of the Club or as members of the Executive Committee:
 - 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 form of the nomination), and
 - b) Must be delivered to the secretary of the Club at least 2 days before the date fixed for the holding of the Annual General Meeting at which the election is to take place.
- (3) If insufficient nominations are received to fill all vacancies on the committee, the candidates nominated are taken to be elected and further nominations are to be received at the Annual General Meeting.
- (4) If insufficient further nominations are received, any vacant positions remaining on the committee are taken to be casual vacancies.
- (5) If the number of nominations received is equal to the number of vacancies to be filled, the persons nominated are taken to be elected.
- (6) If the number of nominations received exceeds the number of vacancies to be filled, a ballot is to be held.
- (7) The ballot for the election of Office-Bearers and members of the Executive Committee is to be conducted at the Annual General Meeting in such usual and proper manner as the Executive Committee directs.

18. President

The President shall:

- (1) Chair each meeting of the Executive Council.
- (2) Be informed of all areas by the Secretary
- (3) Be available to be called upon for whatever duties the Club may require
- (4) In the case of a tied decision, shall have the casting vote.
- (5) During the period of approximately one year immediately following the retirement of the President, being the period from the time of the Annual General Meeting at which the President retires to the Annual General Meeting held in the following year the President shall carry the title of Immediate Past President and be an ex official member of the respective Executive Committee and as such be entitled to full voting rights. If a President retires early and does not serve his/her term in office until the

Annual General Meeting following his/her election, then in such circumstances this sub-clause will not apply.

19. Secretary

- (1) The Secretary of the Club must, as soon as practicable after being appointed as Secretary, lodge notice with the Club of his or her address.
- (2) It is the duty of the Secretary to keep minutes of:
 - a) All appointments of Office-Bearers and members of the committee,
 - 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 chairperson or by the chairperson of the next succeeding meeting.
- (4) Compile agendas for Executive Committee meetings with the assistance from the Executive Committee, take detailed minutes of the business from all Executive Committee meetings and distribute copies to all Executive Committee members.
- (5) Assist all members of the Executive Committee where required.
- (6) Keep on file all correspondence received and a copy of all correspondence forwarded on behalf of the Club by each member of the Executive Committee.
- (7) Forward notices of Executive Committee meetings to members at least seven (7) days prior to the date of the meeting.
- (8) Keep on file all material that may assist the organisation of Club activities.
- (9) File all results of athletics competitions conducted by the Club.
- (10) Act on behalf of the Club as directed by the Executive Committee.
- (11) Be responsible for all keys, stock, uniforms, books and conduct a stocktake if required by the Executive Committee, except where responsibility for any of these has been vested in another position.

20. Treasurer

The Treasurer shall:

- (1) Keep full details of all receipts and payments transacted for the Club
- (2) Issue receipts for all monies received for Banking
- (3) Present at each meeting of the Executive Committee, a full summary of receipts and expenses.
- (4) Present to each Executive Committee Meeting, accounts received by the Club since the previous meeting to be considered for payment in accordance with an Annual Budget approved by the executive Committee.
- (5) Pay on invoice only, all accounts passed by the Executive Committee for payment, such payments to be made by cheque only and in accordance with the budget referred to in (d) above.
- (6) Collect all competition and miscellaneous fees owing to the Club and bank as early as possible.
- (7) Plan and implement all financial arrangements and any other promotions, Championships, Special meetings and any other promotions organised by the Club.

- (8) Present to the Executive Committee a detailed budget of receipts and Expenditure for the Twelve (12) months commencing 1 April and ending 31 March the following year. Such budget is to include recommended methods of raising funds as determined by the Executive Committee.
- (9) Arrange for all Insurance Policies required for the Club.

21. Registrars

The Registrars shall:

- (1) Obtain and distribute Registration Cards (if appropriate) to former and prospective members, for completion in accordance with the Club's rules or those affiliate organisations.
- (2) Receive each correctly completed registration card (if appropriate) accompanied by the fee and proof of age of all new members joining.
- (3) Distribute Registration and Age Numbers (if appropriate) and record Book (if appropriate) to each athlete as registered.
- (4) Forward all Registrations, together with the appropriate fee, as early as possible, to the Little Athletics Association of New South Wales Inc, or ANSW.
- (5) Keep a complete Register of each member, and registered athletes showing appropriate details which may include Registration Number, Name, Age group, Date of Birth, Proof of Age, plus Re- or New Transfer registration.

22. Casual Vacancies

For the purposes of these rules, a casual vacancy in the office of a member of the committee occurs if the member:

- (1) Dies, or
- (2) Ceases to be a member of the Club, or
- (3) Becomes an insolvent under administration within the meaning of the *Corporations Act 2001* of the Commonwealth, or
- (4) Resigns office by notice in writing given to the secretary, or
- (5) Is removed from office under rule 19, or
- (6) Becomes a mentally incapacitated person, or
- (7) Is absent without consent of the committee from all meetings of the committee held during the period of 3 months.

Or if a position is not filled according to Clause 18(3).

23. Filling of Casual Vacancies

- (1) In the event of insufficient nominations being received for the Committee at the Annual General Meeting or in the event of a vacancy during the year, the Committee shall have the power to appoint a person to fill the vacancy until the next Annual General Meeting.
- (2) The President, Secretary, Vice president and Treasurer shall hold no other positions on the Committee. Other members of the Committee may hold more than one position, although it is preferable to have one member for each Committee position.

- (3) Where Committee positions are created by changes to the Constitution (for improvement of running the Club), then the Committee shall have the power to appoint a person to fill such position until the next Annual General Meeting.
- (4) A vacant position may be filled by advertising the position in the Club newsletter and other acceptable means of broad communication or by co-opting a person to fill that position.

24. Removal of member of Executive Committee

- (1) The Club in general meeting may by resolution remove any member of the Executive Committee from office before the expiration of the member's term of office and may by resolution appoint another person to hold office until the expiration of the term of the member so removed.
- (2) If a member of the Executive Council to whom a proposed resolution referred to in clause (1) relates makes representations in writing to the Secretary or President (not exceeding a reasonable length) and requests that the representation be notified to the members of the Club, the Secretary or the president may send a copy of the representations to each member of the Club or, if the representations are not so sent, the member is entitled to require that the representations be read out at the meeting at which the resolution is considered.

25. Meetings and Quorum

- (1) The committee must meet at least 3 times in each period of 12 months at such place and time as the committee may determine.
- (2) Additional meetings of the committee may be convened by the president or by any member of the committee.
- (3) Oral or written notice of a meeting must be given by the Secretary to each member of the committee at least 48 hours (or such other period as may be 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 clause 93) must specify the general nature of the business to be transacted at the meeting and no business other than that business is to be transacted in the meeting, except business which the committee members present at the meeting unanimously agree to treat as urgent business.
- (5) Any 7 members of the committee constitute a quorum for the transaction of the business of a meeting of the committee.
- (6) No business is to be transacted by the committee 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 is to stand 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 of the time appointed for the meeting, the meeting is to be dissolved.
- (8) At a meeting of the committee:
 - a) The President or in the President's absence, the Vice-President is to preside, or

- b) If the President and Vice-President are absent or unwilling to act, such one of the remaining members of the committee as may be chosen by the members present at the meeting is to preside.

26. Delegates to Represent the Club

The committee shall appoint members as Delegates to represent the Club as required. Delegates may be ordinary members or members of the Executive Committee or combination.

Delegates will be nominated to represent the Club at meetings or other functions organised by affiliated bodies such as Little Athletics Association of NSW and Athletics NSW, which the Executive Committee considers appropriate.

Delegates will be empowered to act on behalf of the club and Executive Committee in accordance with this Constitution, and Club Policies and By-Laws.

27. Delegation by Committee to Sub-Committee

- (1) The committee may, by instrument in writing, delegate to one or more sub-committees (consisting of such member or members of the Club as the committee thinks fit) the exercise of such functions of the committee as are specified in the instrument, other than:
 - a) This power of delegation, and
 - b) A function which is a duty imposed on the committee by the Act or by any other law
- (2) A function the exercise of which has been delegated to a sub-committee under this rule may, while the delegation remains unrevoked, be exercised from time to time by the sub-committee in accordance with the terms of the delegation.
- (3) A delegation under this section may be made subject to such conditions or limitations as to the exercise of any function, or as to time or circumstances, as may be specified in the instrument of delegation.
- (4) Despite any delegation under this rule, the committee may continue to exercise any function delegated.
- (5) Any act or thing done or suffered by a sub-committee acting in the exercise of delegation under this rule has the same force and effect as it would have if it had been done or suffered by the committee
- (6) The committee may, by instrument in writing, revoke wholly or in part any delegation under this rule.
- (7) A sub-committee may meet and adjourn as it thinks proper.

28. Voting and Decisions

- (1) Questions arising at a meeting of the Executive Committee or of any sub-committee appointed by the committee are to be determined by a majority of the votes of members of the Committee or sub-committee present at the meeting.
- (2) Each member present at a meeting of the Executive Committee or of any sub-committee appointed by 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.

- (3) Subject to the rule 20(5), the Executive Committee may act despite any vacancy on the committee.
- (4) Any act or thing done or suffered, or purporting to have been done or suffered, by the Executive Committee or by a sub-committee appointed by the committee, is valid and effectual despite any defect that may afterwards be discovered in the appointment or qualification of any member of the committee or sub-committee.

Part 4. General Meeting

29. Annual General Meetings – Holding Of

- (1) With the exception of the first Annual general Meeting of the Club, the Club must, at least once in each calendar year and within the period of 6 months after the expiration of each financial year of the Club, convene an Annual General Meeting of its members.
- (2) The Club must hold its first Annual General Meeting:
 - a) Within the period of 18 months after its incorporation under the Act, and
 - b) Within the period of 6 months after the expiration of the first financial year of the Club.
- (3) Clauses (1) and (2) have effect subject to any extension of permission granted by the Director-General under section 26(3) of the Act.

30. Annual General Meetings – Calling of and Business

- (1) The Annual General Meeting of the Club is, subject to the Act and to rule 23, to be convened on such date and at such place and time as the committee thinks fit.
- (2) In addition to any other business which may be transacted at an Annual General meeting, the business of an Annual General Meeting is to include the following:
 - a) To confirm the minutes of the preceding Annual General Meeting and of any specific general meeting held since that meeting,
 - b) To receive from the committee reports on the activities of the Club during the last preceding financial year,
 - c) To elect office-bearers of the Club and ordinary members of the committee,
 - d) To receive and consider the statement which is required to be submitted to members under section 26(6) of the Act.
- (3) An Annual General Meeting must be specified as such in the notice convening it.

31. Annual General Meetings – Calling of and Business

- (1) The committee may, whenever it thinks fit, convene a special general meeting of the Club.
- (2) The committee must, on the requisition in writing of at least 5 per cent of the total number of members, convene a special general meeting of the Club.
- (3) A requisition of members for a special 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 one or more of the members making the requisition.
- (4) If the committee fails to convene a special general meeting to be held within 1 month after that date on which the requisition of members for the meeting is lodged with the Secretary, any one or more of the members who made the requisition may convene a special general meeting to be held not later than 3 months after that date.
- (5) A special general meeting convened by a member or members referred to in clause (4) must be convened as nearly as practicable in the same manner as general

meetings are convened by the committee and any member who consequently incurs expenses is entitled to be reimbursed by the Club for any expense so incurred.

32. Notice

- (1) Except if the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the Club, the Secretary must, at least 14 days before the date fixed for the holding of the general meeting, give a notice to each member specifying the place, date and time of the meeting and the nature of the business proposed to be transacted at the meeting.
- (2) If the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the club, the Secretary must, at least 21 days before the date fixed for the holding of the general meeting, cause notice to be given to each member specifying, in addition to the matter required under clause (1), the intention to propose the resolution as a special resolution. No business other than that specified in the notice convening a general meeting is to be transacted at the meeting except, in the case of an Annual General Meeting, business which may be transacted under rule 24(2).
- (3) A member desiring to bring any business before a general meeting may give notice in writing 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.

33. Procedure

- (1) No item of business is to 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 (being members 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 half an hour after the appointed time for the commencement of a general meeting a quorum is not present, the meeting:
 - a) If convened on the requisition of members, is to be dissolved, and
 - b) In any other case, is to stand 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 half an hour after the time appointed for the commencement of the meeting, the members present (being at least 3) is to constitute a quorum.

34. Presiding Member

- (1) The President or, in the President's absence, the Vice-President, is to preside as chairperson at each general meeting of the club.
- (2) If the President and the Vice-president are absent or unwilling to act, the members present must elect one of their number to preside as chairperson at the meeting.

35. Adjournment

- (1) The chairperson of 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 is to be transacted at an adjourned meeting other than the business left unfinished at the meeting at which the adjournment took place.
- (2) If 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 clauses (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.

36. 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 chairperson 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 of the club, is evidence of the fact without proof of the number or proportion of the votes recorded in favour or against that resolution.
- (2) At a general meeting of the Club, a poll may be demanded by the chairperson or by at least 3 members present in person or by proxy at the meeting.
- (3) If a poll is demanded at a general meeting, the poll must be taken:
 - a) Immediately in the case of a poll which relates to the election of the chairperson of the meeting or to the question of an adjournment, or
 - b) In any other case, in such manner and at such time before the close of the meeting as the chairperson directs, and the resolution of the poll on the matter is taken to be the resolution of the meeting on that matter.

37. Special Resolution

A resolution of the Club is a special resolution:

- a) If it is passed by a majority which comprises at least three-quarters of such members of the Club as, being entitled under these rules so to do, vote in person or by proxy at a general meeting of which at least 21 days' written notice specifying the intention to propose the resolution as a special resolution was given in accordance with these rules, or
- b) Where it is made to the Director-General that it is not practicable for the resolution to be passed in the manner specified in paragraph (a) if the resolution is passed in a manner specified by the Director-General.

38. Voting

- a) Constituency members of the Club aged 16 years and over shall be entitled to vote at all General Meetings of the Club.

- b) On any question arising at a general meeting of the Club a member as defined in clause 5 has one vote only.
- c) All votes must be given personally or by proxy but no member may hold more than 5 proxies
- d) In the case of an equality of votes on a question at a general meeting, the chairperson of the meeting is entitled to exercise a second or casting vote.
- e) 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 subscription payable in respect of the then current year.

39. Appointment of Proxies

- a) Each member is to 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 in respect of which the proxy is appointed.
- b) The notice appointing the proxy is to be in the form set out in Appendix 2 to these rules.

Part 5. Miscellaneous

40. Insurance

The Club may effect and maintain insurance.

41. Funds - Source

- (1) The funds of the Club are to be derived from entrance fees and annual subscriptions of members, donations, sponsorships, sale of regalia and, subject to any resolution passed by the Club in general meetings, 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 must, as soon as practicable after receiving any money, issue an appropriate receipt.

42. Funds - Management

- (1) Subject to any resolution passed by the Club in general meeting, the funds of the Club are to be used in pursuance of the objects of the Club in such manner as the Executive Committee determines.
- (2) All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments must be signed by any 2 members of the Executive Committee, one being the Treasurer.
- (3) The two signatories referred to in Clause 42(2) must not be from the same household.

43. Alteration of Objects and Rules

The statement of objects and these rules may be altered rescinded or added to only by a Special Resolution of the Club.

44. Common Seal

- (1) The Common Seal of the Club must be kept in the custody of the Public Officer
- (2) The Common Seal must not be affixed to any instrument except by the authority of the committee and the affixing if the Common Seal must be attested by the signatures either of 2 members of the committee or of 12 member of the committee and of the Public Officer or Secretary.

45. Custody of Books

Except as otherwise provided by these rules, the Public Officer must keep in his or her custody or under his or her control all records, books and other documents relating to the Club.

46. Inspection of Books

The records, books and other documents of the Club must be open to inspection, free of charge, by a member of the Club at any reasonable hour subject to reasonable notice being given.

47. Service of Notices

- (1) For the purpose of these rules, a notice may be served on or given to a person:
 - a) By delivering it to the person personally, or

- b) By sending it by pre-paid post to the address of the person, or
 - c) By sending it by facsimile transmission or some other form of electronic transmission to an address specified by the person for giving or serving the notice, or
 - d) By a Public Notice published in the Blue Mountains Gazette, NSW.
- (2) For the purpose of these rules, a notice is taken, unless the contrary is proved, to have been given or served:
- a) In the case of a notice given or served personally, on the date on which it is received by the addressee, and
 - b) In the case of a notice sent by pre-paid post, on the date when it would have been delivered in the ordinary course of post, and
 - c) In the case of a notice sent by facsimile transmission or some other form of electronic transmission, on the date it was sent, or if the machine from the transmission was sent produces a report indicating that the notice was sent on a later date, on that date.
 - d) In the case of the Public Notice, on the publication date of the edition of the Blue Mountains Gazette, NSW.