



Gold Coast Gymnastics Club

Active Body - Active Mind

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**CONSTITUTION
OF
THE GOLD COAST
GYMNASTICS
CLUB INC.**

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1. NAME

The name of the incorporated association is Gold Coast Gymnastics Club Inc. referred to herein as "the club".

2. COLOURS OF THE CLUB

The colours of the club shall be Blue, White & Silver.

3. DEFINITIONS

The following short terms shall have the following meanings unless specifically defined elsewhere:

3.1 The Act	The Associations Incorporation Act (Qld) together with any additions or amendments thereto.
3.2 AGM	Annual General Meeting.
3.3 Executive Committee	The President, Vice President, Secretary and Treasurer
3.4 Committee	The Management Committee of the Club as defined in Section 7.2 hereof.
3.5 Committee Member	An elected or appointed member of the Committee
3.6 Communication	A vote taken by the Committee taken by mail, phone, fax or other
3.7 Vote	electronic means of communication when a physical meeting of the committee is not or cannot be convened.
3.8 In writing	Hand written/typed/duplicated or printed and other modes of representing or reproducing words in a visible form including messages sent by electronic mail.
3.9 Member	Any person who has applied for membership of the club in any category as defined in Clause 6.1 and been accepted as a member.
3.10 Month	A calendar month.
3. 11 Rules/Regulations	All by-laws, policies, rules and regulations that are made with the authority of this Constitution.
3.12 SGM	Special General Meeting.

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|-----------------------|--|
| 3.13 Simple Majority | 50% + 1 of those persons eligible voting of the one accord. |
| 3.14 Special Majority | 75% of those persons eligible, voting of the one accord |
| 3.15 Interpretation | Where the context admits words importing the singular shall include the plural and vice versa and words importing the masculine gender shall include the feminine gender and vice versa. |
| 3.16 The Association | Gymnastics Queensland Inc or such other body or organization as may incorporate or replace Gymnastics Queensland Inc. |

4. OBJECTS OR PURPOSES OF THE CLUB

The objects of the club are:

- 4.1 to develop, and implement Vision, Mission and Goal statements for the Club's future direction.
- 4.2 to develop a Business Plan in conjunction with the membership to promote the ongoing development and success of the club.
- 4.3 to undertake an annual review of the Business Plan.
- 4.4 to develop and promote quality activities for members and others to participate in Gymnastics.
- 4.5 to promote and encourage participation in gymnastics to all persons regardless of race, sex, age, marital status, sexuality, intellectual or physical impairment.
- 4.6 to extend the operations and teachings of the Association in the area the Club controls;
- 4.7 to preserve and promote a healthy safe environment by the study and practice of the methods of gymnastics and apparatus as may be reasonably required to affect such purpose;
- 4.8 to affect such purposes as may be necessary in the interest of gymnastics;
- 4.9 to acquire by purchase, exchange or otherwise, whether for estate in fee simple or for any less estate in lands, tenements or hereditaments or any tenure whether subject or not to any charges or encumbrances and erect, replace, maintain, reconstruct, adapt and furnish any offices or other buildings thereon and sell, let, alienate, mortgage, charge or otherwise deal with all or such lands, tenements or hereditaments or any part thereof.

5. POWERS OF THE CLUB

For the purpose of effecting its objectives, the Club shall, as deemed necessary:

- 5.1. make rules, policies and regulations for the proper control of business at the Club;
- 5.2. keep proper records of all decisions taken and matters of importance pertaining to the Club;
- 5.3. equitably enforce due observance of the Club's constitution, rules, policies and regulations;
- 5.4. resolve any issue raised by Members on matters in general or on matters related to eligibility to vote, participate in the club or become a member.
- 5.5. deal firmly and appropriately with any abuses and/or failure to follow rules, policies and regulations;
- 5.6. appoint, hire, employ, remove, suspend, replace or reinstate appropriate honorary officials, paid administrators, administrators, clerks, coaches, instructors or other persons whose services may be deemed necessary for the purposes of the Club.
- 5.7. control and develop resources, publications and events consistent with the objectives;
- 5.8. impose and collect levies, subscriptions, fees and other authorised charges from members;
- 5.9. purchase, lease, hire or by any other (legal) means acquire any real or personal estate necessary or convenient for the purposes of the Club
- 5.10. buy, sell, supply and deal in all kinds of apparatus and all kinds of provisions, liquid and solid, required or used by all members of the Club
- 5.11. invest or deal with the funds of the Club not immediately required for any of its objectives with security;
- 5.12. borrow money and appoint guarantors and provide security for same as authorised by the Committee;
- 5.13. incorporate or form one or more suitable legal entities in furthering the objects of the Club;
- 5.14. take legal proceedings;
- 5.15. take out and effect insurance;
- 5.16. take all such other lawful actions as are incidental or conducive to the attainment of the objects aforesaid;
- 5.17. not pay or transfer any portion of the income or property of the Club directly or indirectly by way of dividend, bonus or otherwise to any Member, but this shall not preclude payment to a Member or Director in good faith for expenses incurred or services rendered.
- 5.18. assign the title of President to the Chairman of the Committee
- 5.19. take part in interclub and any other gymnastic events from time to time as seen fit by the coaching staff.
- 5.20. remunerate any person or body corporate for services rendered, or to be rendered, at such rates and on such terms as might be agreed by the Committee from time to time

6. MEMBERSHIP

6.1 TYPES

Membership shall be open to all persons subscribing to the

objects of the Club and completing the prescribed form and paying the prescribed subscription. No restrictions shall be imposed on any person by virtue of religious or political beliefs, sex, race, or age, but the Committee shall have the right to refuse membership to any person without assigning a reason for the refusal.

6.1.1 **Remote member:** a person who is actively participating in a gymsport but who trains at a different location (usually the Australian Institute of Sport or the Queensland High Performance Centre) and therefore does not use the facilities and equipment of the Club on a regular basis.

Any remote member under the age of 18 is unable to vote at any meeting of the Club but one of their parents or guardians, who may or may not be a member of the club, is able to vote. In the event that more than one parent or guardian of a remote member under the age of 18 years seeks to vote the Committee shall determine which of those persons is able to vote and the decision of the Committee shall be final and no correspondence shall be entered into in relation to that decision.

6.1.2 **Participant Member:** a person actively participating in a gymsport or other club program.

Any participant member under the age of 18 is unable to vote at any meeting of the Club but one of their parents or guardians, who may or may not be a member of the club, is able to vote. In the event that more than one parent or guardian of a participant member under the age of 18 years seeks to vote the Committee shall determine which of those persons is able to vote and the decision of the Committee shall be final and no correspondence shall be entered into in relation to that decision.

6.1.3 **Technical/Staff Member:** a person who is either a person currently employed in any capacity by the Club (whether full time or part time or casually) or a person who is a technical member of Gymnastics Australia (as defined by that organisation) who is currently involved in either a paid or unpaid capacity at the club. The member must comply with Gymnastics Australia's Member Protection Policy and must consent to any necessary probity investigation.

Any technical/staff member under the age of 18 is unable to vote at any meeting of the Club but one of their parents or guardians, who may or may not be a member of the club, is able to vote. In the event that more than one parent or guardian of a technical/staff member under the age of 18 years seeks to vote the Committee shall determine which of those persons is able to vote and the decision of the Committee shall be final and no correspondence shall be entered into in relation to that decision.

6.1.4 **Honorary Member:** a person elected to any position

in the Club or a person or corporation agreed by the committee to be suitable to be a member.

- 6.1.5 **Life Member:** a person who has, in the opinion of the Committee, contributed outstanding service to the Club.

Nominations for Life Member shall be in writing to the Club no later than 2 months prior to Club Championships in each year. The Committee will assess and decide on the merit of the nomination, and successful nominations will be presented at Club Championships each year.

The recommendation shall include:

- a statement of the nominee's eligibility; and
- a short report on the services rendered by the nominee to the Club.

Life Membership of the Club entitles the life member to the following privileges:

- attendance at the AGM (including the right to vote); and
- invitations to major Club events.

- 6.1.6 **Patron:** A person or persons appointed at the AGM to be a Patron or Patrons of the Club. A Patron shall be entitled to all the privileges of a Life Member.

6.2 Subscriptions

- 6.2.1 The subscriptions for each type of member shall be set by the Committee as soon as possible after the date of the AGM in each year.

- 6.2.2 Subscriptions shall be due on the date set by the Committee provided that the due date is advertised to all members in writing not less than 14 days prior to that date.

- 6.2.3 Differential subscriptions for the different types of member may be levied at the discretion of the Committee.

- 6.2.4 Any member whose subscription is outstanding for more than one month after the due date for payment shall cease to be a member of the club, provided always that the committee may reinstate such a person's membership on such terms as it thinks fit.

6.3 RIGHTS OF MEMBERS

- 6.3.1 All members shall have access to membership privileges that the Club may grant from time to time, and shall be entitled to the benefits of the provisions of this Constitution and the Club's rules, policies or regulations.

- 6.3.2 All members shall, subject to Clause 6.1 of this Constitution, have the right to a single vote at any AGM or SGM except if they hold a valid proxy issued in accordance with Clause 9.6 of this Constitution appointing them to vote on behalf of another member or members.

- 6.3.3 A member who meets the criteria for more than one type

of membership will not be entitled to more than one vote as a member of a second or subsequent type of member except if they hold a valid proxy issued in accordance with Clause 9.6 of this Constitution appointing them to vote on behalf of another member or members.

6.4 RESIGNATIONS

6.4.1 A member may resign from the Club by notifying the Secretary in writing of the intention to do so and upon such resignation being accepted by the Committee, he or she shall cease to be a member of the Club.

6.4.2 Any member so resigning shall be liable for any outstanding subscriptions which may be recovered as a debt due to the club.

6.5 EXPULSION OF A MEMBER

6.5.1 Any member may be expelled or suspended from membership at the discretion of the Committee, provided that such a member shall have the right of appeal to a General Meeting. Voting on this issue shall be by secret ballot both in the Committee and in the General Meeting.

6.5.2 Any member expelled or suspended shall not be eligible to vote at any AGM or SGM during the term of the suspension or expulsion.

6.6 DISCIPLINE OF MEMBERS

6.6.1 All members shall be bound by this Constitution and any rules and regulations made by the Club. Any member contravening the constitution or the rules and regulations or otherwise bringing the Club into disrepute will be dealt with by the Club under its power specified in Clause 6.6.2.

6.6.2 The Committee will issue and approve policies governing discipline of the Club

6.6.3 All members have the right of appeal and/or grievance. The process will be included in the discipline policy as specified in Clause 6.6.2.

6.7 REGISTER OF MEMBERS

A register of members must be kept and contain:

- i) the name and address of each member;
- ii) the date on which each member was admitted to the club; and
- iii) if applicable, the date of, and reason(s) for, termination of membership.

7. THE COMMITTEE

7.1 POWERS AND DUTIES

The affairs of the club shall be Governed by a committee constituted under section 7.2 subject to the following:

- 7.1.1 The Committee shall Govern the business and affairs of the Club including all Strategic planning and finances and any special matters that may arise after those matters

have taken correct channels and gained no satisfaction during that process.

- 7.1.2 The Committee shall exercise all such powers and functions as may be exercised by the Club other than those functions that are required under the Act and/or this Constitution to be exercised at the AGM.
- 7.1.3 Every member of the Management Committee and any Manager duly appointed by the Management Committee acting in the business or operations of the incorporated association shall be deemed to be the agent of the incorporated association for all purposes within its objects;
- 7.1.4 The Day to Day affairs of the club will be managed by the General Manager duly appointed by the Committee.
- 7.1.5 The Committee has the management and control of funds and other property of the club;
- 7.1.6 The Committee shall have authority to interpret the meaning of these rules and any other matters relating to the affairs of the club on which these rules are silent.

7.2 COMPOSITION, APPOINTMENT AND TERMS

- 7.2.1 The committee shall be comprised of the following persons:
- President
 - Vice President
 - Secretary
 - Treasurer
 - General Committee Members (maximum 4).
 - Executive member (non elected position held by General Manager or CEO)
 - Maximum number on committee not to exceed 7 excluding executive member
- 7.2.2 For the first AGM elections following the acceptance of this constitution the positions will be elected for the following terms;
- President - 2 years
 - Vice President – 1 year
 - Secretary – 2 years
 - General members – first and third 2 years, 2nd and 4th 1 year
- 7.2.3 For all other AGM elections following the acceptance of this constitution the positions will be elected for the following terms when they fall vacant;
- President – 2 years
 - Vice President – 2 years
 - Secretary – 2 years
 - Treasurer – 2 years
 - General members – 2 years
- 7.2.4 The President, Vice President, Secretary, Treasurer and Executive member shall form the Executive Committee

- 7.2.5 The Executive shall have the power to act on matters of importance outside Committee Meetings
- 7.2.6 The Executive shall report to the next Committee meeting and their decisions must be ratified and/or amended by the Committee.
- 7.2.7 Nominations for positions which will become vacant shall be called for each year from members in the Notice appointing the AGM. Each nominee shall endorse on the nomination form their willingness to accept office. All nominations must be nominated and seconded by members of the club. If a nominee fails to endorse their willingness to act the nomination will be invalid.
- 7.2.8 Nominations for Committee positions must be forwarded in the prescribed form to the President 14 days prior to the date of the AGM
- 7.2.9 Should no nomination be received for a position, nominations may be called from the floor
- 7.2.10 The President cannot serve greater than three full terms or part thereof. Following his/her term, the President can serve in any other position on the Committee.
- 7.2.11 Committee Members shall serve for two years with staggered retiring dates as outlined in Clause 7.2 of this Constitution. Retiring members will be specified in the AGM Notice.
- 7.2.12 The term of all Committee members shall continue until the end of the AGM in the year in which their term expires. Each member of the Committee shall be eligible for re-election.
- 7.2.13 In the event of a casual vacancy on the Committee, the Committee may appoint a person to fill the vacancy until the next AGM, at which time the AGM will in the usual way elect a person to serve the remainder, if any, of the original member's term.
- 7.2.14 The number of committee members who are also employees of the Club shall be a maximum of one on the executive and not more than 1/3 of the committee.
- 7.2.15 The number of committee members who are also Honorary Members shall be a maximum of one on the executive and two on the committee in total.

7.3 PROCEEDINGS OF COMMITTEE

Meetings of the Committee shall be as follows:

7.3.1 The Committee shall meet at least bi-monthly, and at other times as the Committee deems necessary;

7.3.2 The quorum for Committee meetings shall be half the number on the committee plus one. Only voting members will

count toward a quorum.

7.3.3 If a quorum is not present 30 minutes after the starting time of the meeting the meeting shall lapse and shall be deferred for one week to the same time and place.

7.3.4 The President will be the Chairperson for all meetings. In his/her absence, the Vice president will assume the role. In the absence of the Vice-President, the Committee will appoint a Chairperson from those members of the Committee present.

7.3.5 All items of business or issues requiring a decision must be presented to the meeting as motions, which if passed, will then become resolutions. All motions must be proposed through the chairperson and supported (seconded) by another committee member before any discussion can take place. The member proposing the motion may then explain the motion to support it. The member who seconds the motion has the right to speak immediately or wait till the end of the debate.

7.3.6 Each other committee member has the right to speak in relation to all issues in the order specified by the Chairperson.

7.3.7 No persons other than Committee Members shall be entitled to speak to any motion except as permitted by the Chairperson.

7.3.8 Each Committee Member present at any meeting shall be entitled to one deliberative vote.

7.3.9 Where there are an equal but divided number of votes on a matter by Committee Members, the Chairperson will have a casting vote;

7.3.10 All voting shall be by show of hands or by communication vote as defined in clause 3 of this Constitution.

7.3.11 If a Committee Meeting lapses or is adjourned, the business thereof or as much as is not dealt with, shall take precedence over all other business at the next meeting;

7.3.12 All members of the committee are responsible for declaring any potential conflict of interest they may have in committee matters to the committee and shall not be eligible to vote in relation to any such matter.

7.3.13 If determined by the Committee that a member has a conflict of interest in any item being discussed by the Committee, the Committee member must leave the meeting prior to any vote being taken. If requested by the Chairperson the member of the Committee who has a conflict of interest in relation to any item being discussed will leave the meeting prior to any discussion being taken in relation to that matter. A member who has a conflict of interest may not participate in any discussion in relation to the matter unless requested to do so by the Chairperson.

7.3.14 The Committee, excluding the member whose interest is being determined, will determine if a conflict of interest exists.

7.3.15 A conflict of interest may occur when a committee member or a family member of a committee member stands to gain or lose, financially or otherwise, directly or indirectly, by the outcome of the matter being at that time considered by the committee.

7.4 DUTIES OF COMMITTEE MEMBERS AND OTHERS

THE PRESIDENT:

7.4.1 The President shall preside at all meetings of the Club and shall exercise a general supervision over the affairs of the Club in conjunction with the Committee.

7.4.2 He shall when presiding at a meeting, have a deliberative and casting vote.

7.4.3 The President shall have the unlimited authority on question of order, only to what is equitable and just in the circumstances.

7.4.4 He shall, ex-officio, be a member of all committees.

VICE PRESIDENT:

7.4.5 The Vice President shall be responsible for the conduct and discipline of all members in all Club matters and the general education of members in gymnastics.

7.4.6 He shall have the power to refuse the use of the Club or any Club property to any person.

7.4.7 He may call upon any member to perform such duties, as he deems necessary in the interest of the Club.

7.4.8 He shall ex-officio, be a member of all sub-committees.

SECRETARY:

7.4.9 The Secretary shall keep a register of all members and up to date record of their addresses and shall file all nomination forms whether or not the nominees have been accepted.

7.4.10 The Secretary shall forward or provide notices of all meetings and the business to be transacted thereat to members in accordance with the Constitution.

7.4.11 The Secretary shall cause full and accurate minutes of all question, matters, resolutions and other proceedings of every Committee meeting and General Meeting to be entered in a book to be open for inspection at all reasonable times by any financial member who previously applies to the Secretary for that inspection and for the purpose of ensuring the accuracy of the recording of such minutes, the minutes of every Committee Meeting shall be signed by the Chairman of that Meeting or the Chairman of the next succeeding Committee meeting verifying their accuracy. Similarly, the minutes of every General Meeting shall be signed by the Chairman of that meeting or the Chairman of the next succeeding General Meeting; provided that the minutes of any General Meeting shall be signed by the Chairman of that meeting or the Chairman of the next succeeding General Meeting or Annual General Meeting.

7.4.12 The Secretary shall conduct the correspondence of the Club and be responsible for the custody of all documents belonging to the Club and for the disposition thereof.

7.4.13 The Secretary shall be responsible for the drafting of the Annual Report to be submitted to the Committee for

approval before printing and circulation to all members at least seven days prior to the Annual General Meeting.

7.4.14 He shall be required to carry out all duties arising from decisions of Annual, Special, General, and Committee Meetings and or any other decisions as decided upon at any other meeting.

TREASURER:

7.4.15 The Treasurer will ensure the keeping of the necessary books and accounts as directed by the relevant Government Department.

7.4.17 The Treasurer will ensure that at each Committee Meeting, a report is presented relating to the Club's finances showing details of receipts and expenditure since the presentation of the previous report and showing the Club's current financial position.

**7.5 DISQUALIFICATION
OF COMMITTEE
MEMBERS**

The office of a committee member shall become vacant if a committee member is:

- 7.5.1 disqualified from being a committee member by the Act;
- 7.5.2 expelled as a member under the rules or regulations of the Club;
- 7.5.3 permanently incapacitated by ill health;
- 7.5.4 absent without apology from more than three meetings in a financial year;

8. THE SEAL

- 8.1 The Club shall have a Common Seal bearing the words, "*The Common Seal of Gold Coast Gymnastics Club Incorporated*".
- 8.2 Any document required to be executed on behalf of the Club shall be executed under the Common Seal of the Club and shall be recorded in the minutes
- 8.3 Every instrument to which the seal may be affixed by resolution of the Committee shall be countersigned by a member of the Executive and one other committee member who may also be a member of the Executive.
- 8.4 The President is responsible for the security of the Common Seal.

9. GENERAL MEETINGS

**9.1 ANNUAL GENERAL
MEETINGS**

- 9.1.1 The committee shall in each calendar year convene and hold an AGM of members in accordance with the act and these rules.

9.1.2 The first annual general meeting shall be held within 18 months after the incorporation of the club, and thereafter within five months after the end of its financial year.

9.1.3 The order of the business at the meeting shall be:

- i. the confirmation of the minutes of the previous annual general meeting and
- ii. the confirmation of the minutes of any special general meeting held since that meeting.
- iii. receive the Annual Report of the Committee and audited financial statements
- iv. the election/ratification of committee members for the ensuing year.
- v. the appointment of an auditor for the coming year
- vi. the consideration of any special business of which notice has been given in accordance with clause 9.3.2.

9.2 SPECIAL GENERAL MEETINGS

9.2.1 The committee may call a special general meeting of the club at any time.

9.2.2 Upon a requisition in writing of not less than 5% of the total number of members of the club or 30 members, whichever is the lesser, the committee shall within one month of the receipt of the requisition convene a special general meeting for the purpose specified in the requisition.

9.2.3 Every requisition for a special general meeting shall be signed by the members seeking the meeting and shall state the purpose of the meeting.

9.2.4 Any Special General Meeting may only consider the business set out in the requisition in writing provided by the members and shall be conducted under the same rules as the AGM

9.3 NOTICE OF GENERAL MEETINGS

9.3.1 The President will convene an AGM by providing not less than one month notice of the AGM to every member by giving written notice to the members **or** by posting written notification on the notice board in the club foyer or such other place as may be easily accessed by members.

The notice of an AGM shall include a request for agenda items and notices of motion and shall also provide notification of the requirements for elections.

9.3.2 Agenda items and notices of motion shall be addressed to the President and be received at the Club not less than 14 days prior to the AGM

9.3.3 Nominations for committee positions shall be addressed to the President and must be received in the prescribed form by the President not less than 14 days prior to the date of the AGM.

9.3.4 The final Agenda and details of valid nominations shall be published to all persons eligible to attend at least 7

days prior to the date of the AGM by providing notice by one of the methods described in 9.3.1

9.4 PROCEEDINGS OF GENERAL MEETINGS

- 9.4.1 Twenty members, present personally or by proxy shall constitute a quorum for the transaction of business at any general meeting.
- 9.4.2 If after thirty minutes from the appointed starting time a quorum is not present, the meeting shall lapse to another time and place as directed by the Committee.
- 9.4.3 The President will chair the AGM. In his/her absence, the Vice President or a nominee of the Executive will act as chair. The Chairperson will **not** have a casting vote on any matter where the votes are tied.
- 9.4.4 If there is a tied vote, the motion will be deemed defeated

9.5 VOTING AT GENERAL MEETINGS

- 9.5.1 Subject to this Constitution, each member shall have one deliberative vote.
- 9.5.2 Ordinary business will be decided by a simple majority on a show of hands.
- 9.5.3 Special business shall require a special majority.
- 9.5.4 Where there is more than one nomination for an office, voting shall be by secret ballot and exhaustive ballot.
- 9.5.5 A list of all nominations for each position where there is more than one nominee shall be prepared, in alphabetical order of surname of the nominee, by the Secretary ("the ballot paper") and a copy of the ballot paper shall be distributed to each member present at the meeting.

Each member shall cast their vote by marking the name of each person they seek to have elected to the committee provided that they do not vote for more persons than there are positions available.

The nominee with the highest number of votes for them is elected to the position. Where there is more than one position available (ie general member) the next person elected is the nominee with the next highest number of votes for them and so on until the Committee positions are filled.

- 9.5.6 If an appointment cannot be made in the elections conducted at the AGM then a casual vacancy will exist and will be filled in accordance with Section 7.2

9.6 PROXIES

- 9.6.1 A member shall be entitled to appoint in writing a member of the club to be their proxy, and attend and vote at any general meeting of the club on their behalf, by completing the form attached as schedule 1 to this Constitution.
- 9.6.2 Proxy votes on any business on the Agenda will only be eligible to be accepted when a copy is lodged with the secretary in person or by mail not less than twenty-four hours prior to the AGM commencing.

10. MINUTES

- 10.1 Proper minutes of all proceedings of general meetings of the club and of meetings of the committee, shall be entered within one month after the relevant meeting in minute books kept for the purpose.
- 10.2 The minutes kept pursuant to this rule must be confirmed by the members of the club or the members of the committee (as relevant) at a subsequent meeting.
- 10.3 The minutes kept pursuant to this rule shall be signed by the chairperson of the meeting at which the proceedings took place or by the chairperson of the next succeeding meeting at which the minutes are confirmed.
- 10.4 Where minutes are entered and signed they shall, until the contrary is proved, be evidence that the meeting was convened and duly held, that all proceedings held at the meeting shall be deemed to have been duly held, and that all appointments made at a meeting shall be deemed to be valid.

11. DISPUTE RESOLUTION

- 11.1 The dispute resolution procedure set out in this rule applies to disputes under these Rules between -
 - (i) a member and another member
 - (ii) a member and the club.
- 11.2 The parties to the dispute must advise the club of the dispute, and of the subject matter of the dispute, prior to the Club being required to take any action to resolve any dispute.
- 11.3 Once the Club is advised the parties shall make arrangements, within 14 days after the dispute comes to the attention of all of the parties, to meet and discuss the matter in dispute and, if possible, resolve the dispute.
- 11.4 If the parties are unable to resolve the dispute at the meeting the parties may choose to meet and discuss the dispute before an independent third person agreed to by the parties. In disputes between members, if the parties are unable to agree, the independent third person shall be appointed by the Club.
- 11.5 If the parties are unable to reach agreement following the meeting outlined in Clause 11.4 hereof, the parties shall agree upon the appointment of an Arbitrator to arbitrate upon the dispute. The costs of the Arbitrator shall be borne by the parties equally

and the decision of the Arbitrator shall be binding on both parties and not subject to further appeal.

11.6 In this rule "member" includes any person who was a member not more than six months before the dispute occurred.

11.7 Where the committee exercises any power of adjudication in relation to a dispute between the members, or a dispute between itself and members of the club, the rules of natural justice must be observed.

12. FINANCIAL REPORTING

12.1 FINANCIAL YEAR The financial year of the Club shall end on the 31st day of December each year, and the accounts shall be audited and certified by the Club's auditor(s) and shall be submitted to the Annual General Meeting.

12.2 ACCOUNTS TO BE KEPT

12.2.1 The club shall keep and retain such accounting records as are necessary to correctly record and explain the financial transactions and financial position of the club in accordance with the Act.

12.2.2 The funds of the club must be kept in an account in the name of the association in a financial institution decided by the management committee.

12.2.3 Records and accounts must be kept in the English language showing full and accurate particulars of the financial affairs of the club.

12.2.4 All amounts must be deposited in the financial institution account as soon as practicable after receipt.

12.2.5 If an amount of \$100 or more is paid by cheque, the cheque must be signed by any two of the signatories nominated by the management committee.

12.2.6 Cheques, other than cheques for wages, allowances or petty cash recoupment must be crossed "not negotiable".

12.2.7 A petty cash account must be kept on the imprest system, and the management committee must decide the amount of petty cash to be kept in the account.

12.2.8 All expenditure must be approved or ratified at a management committee meeting.

12.2.9 The management committee must, as soon as practicable after the end of each financial year, ensure a statement containing the following particulars is prepared;

- a) The income and Expenditure for the financial year just ended;
- b) The club's assets and liabilities at the close of the year;
- c) The mortgages, charges and securities affecting the property of the club at the close of the year

12.2.10 The auditor must examine the statement prepared under subsection 12.2.9 and present a report about it to the secretary before the next annual general meeting following

the financial year for which the report is made.

**12.3 ACCOUNTS AND
REPORTS TO BE
LAID BEFORE
MEMBERS**

The accounts, together with the auditor's report on the accounts, the committee's statement and the committee's report, shall be laid before members at the annual general meeting and be lodged in accordance with the requirements of the Act.

12.4 ANNUAL RETURN

The annual (periodic) return shall be lodged with the appropriate organisation within six months after the end of each financial year. It must be accompanied by a copy of the accounts, the auditor's report, the committee's statement, and the committee's report.

**12.5 APPOINTMENT OF
AUDITOR**

12.5.1 At each Annual General Meeting, the members shall appoint an appropriately qualified person to be auditor of the Club.

12.5.2 The auditor shall hold office until the next Annual General Meeting and is eligible for re-appointment.

12.5.3 If an appointment is not made at an Annual General Meeting, the Committee shall appoint an auditor for the current financial year.

12.5.4 Every office bearer or official of the Club shall be indemnified out of the funds of the Club for all costs, charges, losses, damages and expenses which the office bearer or official shall incur in the normal bona fide execution of his/her duties, but the Club shall not be liable for any loss or damage which any office bearer or official or third party may incur which results from the wilful neglect or the default of any such office bearer or official. In such cases, the offending office bearer or official shall be solely liable to the Club and/or to the third party.

13. PROHIBITION AGAINST SECURING PROFITS FOR MEMBERS

The income and capital of the club shall be applied exclusively to the promotion of its objects and exercise of its powers. No portion shall be paid or distributed directly or indirectly to members or their associates except as bona fide remuneration of a member for services rendered or expenses incurred on behalf of the club.

14. DISSOLUTION & WINDING UP

The Club shall be dissolved if:

14.1 A resolution to this effect is carried by a General Meeting, one month of notice of the proposed resolution having been given

14.2 Financial membership drops to ten or less

15. APPLICATION OF SURPLUS ASSETS

- 15.1 If upon dissolution of the Club there remains, after satisfaction of all debts and liabilities, any property or funds whatsoever, the same shall not be distributed or paid amongst members of the Club but shall be transferred or given to some other Club or institution having objects similar to those of the Club and which has rules which prohibit the distribution of its assets and income to its members.
- 15.2 Such organisation or organisations shall be identified and determined by a resolution of its members in general meeting.
- 15.3 The liability of a member to contribute towards the payment of the 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 subscriptions to the Club as prescribed under Clause 5.4.2.

16. RULES

- 16.1 These rules may be altered (including alteration to the Club's name) by special resolution of the members of the club. This includes rescission or replacement by substitute rules.
- 16.2 The alteration shall be registered with the appropriate organisation as required by the Act,
- 16.3 These rules shall bind the club and every member to the same extent as if they have respectively signed and sealed them, and agreed to be bound by all of the provisions thereof.

17. GENERAL

17.1 INTERPRETATION

17.1.1 Any doubt arising as to the application or meaning of any clause shall be decided by the Committee whose decision will remain until altered by a vote of a General Meeting, whose decision shall then be final and conclusive.

17.1.2 If any case occurs which, in the opinion of the Committee, is not provided for in this constitution, it shall be determined by the Committee in such manner as deemed expedient.

17.2 ACCREDITATION

Accreditation of persons to represent the Club shall be in accordance with the rules, policies and regulations approved by the Committee.

17.3 AWARDS

The Committee will approve and issue regulations governing Awards and Recognition for service to the Club.

17.4 COPIES OF CONSTITUTION

The Secretary shall supply a copy of this constitution, without charge, upon reasonable request to any new member or existing member.

APPENDIX

RULES OF DEBATE

1. CHAIRMAN'S AUTHORITY:

- 1.1 Whenever the Chairman rises during debate, the member then speaking shall be silent and resume his seat.
- 1.2 In the case of any remark considered by the Chairman to be offensive or imputing improper motives, the Chairman may call upon a speaker to withdraw and apologise.
- 1.3 The Chairman may call a member to order and if such a member persists in being disorderly, he may call upon such member to withdraw from the meeting.
- 1.4 It shall not be permissible to dispute the Chairman's ruling, or move a motion of dissent from his ruling, on matters of procedure and points of order.

2. DEBATE:

- 2.1 Any member desiring to speak shall stand up and address the Chairman.
- 2.2 If two or more members rise to speak at the one time, the Chairman shall decide which is entitled to priority.
- 2.3 The Meeting may decide that a particular person shall or shall not be heard, provided that a motion of this nature shall not be debated.
- 2.4 No member shall interrupt another while speaking except to raise to a point of order.
- 2.5 No speaker shall digress from the subject under discussion.
- 2.6 No member shall use offensive or unbecoming words.
- 2.7 During the debate, a member may raise a point of order where upon the member then speaking shall resume his seat until the point of order has been decided.
- 2.8 It shall be competent for any member to move a Motion of Dissent from the Chairman's ruling other than on matters of procedure and points of order and the Seconder and the Chairman only may then speak to the motion.
- 2.9 At any time during the debate a member may move "that the question be now put" provided the Chairman is satisfied that reasonable time for debate of the original motion has been allowed. The motion may be applied to an amendment, in which case it is the amendment, which is immediately put to the vote and it shall not be competent for the mover, seconder or any person who has spoken to the original motion or amendment to move "that the question be now put".
- 2.10 If carried, the original motion shall be put to the vote without further debate except that the mover they're of shall have the right of reply; if lost, the debate may proceed.
- 2.11 A member may move the adjournment of the debate to a subsequent meeting and if the motion for adjournment is lost, the mover there of shall not be allowed to speak again on the question under debate and if carried, the mover shall have the right of resuming the debate at the ensuing meeting and the mover of the original motion shall have the right of reply.

3. MOTIONS AND AMENDMENTS:

- 3.1 Any member proposing a motion or an amendment shall state its nature before addressing the meeting thereon.
- 3.2 The mover of a motion shall not occupy more than ten minutes nor any other speaker more than five minutes provided that the meeting may, by resolution, without debate, grant an extension of time to any speaker.
- 3.3 No member may speak more than once on a motion except with the Chairman's permission, in explanation or reply, or to ask a question provided that he may speak again on any amendment to the motion.
- 3.4 The mover of a motion's right of reply shall be exercisable at the end of debate.
- 3.5 The mover of an original motion must get the consent of his seconder, and the approval of the meeting, before making any alteration to the wording of his motion.
- 3.6 Any member (other than as provided in rule 3.7 herein) may move an amendment to a motion, provided it is not a direct negative of the motion proposed to be amended.
- 3.7 The mover or seconder of a motion may not move or second an amendment to it but may speak on any such amendment and vote in favour of it.
- 3.8 A particular member may vote or second one amendment only to each motion, but may speak on amendments moved by others.
- 3.9 An amendment having been moved, it shall not be competent to move any further amendment, provided that notice may be given of intention to move a further amendment when the previous amendment has been determined. Only one amendment can be considered at the one time.
- 3.10 If there is an indication of more than one amendment to be brought forward, the mover of the original motion may elect to reply at the end of the debate on the first amendment.
- 3.11 The mover of an amendment has no right of reply.
- 3.12 A member who formally seconds a motion or amendment without speaking may speak in support at a subsequent stage of debate.
- 3.13 Amendments shall be put to the Meeting before the motion is put and shall be committed to the meeting in the order in which they are received.
- 3.14 When an amendment is carried the motion as amended becomes the motion before the meeting.
- 3.15 Motions and amendments can be withdrawn only when a majority of those present at the meeting consent. A motion for withdrawal is open to debate, which however must be confined to the matter of withdrawal.
- 3.16 If, after a motion has been determined, it is considered in the general interest that the matter should be reopened for discussion before the termination of the same meeting, the meeting may, by unanimous vote, order its recommittal.

4. VOTING:

- 4.1 Voting shall be by the voices, or at the discretion of the Chairman or at the request of any member, by the show of hands or by secret ballot.
- 4.2 Any member, supported by not less than three other, may call for a division, in which case members shall move to the right or left of the Chairman, as directed by him.
- 4.3 In the event of a division any member declining to vote shall elect to retire behind the Chairman or have his vote counted in the negative.
- 4.4 The Chairman may appoint tellers to assist him in counting votes.