

St Joseph's Football & Netball Club Geelong Incorporated

Constitution

CONSTITUTION

ST JOSEPH'S FOOTBALL & NETBALL CLUB GEELONG INCORPORATED

1 NAME

The name of the Club is "St Joseph's Football and Netball Club Geelong Incorporated".

2 INTERPRETATION

In these rules, unless there be something in the subject or context inconsistent therewith, the following interpretations shall operate:

- a) "The Club" means the above mentioned Club,
- b) "The Rules" means the rules of the Club in force for the time being,
- c) "The Committee or General Committee",
- d) Words importing the singular shall include the plural and vice versa and words importing the masculine shall include the feminine and vice versa.

3 OBJECTS

The objects for which the club is established are:

- a) To promote and encourage the participation of its members in sport.
- b) To provide and maintain facilities for the use and recreation of its members.
- c) To do all such things as are identical or necessary for the purpose of the above objects.

4 MEMBERSHIPS

The Club shall consist of the following classes of members:

- a) Ordinary members,
- b) Life members,
- c) Honorary members
- d) Junior members.

5 ORDINARY MEMBERS AND JUNIOR MEMBERS

- a) Any person wishing to become a member of the Club must be proposed by one member and seconded by another, each of whom shall have a personal knowledge of the applicant. A nomination paper in accordance with the form in the Schedule hereto shall be signed by the proposer and seconder each of which must have full voting powers, and shall contain the name, signature and address of the candidate and the date of application. The nomination paper when completed shall be handed to the Secretary who shall refer it to the

Committee for consideration. The decision of the Committee as to whether any candidate has been duly elected or not shall be final. A record shall be kept by the Secretary of the Club of the number of members of the Committee voting at such election.

- b) Immediately on the election of a new member, the honorary Secretary shall notify the new member in writing and if requested, make available a copy of the rules, by-laws and regulations of the Club for the time being in force.
- c) If a newly elected member fails to pay the required subscription within thirty days after election, the election shall be void unless such new member justifies the delay to the satisfaction of the general committee within a further period of thirty days.
- d) The payment of the subscription or using the Club's property shall imply a member's acquiescence to the Rules, by-laws and regulations of the club.

6 LIFE MEMBERS

- a) The committee shall at no less than three (3) Committee Meetings during the course of the year, consider nominate and elect members as Life Members¹
 - b) A member who has been nominated as a Life Member shall have been financial Members for a period of not less than ten (10) years.
 - c) A member may be elected as a Life Member by the Committee if in the opinion of the Committee that member has rendered special and distinguished service to the Club.
 - d) The committee will conduct a ballot for the election of Life Members with such ballot requiring at least three-quarters majority vote of the full Committee.
 - e) A Life Member shall enjoy the full privileges of the Club without paying any subscription.
 - f) Any player who plays two hundred (200) senior games with the club automatically becomes eligible for the nomination for life membership. Such life membership only to be bestowed after following the same procedure as in Clause 6a.
- ~~a) On the unanimous recommendation of the Committee taken by ballot any person who shall have rendered special service of services to the Club may at any general or special general meeting, on receiving the votes of at least three-quarters of the members present at such meeting, be elected a life member of the Club with full privileges without payment of any subscription. Such member so recommended shall have been a financial member for a period of not less than ten years.²~~

¹ Inserted at AGM 1998

² Deleted at AGM 1998

7 HONORARY MEMBERS

The following persons may be elected honorary members of the Club:

- a) Any person, not exceeding ten in number who have in the opinion of the committee rendered distinguished service to the community of the State of Victoria or Commonwealth of Australia.
- b) Any person over the age of the age of eighteen years who is a member of any recognised sporting club and who is temporarily visiting the district.
- c) Any person attending the Club for the purpose of competing in any inter Club match or tournament organised by the Club.
- d) Any official of any recognised sporting club attending in connection with any such inter club match or tournament may be elected an honorary member of the Club on the payment of such fees and subject to such conditions and restrictions as the general committee may from time to time determine.
- e) A candidate for honorary membership must be proposed in writing by a member other than an honorary member and seconded by another member other than an honorary member and immediately on receipt of the nomination form the general committee or an election committee comprising two members of the committee may if it thinks fit elect such candidate to honorary membership. An honorary member shall not be eligible for election to the general committee or be entitled to vote at any meeting or to introduce any non-member to the Club premises and shall have no claim or interest to or in the property of the Club.

8 REGISTER

- a) The Secretary shall keep on the Club premises a register of members providing for the name and address of all members of the Club and the date of the latest payment by each member of his subscription.
- b) The number of ordinary members of the Club shall be unlimited unless the committee at its sole description determines otherwise.

9 LIABILITY OF MEMBERS

If a member of what class, by any breach of these Rules, or by any unlawful act, causes the Club or any officer of the Club to pay any money, such member shall be liable to the Club or such officer for the amount so paid.

10 FORFEITURE AND RESIGNATION OF MEMBERSHIP

- a) If any member fails to pay the annual subscription and/or fees imposed by the Club from time to time within four (4) months following the annual general meeting, that person shall cease to be a member of the Club, but should a sufficient explanation be made to the committee within a further period of two (2) months and upon payment of such subscription the membership shall continue. The honorary secretary shall give notice to each member when the

subscription is due. Should any member of the Club from any cause whatsoever cease to be a member for one or more years, the member may be re-instated without paying back subscriptions and/or fees provided a majority of the committee consent thereto.

- b) Any member retiring from the Club, or ceasing for any reason whatever to be a member thereof, shall not have any right, title or interest in or to any property of the Club.

11 DISCIPLINE

- a) Every member of the Club undertakes to comply with the Rules and by-laws of the Club, and any refusal or neglect to do so shall render such member liable to expulsion.
- b) The general committee shall have power to censure or fine, suspend or expel any member for any conduct, which is in its opinion unbecoming to a member. Provided always that such member shall be entitled to seven (7) days' notice of the charge against the member and to be present at the hearing thereof by such committee.
- c) Any member fined, suspended or expelled by the committee under any Rule may appeal against the decision to a meeting of the club called for that purpose and convened by the committee at the member's request, provided that the member must lodge an appeal fee as determined by the Committee such appeal fee to be dealt with as determined by the Club. The member concerned shall be entitled to attend and make any statement relevant to the case to the meeting. The decision of the committee shall remain unaltered unless over-ruled by a two-thirds majority of the members present at the meeting.
- d) Any member expelled in accordance with the rules or otherwise ceasing to be a member of the Club shall forfeit all rights to a claim upon the Club or its property or funds as that person would have by reason of membership.
- e) At the expiration of any financial year in respect of which any person shall have paid his subscription the general committee, if it is of the opinion that it is undesirable in the interest of the Club that such a person should continue to be a member, may decline to accept any further subscriptions from such person. The secretary shall notify such person of this decision and that person shall thereupon cease to be a member of the Club. However, that person shall have the same right of appeal and on the same conditions as sated in 11c hereof.

12 MANAGEMENT

The management of the Club shall be in the hands of the members of the Club through the annual general meeting and/or special general meetings as hereinafter provided.

13 ANNUAL MEETING

- a) The annual general meeting of members shall be held not later than the tenth day of November in each year,
- b) Fourteen days notice in writing shall be given to all members of the time and place appointed by the general committee for such meeting, and a copy of the notice shall be posted on the notice board inside the pavilion fourteen days before the date of such meeting.

14 SPECIAL GENERAL MEETING

A special general meeting shall be convened by the president or honorary secretary upon receiving a requisition in writing to that effect from five (5) members of the general committee or from not less than fifteen (15) members of the Club whose subscriptions are not in arrears. The date of holding such meeting shall be fixed by the general committee, and shall be held not less than fourteen (14) days and not more than twenty-eight (28) clear days from time of receiving the requisition. Not less than seven (7) days before the date of such meeting. The notice shall state clearly the business for which the special general meeting is called and no other business shall be considered.

15 VOTING

- a) At annual general or special meetings the election of all officers (where there are more nominations than vacancies) shall be determined by a show of hands unless the president otherwise determines whereupon it shall be by ballot which shall be supervised by two scrutineers appointed at such meeting. If there are not more nominations than vacancies for any office those nominated shall be declared elected.
- b) All votes shall be given personally. The president shall be entitled to vote and when the votes are equal the president shall be entitled to a second or casting vote.
- c) Only those members who are financial at the date of the relevant meeting shall be entitled to attend and vote.
- d) All resolutions passed at the annual general meeting or at any special general meeting of the Club shall be conclusive and binding on all members, whether they shall have been present at such meeting or not.
- e) All elections hereinbefore referred to shall be determined by a simple majority.
- f) For the election of president the current president will vacate the chair in favor of the senior vice-president who shall perform the duties of the president for such election. Immediately thereafter the newly elected president will occupy the chair.

16 QUORUM

- a) At any annual or special general meeting of the Club ten (10) members shall form a quorum.

- b) At all annual general or special general meetings of the Club, should a quorum not be present within thirty minutes of the specified time, then such meeting, if convened upon the requisition of members shall be dissolved. In any other case it shall stand adjourned to such day as the general committee shall determine at the time and place, and if at such adjourned meeting other than an adjourned annual general meeting, a quorum of members not be present, it shall lapse. In the case of an adjourned annual general meeting, the member present at such adjourned meeting shall form a quorum. No notice for any adjourned meeting need to be given to members, but notice thereof shall be posed on the Club's notice board.

17 COMMITTEE OF MANAGEMENT

- a) The members shall vest the control and business of the Club in a committee of management elected by them at the annual general meeting for not less than twelve (12) months. Such committee shall consider of the officers of the Club as hereinafter provided and shall hold office until their successors are elected.
- b) The offices of the Club shall consist of a President, Senior Vice President, three vice presidents, Secretary, Assistant Secretary, Treasurer and four Committee persons. Nominations for these positions shall be in writing signed by the candidate, proposer and seconder and shall be lodged with the honorary secretary not less than seven days before the date fixed for the annual general meeting. All retiring officers shall be eligible for re-election.
- c) In the event of a sufficient number of members not being nominated for election on the committee or as office bearers as provided by the last preceding Rule the vacancies may notwithstanding be filled up at the annual general meeting then being held.
- d) The committee of management shall meet at least once in each month for transaction of the business of the Club, and the president and/or honorary secretary shall, when necessary, or when requested by three members of the general committee, convene a special meeting of that committee. Minutes of all resolutions and proceedings of the committee shall be entered in a book to be provided for that purpose.
- e) The honorary secretary shall give at least seven (7) days notice of all special committee meetings to all members of the committee.
- f) The president, one of the vice-presidents, or in their absence, one of the committee, shall preside at all committee meetings.
- g) Should any member of the committee fail to attend for three consecutive committee meetings without leave or apology delivered at or prior to the meetings, that member shall thereupon cease to be a member of the committee.
- h) The committee of management may from time to time delegate any of their powers to such sub-committees consisting of members of the Club, as they shall think fit to appoint and may recall or revoke any such delegation or appointment. Any such sub-committee shall, in the exercise of the powers so

delegated, conform to any regulation that may be prescribed by the general committee and shall be subject and subordinate to such general committee.

18 RESIGNATION AND TERMINATION

For the purposes of these rules, the office of an officer of the Club or of an ordinary member of the committee becomes vacant if the officer or member:

- a) Ceases to be a member of the Club.
- b) Becomes an insolvent under administration within the meaning of the Companies (Victoria) Code.
- c) Resigns his office by notice in writing given to the secretary, or
- d) Loses his office pursuant to Clause 17g hereof.

19 VACANCIES

The committee shall have power, should a vacancy occur in their number to fill up such vacancy for the unexpired term from the members of the Club qualified to accept office.

20 POWERS AND FUNCTIONS

The committee shall have the power to:

- a) Elect sub-committee, fill vacancies, make appointments, make by-lays in conformity with the rules of the Club, and to do all such acts and things that it deems advisable for carrying out and managing the business and affairs of the Club. All the sub-committees and persons appointed for special purposes by it shall be subject to and sub-ordinate to the committee.
- b) On the authority of the annual general meeting or of a special general meeting of the Club to impose levies or other fees on the members.
- c) Deal with resignations of members which must be submitted in writing.
- d) Interpret the rules and by-laws of the Club, the interpretation of the committee being final.
- e) Carry out all resolutions passed at an annual or special general meeting of the Club.
- f) Enforce discipline by fines or by expulsions for any misconduct or willful infringement of the rules and by-lays of the Club.
- g) Cause correct accounts and books to be kept, showing the financial affairs of the Club, and the particulars usually shown in the books of account of a like nature. They shall authorise all expenditure including any passed at an annual or special general meeting, and direct the method of dealing with moneys received for or on behalf of the Club.

DUTIES OF THE OFFICERS

21 President

The president shall preside at all meetings, regulate and keep order in all proceeding, and carry into effect the rules and by-laws of the Club

22 Secretary

The secretary shall:

- a) Be the executive officer of the Club
- b) If possible attend all meetings of the committee and annual and special general meetings of the Club
- c) Be responsible for the recording of the minutes of all general meetings and committee meetings of the Club in a book to be kept for that purpose.
- d) Conduct all correspondence in connection with the general business of the Club.
- e) Prepare for submission to the annual general meeting of the Club the report of the committee on the activities of the Club during the year.
- f) Keep a register of members in accordance with Clause 8 hereof.
- g) In any other aspect carry out those duties usually associated with the office of secretary and as required by these rules.
- h) Except as other provided in these rules have custody and control of all books, documents and securities of the Club which shall be available for inspection by the members at the Club premises by such members who have first given reasonable notice to the secretary.

23 Treasurer

The treasurer shall:

- a) Receive all moneys belonging to the club, and within a reasonable time deposit or arrange for the deposit of such moneys with the Club's bankers
- b) Pay all accounts.
- c) Keep correct accounts and books showing the financial affairs of the Club and the particulars usually shown in books of account of a like nature.
- d) Prepare and submit financial statements to each annual general meeting.
- e) Produce a statement of cash transactions and of the financial position of the Club, including the bank balance at each ordinary meeting of the Committee.

24 QUORUM

At any meeting of the committee of management five members thereof shall form a quorum.

25 VOTING

All questions for the decisions of the general committee or any sub-committee thereof shall be proposed and seconded and the result thereof determined by a show of hands, unless a ballot is requested by at least three members.

26 INDEMNITY

If any officer or Committee member in their official capacity has paid or is liable to pay money for any act default or omission of any other person such money shall be refunded to them by the Club or shall be paid by the Club.

27 BANKING ACCOUNT

- a) The banking account of the Club shall be kept with such bank or other financial institution as shall from time to time be appointed by the general committee and all monies be banked therein.
- b) All cheques drawn on the account shall be signed by two of the following offices, viz., the president, the honorary treasurer, or the honorary secretary, provided that should any of these officers be absent through illness or other cause and a substitute or acting appointment be made by the committee then such a person acting in the place of any one of the officers mentioned shall be empowered to sign cheques on the Club's bank account in like manner.

28 SUBSCRIPTIONS

The amount of the annual subscription fall all members shall be fixed from time to time by the members at the annual general meeting. Provided that any amendment to annual subscriptions shall only be made where such amendment has been determined by the Committee to be in the best interests of the Club. Such subscriptions shall be due and payable as and from the annual general meeting.

29 FUNDS AND BOOKS OF ACCOUNT

- a) The funds of the Club shall be derived from entrance fees, annual subscriptions, donations and such other sources as the committee determines.
- b) Proper books of account shall be kept by the treasurer and these shall be open to the inspection of the committee at any time.
- c) The accounts and books referred to in sub-clause (b) shall also be available for inspection by members at the Club premises by such members who have first given reasonable notice to the secretary.

30 DISSOLUTION

- a) The Club may be dissolved or wound up at a meeting of the members called for that purpose, if a special resolution to that effect is passed in accordance with the Association Incorporation Act 1981.
- b) In the event of the Club being wound up, whether voluntarily or otherwise, the net proceeds of the sale and realisation of the Club's property and assets, after payment of all the debts and liabilities of the Club and of all costs, charges and expenses properly payable in connection with such sale and realisation of the Club's property and of the winding up of the Club, shall be divided between such charitable institutions in such manner and proportions as the committee in the absolute discretion may decide. No member shall be entitled to share in or receive any benefit from such net proceeds in the event of the Club being wound up.

31 ALTERATION OF RULES

- a) No new Rule or statement of purpose shall be made nor any existing Rule or statement of purpose altered or repealed except in accordance with the Associations Incorporated Act 1981.
- b) A copy of the proposed new rule, alteration or repeal, as aforesaid shall be delivered to the honorary secretary at least fourteen (14) days before such meeting, and shall be inserted in the notice posted on the notice board of the Club ten (10) clear days before such meeting.

32 INTERPRETATION OF RULES

In the event of any doubt or difficulty arising as to the meaning of any rule, by-law or regulation, or should any question arise as to their interpretation, the general committee shall have the power to pronounce a decision thereon, and its decision shall be final and binding on the members subject only to affirmation or reversal by a special general meeting called for that purpose.

33 VISITORS

- a) Members may, with the approval of the committee, introduce visitors to the Club. The committee may suspend or limit the admission of visitors to the Club on any occasion during any hours.
- b) A member introducing *visitors* shall be responsible for the conduct of such *visitors whilst they are on* the Club premises and shall require such *visitor(s)* to leave the Club premises immediately upon being requested to do so by a member of the committee.
- c) When the member who has introduced a visitor leaves the Club premises the visitor whom he has introduced shall leave with the member.

- ~~d) Not more than three (3) visitors shall be introduced by the same member on any one day and the same visitor shall not be introduced more than twelve (12) times in any period of twelve (12) months. These restrictions shall not apply to the wife, children or one lady friend of a male member, nor to the husband, children or one gentlemen friend of a female member.~~
- e) The name and usual residential address of each visitor shall be entered into a visitor's book provided by the Club and the member introducing the *visitor(s)* shall sign *their names* opposite each such entry.
- f) *Visitor(s)* shall not be supplied with liquor in the Club premises unless in the company of a member introducing such visitor.
- g) A visitor may be admitted to the Club premises to attend a function or occasion held at such premises by a member or members provided holding of the occasion or function has been approved by the committee and where the whole of the expense is borne by the member or members and no contribution is made by the guest or visitors attending such function or occasion.
- h) *When official sporting competition occurs at the venue's ovals or netball courts, all visiting players and officials shall be admitted to the licensed premises "signed-in" by an elected Committee Member of the club.*
- i) *All approved visitors to the club are bound by the Club's Code of Conduct (updated September 2005).*

34 APPLICATION OF PROFIT

The profits and other income of the Club shall be applied to the promotion of the purposes for which the members of the Club are associated together and no payment of any dividends or distribution of profits or income to or amongst the members of the Club shall be made. Provided that nothing herein contained shall prevent the payment by way of honorarium or refund expenses to any officer of the Club for services rendered to the club.

35 LIQUOR

- a) No person shall be allowed to become honorary members of the Club or to be relieved of the payment of the regular subscription except those possessing certain qualifications defined in the rules and subject to conditions and regulations prescribed therein.
- b) The Club shall provide and maintain its facilities from the joint funds of the Club.
- c) No liquor shall in any way be sold; supplied or provided to any person under eighteen (18) years of age and no such person shall purchase, consume or receive liquor.

36 SEAL

- a) The Common seal of the Club shall be kept in the custody of the secretary.

b) The Common seal shall not be affixed to any instrument except by the authority of the Committee. The affixing of the Common seal shall be attested by the signatures of two of the officers or the Public Officer and an officer of the Club.

Deleted at AGM 2005

Inserted at AGM 2005

37 GENERAL

No person shall be eligible for selection in any team representing the Club unless the relevant subscriptions have been paid at the date of selection.

SCHEDULE

To: The secretary

Sir,

I desire to become a member of the St Joseph's Football Club Geelong Incorporated and I hereby agree, if elected to be bound to the Consitution, Rules and By-laws of the Club. The following particulars are correct:

Full name of Candidate:.....

Address:.....

.....

Telephone Numbers: (W)

..... (H)

..... (M)

Profession or Occupation.....

Age (if under 21)

Signature of Candidate

The above candidate is personally known to us and we believe him/her to be a suitable person to be elected a member of St Joseph's Football Club Geelong Incorporated.

Proposer:

Seconded.....

Dated the _____ day of _____ in the year of _____