

CONSTITUTION

OF

THE

JAMESTOWN PETERBOROUGH

FOOTBALL AND NETBALL

CLUB

INCORPORATED

1. NAME

The name of the incorporated association is The Jamestown Peterborough Football and Netball Club Incorporated referred to herein as "the association".

2. DEFINITIONS

"committee" means the committee of management of the association

"general meeting" means a general meeting of the members of the association convened in accordance with these rules

"member" means member of the association

"the Act" means the Associations Incorporation Act 1985

"special resolution" means special resolution defined in the Act

"month" shall mean a calendar month

3. OBJECTS OF THE ASSOCIATION

The objects of the association are

- i. To promote and encourage members to play football and netball
- ii. To promote the sports of football and netball throughout the general community

4. POWERS OF THE-ASSOCIATION

The association shall have all the powers conferred by section 25 of the Act

5. MEMBERSHIP

Membership shall be open to any person accepting the Association's objects. Membership shall be for a 12 month period expiring at the subsequent Annual General Meeting.

5.1 TYPES

There shall be

- i. ordinary members
- ii. football playing members
- iii. netball playing members
- iv. junior playing members
- v. honorary life members

5.2 SUBSCRIPTIONS

- i. The subscription fees for membership shall be such sum as the committee shall determine from time to time.
- ii. The subscription fees shall be payable annually on or before the third home game of the season or at such other time as the committee shall determine.
- iii. Any member whose subscription is outstanding for more than three months after the due date for payment shall cease to be a member of the association, provided always that the committee may reinstate such a person's membership

on such terms as it thinks fit.

5.3 RESIGNATIONS

A member may resign from membership of the association by giving written notice thereof to the secretary or public officer of the association. Any member so resigning shall be liable for outstanding subscriptions which may be recovered as a debt due to the association.

5.4 EXPULSION OF A MEMBER

- i. Subject to giving a member an opportunity to be heard or to make written submission, the committee may resolve to expel a member upon a charge of conduct detrimental to the interests of the association.
- ii. Particulars of a charge shall be communicated to the member at least one month before the meeting of the committee at which the matter will be determined.
- iii. The determination of the committee shall be communicated to the member, in the event of an adverse determination the member shall, (subject to 5.4iv below), cease to be a member 14 days after the committee has communicated its determination to the member.
- iv. It shall be open to a member to appeal to the association in a general meeting against the expulsion. The intention to appeal shall be communicated to the secretary or the public officer of the association within fourteen days after the determination of the committee has been communicated to the member.
- v. In the event of an appeal under 5.4iv above, appellants membership of the association shall not be terminated unless the determination of the committee to expel the member is upheld by the members of the association in general meeting after the appellant has been heard by the members of the association, and in such event membership will be terminated at the date of the general meeting at which the determination of the committee is upheld.

5.5 REGISTER OF MEMBERS

A register of members shall be kept and may contain:

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

6. THE COMMITTEE

6.1 POWERS AND DUTIES

- i. The affairs of the association shall be managed and controlled by a committee which in addition to any powers and authorities conferred by these rules may exercise all such powers and do such things as are within the objects of the association, and are not by the Act or by these rules required to be done in a general meeting.
- ii. The committee has the management and control of the funds and other property of the association.
- iii. The shall have authority to interpret the meaning of these rules and any other matter relating to the affairs of the association on which these rules are silent.
- iv. The committee shall appoint a public officer as required by the Act.
- v. The committee may form sub committees comprising members of the Association provided that any sub committee shall consists of at least one member of the committee and will be required to report back to the committee at each meeting or as requested by the committee.

6.2 APPOINTMENT

- i. The committee shall be comprised of a President, Vice President, Secretary, Treasurer, Social Committee representative, seven committee members
- ii. A committee member shall be a natural person
- iii. The first committee of the association shall be appointed from the promoters of the association, or be comprised of such persons as hold office prior to incorporation. The first committee shall hold office until the first annual general meeting after incorporation. At this time, one half of the members of the committee, who shall be chosen by ballot, shall retire from the committee. At each subsequent annual general meeting one half of the members of the committee, being the longest serving members shall retire.
- iv. A committee member shall be a natural person
- v. A retiring committee member shall be eligible to stand for re-election with-out nomination
- vi. Any member of the Association may nominate another member to stand for election either in person at an Annual General Meeting or in writing prior to the Annual General Meeting
- vii. The executive being the President, Vice President, Secretary and Treasurer shall hold office for one year and shall be eligible to stand for re-election without nomination
- viii. The committee may appoint a person to fill a casual vacancy by resolution at a general meeting, and such a committee shall hold office until the next annual general meeting of the

association and be eligible for election to the committee without nomination.

6.3 PROCEEDINGS OF COMMITTEE

- i. The committee shall meet together for dispatch of business at least 9 times each year or as otherwise decided by the committee.
- ii. Questions arising at any meeting of the committee shall be decided by a majority of votes, and in the event of equality of votes the chairperson shall have a casting vote in addition to a deliberate vote.
- iii. A quorum for a meeting shall one half of the total number of committee members plus one
- iv. A member of the committee having a direct or indirect pecuniary interest in a contract or proposed contract, with the association must disclose the nature and extent of that interest to the committee as required by the Act, and shall not vote with respect to that contract or the proposed contract. The member of the committee must disclose the nature and extent of his interest in the contract at the next annual general meeting of the association

6.4 DISQUALIFICATION OF COMMITTEE MEMBERS

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

- i. disqualified from being a committee member by the Act
- ii. expelled as a member under these rules
- iii. permanently incapacitated by ill health
- iv. absent without apology from more than four meetings in a financial year

7 ANNUAL GENERAL MEETINGS

7.1 ANNUAL GENERAL MEETINGS

- i. The committee shall call an annual general meeting in accordance with the Act and these rules
- ii. The first annual general meeting shall be held within 18 month after the incorporation of the association and the annual general meeting is to be held by the end of October each year.
- iii. The order of business at the meeting shall be:
 - a. The confirmation of minutes of the previous annual general meeting and any special general meeting held since that meeting
 - b. The consideration of accounts and reports of the committee and the auditor's report if required
 - c. The election of officers
 - d. The appointment of auditors
 - e. Any other business requiring consideration by the association in general meeting

7.2 SPECIAL GENERAL MEETINGS

- i. The committee may call a special general meeting at any time.
- ii. Upon a requisition in writing of not less than 20 members of the association, the committee shall within one month of the receipt of the requisition convene a special general meeting for the purpose specified in the requisition.
- iii. Every requisition for a special general meeting shall be signed by the relevant members and state the purpose of the meeting.
- iv. If a special general meeting is not convened within one month, as required by 7.2ii above, the requisitionists, or at least 50% of their number, may convene a

special general meeting. Such a meeting shall be convened shall be convened in the same manner as nearly as practical as a meeting convened by the committee, and for this purpose the committee shall ensure that the requisitionists are supplied free of charge with particulars of members entitled to receive a notice if meeting. The reasonable expenses of convening an conducting such a meeting shall be home by the association.

7.3 NOTICE OF GENERAL MEETINGS

- i. Subject to 7.3ii, at least 14 days notice of any general meetings shall be given to members. The notice shall set out where and when the meeting will be held, and particulars of the nature and order of the business to be transacted at the meeting.
- ii. Notice of a meeting at which a special resolution is to be proposed shall be given at least 21 days prior to the meeting.
- iii. A notice may be given by the association to any member by serving the member with the notice personally, or by sending it by post to the address appearing in the register of members, by a public notice, or by electronic means.
- iv. Where the notice is sent by post:
 - a. The service is affected properly addressing, prepaying and posting a letter or packet containing the notice; and
 - b. Unless contrary is proved, service will be taken to have been effected at the time at which the letter of packet would be delivered by ordinary course of post.

7.4 PROCEEDINGS AT GENERAL MEETINGS

- i. Twenty present personally shall constitute a quorum for the transaction of business at any general meeting.
- ii. If within 30 minutes after the time appointed for the meeting a quorum is not present, a meeting convened upon the requisition of members shall lapse. For any other case, the meeting shall stand adjourned to the same day in the next week, at the same time and place and if such adjourned meeting a quorum is not present within 30 minutes of the time appointed for the meeting the numbers present shall form a quorum.
- iii. Subject to 7.4iv, the chairperson shall preside as chairperson at a general meeting of the meeting of the association.
- iv. If the chairperson is not present within five minutes after the time appointed for holding the meeting, or he or she is present but declines to take or retires from the chair, the members may choose a committee member or one of their own number to be chairperson for that meeting

7.5 VOTING AT GENERAL MEETINGS

- i. Subject to these rules, every member of the association has only one vote at a meeting of the association. A voting member must be of 18 years of age or older at the date of the general meeting.
- ii. Subject to these rules, a question for decision at a general meeting, other than a special resolution, must be determined by a majority of members who vote in person at the meeting.
- iii. Unless a poll is demanded by a least five members, a question for decision at a general meeting must be determined by a show of hands.

7.6 POLL AT GENERAL MEETINGS

- i. If a poll is demanded by at least five members, it must be conducted in a manner specified by the person presiding and the result of the poll is the resolution of the meeting on that question.
- ii. A poll demanded for the election of a person presiding or on a question of adjournment must be taken immediately, but any other poll may be conducted at any time before the close of the meeting.

7.7 SPECIAL AND ORDINARY RESOLUTIONS

- i. A special resolution is a special resolution as defined in the Act.
- ii. An ordinary resolution is a resolution passed by a simple majority at a general meeting.

7.8 PROXIES

A member shall be entitled to appoint in writing a natural person who is also a member of the association to be their proxy, and attend and vote at any general meeting of the association

8 MINUTES

- i. Proper minutes of all proceedings of general meetings of the association and of meetings of the committee, shall be entered within one month after the relevant meeting in minute books kept for the purpose.
- ii. The minutes kept pursuant to this rule must be confirmed by the members of the association or the members of the committee (as relevant) at a subsequent meeting.

- iii. Minutes of each meeting must be kept and presented at the next meeting for confirmation
- iv. Where minutes are approved, until the contrary is proved, be evidenced 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 valid.

9 FINANCIAL REPORTING

9.1 FINANCIAL YEAR

The first financial year of the association shall be the period ending on 30th September following incorporation, and thereafter a period of 12 months commencing on 1st October and ending on 30th September of each year.

9.2 ACCOUNTS TO BE KEPT

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

9.3 APPOINTMENT OF AUDITOR

- i. At each annual general meeting, the members shall appoint a person to be auditor of the association
- ii. The auditor shall hold office until the next annual general meeting and shall be eligible for re-appointment.
- iii. If an appointment is not made at an annual general meeting, the committee shall appoint an auditor for the current financial year.

10 PROHIBITION AGAINST SECURING PROFITS FOR MEMBERS

The income and capital of the association shall be applied exclusively to the promotion of its objects and no portion shall be paid or distributed 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 association.

11 WINDING UP

The association may be wound up in a manner provided for in the Act.

12 APPLICATION OF SURPLUS ASSETS

- i. If after winding up of the association there remains "surplus assets" as defined in the Act, such surplus assets shall be distributed to any organisation which has similar objects and has rules which prohibits distribution of its assets and income to its members.
- ii. Such organisation or organisations shall be identified and determined by resolution of members in general meeting.

13 RULES OF THE ASSOCIATION

These rules may be altered (including an alteration to the association's name) by special resolution of the members of the association. This includes rescission or replacement by substitute rules.

The alteration shall be registered with the Office of Consumer and Business Affairs, Corporate Affairs and Compliance Branch as required by the Act.

The registered rules shall bind the association 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