

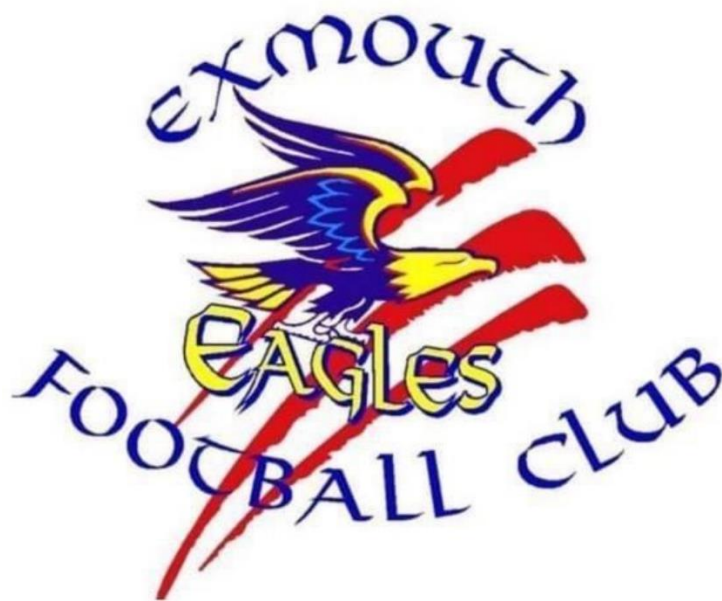
Exmouth Eagles Football Club Incorporated

AMENDED CONSTITUTION: FINAL OCT 2025

KYLIE SHOWMAN

Ref: A100544004

Established: 04/06/1996



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PART 1 - PRELIMINARY

1.1 Name of Association

The name of the Association is the Exmouth Eagles Football Club Incorporated, hereafter referred to as the 'Club'.

1.2 Objects of Club

- (1) The principal objects of the Club are:
 - (a) To establish, maintain and manage a sports club to support the game of Australian Rules football;
 - (b) To support the development of football players, from a diverse range of abilities and for all ages, irrespective of background, gender or ability;
 - (c) To coordinate and conduct training and regular participation in football, at a local and regional level;
 - (d) To contribute towards the management and maintenance of the sporting facilities to the highest standard for members and visitors;
 - (e) To maximise the use of the Club facilities and amenities by the local community;
 - (f) To encourage and promote healthy lifestyles through active participation; and
 - (g) To support volunteers to assist with the management and operation of the Club.
- (2) An ancillary object is to maintain a club liquor licence, in accordance with the Liquor Act and its amendments to enable the Club to provide an additional service to its members.

1.3 Powers of the Club

Subject to the Act, the Club may do all things necessary to carry out its objects in a lawful manner, including but not limited to:

- (a) Raise, invest and deal with the money of the Club in such manner as may from time to time be determined;
- (b) Acquire, hold, deal with, lease, exchange, hire or dispose of any real or personal property;
- (c) Employ, pay and dismiss employees as deemed necessary to further the objects of the Association;
- (d) Open and operate bank accounts;
- (e) Administer the finances of the Club;
- (f) Fix fees and subscriptions payable by members and decide such levies and charges and to enforce payment thereof;
- (g) Enter into any contract it considers necessary or desirable;
- (h) Adjudicate on all matters brought before it, which in any way affect the Club;
- (i) Make, amend and rescind by-laws, not inconsistent with this Constitution; and
- (j) Do other things necessary or convenient to be done in carrying out the objects.

1.4 Financial Year

The Association's financial year will be the period of 12 months commencing on 1 October and ending on 30 September of the following year.

1.5 Quorum for General Meetings

A quorum for the Annual General Meeting or any General Meeting shall consist of at least ten (10) persons, present and entitled to vote.

1.6 Quorum for Executive Committee Meetings

At an Executive Committee meeting 50% plus one (or the lower whole number) of Executive Committee members constitute a quorum for the conduct of the business of an Executive Committee meeting.

1.7 Terms Used

In these rules, unless the contrary intention appears —

Act means the *WA Associations Incorporation Act 2015*; its amendments and any other legislation that may come into force to replace or supplement this Act and shall form part of these Rules;

AGM means the Annual General Meeting;

Association means the incorporated association to which these rules apply, also known as the Exmouth Eagles Football Club Incorporated;

books, of the Association, includes the following —

- (a) a register;
- (b) financial records, financial statements or financial reports, however compiled, recorded or stored;
- (c) a document;
- (d) any other record of information;

by-laws mean the operational guidelines, policies and procedures which allow the club to operate their football activities;

Chairperson means the President, Vice President or another member of the Executive Committee appointed as Chairperson under these rules;

Club means this incorporated Association – the Exmouth Eagles Football Club Incorporated;

Executive means the Executive Committee of the Association;

Executive Committee meeting means a meeting of the Executive Committee;

Executive Committee member means a member of the Executive Committee;

financial records include:

- (a) invoices, receipts, orders for the payment of money, bills of exchange, cheques, promissory notes and vouchers; and
- (b) documents of prime entry; and
- (c) working papers and other documents needed to explain —
 - (i) the methods by which financial statements are prepared; and
 - (ii) adjustments to be made in preparing financial statements;

financial statements mean the financial statements in relation to the Club required under Part 5 Division 3 of the Act;

financial year of the Club commences on 1 October each year and concludes on 30 September of the following year;

General meeting means a general meeting of the Club, whether an Annual or Special General meeting that members are entitled to receive notice of and to attend;

Playing season means the time from the first official scheduled training or playing match of each season, until the completion of the final match of the season, as determined by the Executive Committee;

register of members means the register of members referred to in Section 53 of the Act;

rules mean the section of this Constitution;

special general meeting means a meeting convened in accordance with rule 5.10, at which only business that has been described in the notice may be transacted.

special resolution means a resolution passed by three-fourths of the presiding and voting members at a General meeting in accordance with Section 51 of the Act;

sub-committee means a specific operational sub-committee, with an elected Chair and any number of members and will report through the Chair to the Executive as set out in the bylaws.

Western Australian Country Football League (WACFL) means the recognised state-based organisation overseeing the senior and junior football in regional WA;

PART 2 — ASSOCIATION TO BE NOT FOR PROFIT BODY

2.1 Not-For-Profit Body

- (1) The property and income of the Club must be applied solely towards the promotion of the objects or purposes of the Club and no part of that property or income may be paid or otherwise distributed, directly or indirectly, to any member, except in good faith in the promotion of those objects or purposes.
- (2) A payment may be made to a member out of the funds of the Club only if it is authorised under subrule (3).
- (3) A payment to a member out of the funds of the Club is authorised if it is —
 - (a) the payment in good faith to the member as reasonable remuneration for any services provided to the Association, or for goods supplied to the Club in the ordinary course of business; or
 - (b) the reimbursement of reasonable expenses properly incurred by the member on behalf of the Association.

2.2 Affiliation and Membership with other Similar Organisations

- (1) The Executive Committee may determine that the Club will affiliate with or become a member of, or accept affiliation with or membership of, any organisation (including any regional, national or international Association) having similar or like interests.
- (2) The Club is a member of WACFL and will, to the best of its ability, uphold and enforce the by-laws, policies and procedures published from time to time by WACFL and AFL.
- (3) The Executive Committee may appoint a representative or delegate to represent the Club, as requested by an affiliated organisation.

PART 3 — Membership

3.1 Membership

- (1) Under the Act, the minimum number of members of the Club is six (6).
- (2) The maximum number of members of the Club is at the discretion of the Executive Committee.
- (3) Membership to the Club is open to any person who supports the objects of the Club.
- (4) An individual who is aged 18 or older, is eligible to apply for membership that confers full voting rights.
- (5) An individual aged 17 or under, is eligible to apply for a class of membership that does not cover voting rights. However, they may be represented by their parent or guardian as set in rule 3.2 (3)

3.2 Categories of Membership

- (1) The Club may consist of the following classes of Membership:
 - (a) **Ordinary** Members; and
 - (b) **Associate** Members.
- (2) **Ordinary** members shall consist of the following categories:
 - (a) **Adult Player** – any registered, financial playing member, aged 18 or over, shall have full voting rights and is entitled to hold any Committee position;
 - (b) **Family Member** – any parent or guardian of a registered, financial junior player (aged under 18), is entitled to one vote per Family membership and is entitled to hold any Committee position;
 - (c) **Social Member** – any non-playing supporter, aged 18 or over, who is a financial member shall have full voting rights and is entitled to hold any Committee position;
 - (d) **Life Member** – is a person who has rendered long and outstanding service to the Association. Life members shall be entitled to full voting rights and are not required to pay any fees.

(3) **Associate** Members shall consist of the following categories:

- (a) **Junior Member** – any registered, financial playing member aged 13 or under, is eligible to attend General meetings, are ineligible to vote or sit on committees. They may be represented by a Family member under rule 3.2(2)(b). Junior Members will automatically become Adult Player on turning the age of 18;
 - (b) **Youth Members** – any person aged over 13 and under 18, are ineligible to vote but are entitled to attend General Meetings and may sit on committees with non-voting rights;
 - (c) **Temporary members** – who on any day visiting the Club as a member or official of another club to:
 - i. engage in a pre-arrange event conducted in accordance with the Clubs objectives; or
 - ii. hold a pre-arranged function involving the use of the Club;
 - iii. Temporary members do not have voting rights and are not entitled to attend meetings.
 - (d) **Guests** – Ordinary members may introduce guests to the Club at any time provided that;
 - i.No member may introduce more than five (5) guests at any one time,
 - ii.A guest shall not be supplied with liquor on the premises except by invitation and in the company of that member,
 - iii.A guest shall only be supplied with liquor to be consumed on the premises only,
 - iv.Any person who has been refused membership or who is under suspension or expulsion from the Club shall not be admitted as a guest by any member.
 - (e) **Patron** – the Club, at its discretion may appoint a person who is nominated at an Annual General Meeting in recognition of service for a designated period of time. A Patron is eligible to attend General meetings, shall not be required to pay any fees, but are are ineligible to vote; and
 - (f) Any other class of membership provided under subrule (5).
- (4) No member can belong to more than one class of membership.
- (5) Subject to the Act, and without derogating from the rights of the existing members, the Club may by resolution at the AGM, create additional classes of membership and determine the eligibility criteria, rights and obligations of those members.

3.3 Life Members

- (1) To be eligible Life membership, an individual must have:
- (a) provided outstanding service to the Club in promoting the objects; AND
 - (b) have played at least 100 senior or combined junior/senior games for the Club as set out in the bylaws; and
 - (c) provided long standing and exceptional service to the Club across the club's various operations.
- (2) Any Ordinary member may nominate a person who is eligible in accordance with subrule (1) on a form approved by the Executive Committee;
- (3) The Executive Committee may invite Life members to advise on the suitability of any nomination;
- (4) The nomination criteria for Life membership shall be set out in accordance with the Club's By-Laws;
- (5) A nomination must be submitted in writing to the Secretary/Administrator, at least 28 days prior to the AGM;
- (6) Life membership will only be considered at an AGM and must be approved by a special resolution, of at least seventy-five percent of presiding and eligible voting members.
- (7) No more than two Life Members may be elected in any one year, unless deemed eligible by games played for the club.

3.4 Deeming Provisions

- (1) All members who were members or Life members of the Club, prior to the time of approval of this Constitution under the Act, shall continue to be acknowledged as members and Life Members, and will be entitled to such benefits as was conferred on them by the Club.

3.5 Applying for Membership

- (1) Every application for membership must:
 - (a) be on a written form, approved by the Executive Committee for that purpose (which includes applying through any online application maintained by the Club);
 - (b) be submitted to the Registrar or in any other way approved by the Executive Committee;
 - (c) be accompanied by the appropriate fee prior to the membership season, unless approved by the Executive Committee and as set out in the by-laws.
- (2) The Executive Committee shall consider each application for membership to the Club and decide whether to accept or reject the application, without giving reason.
- (3) If the Executive Committee accepts the membership application, the Secretary or Registrar must:
 - (a) notify the applicant and request payment of the of the applicable membership fee; and
 - (b) within 14 days after the person becomes a member, enter the person's name in the Registrar.
- (4) Any applicant who membership has been approved, will not become a member until the Club has:
 - (a) received payment of the of the required membership fee; and
 - (b) The applicant's details are entered into the register in accordance with rule 3.12.

3.6 Membership Obligations and Rights

- (1) Each member undertakes to the best of their ability to:
 - (a) Comply with this constitution and any by-laws of the Club in force from time to time;
 - (b) Be bound by all resolutions passed at a General meeting, whether they are present or not at the meeting;
 - (c) Promote the objects and interests of the Club.
- (2) Members have all the rights provided to members under this constitution, including but not limited to:
 - (a) Be entitled to all privileges of the specified membership;
 - (b) Receive notices from the Club;
 - (c) Attend and request the convening of a General meeting of the Club;
 - (d) Vote at all General Meetings (if their membership class makes them eligible for voting); and
 - (e) Be provided with a copy of the constitution and the bylaws or directed to where this can be viewed and accessed

3.7 When Membership Ceases

- (1) A member ceases to be a member when any of the following takes place —
 - (a) the individual dies or the body corporate winds up;
 - (b) the member resigns from the Club under rule 3.8;
 - (c) the member is expelled from the Club under rule 6.1; or
 - (d) the member is un-financial and ceases to be a member under rule 3.10(4).

3.8 Resignation

- (1) A member may resign from the Club by giving written notice to the Secretary/Administrator of such intention to withdraw or resign.
- (2) The resignation takes effect —
 - (a) when the Administrator/Registrar receives the notice; or
 - (b) if a later time is stated in the notice, at that later time.
- (3) The Administrator/Registrar must keep a record, for at least one year, of —
 - (a) the date on which the member ceased to be a member; and
 - (b) the reason why the membership was ceased.

3.9 Revocation of Life Membership

- (1) The Executive Committee may at an Executive meeting propose a Special Resolution for Members to consider at a General Meeting to revoke a Life Member's membership if in its opinion:
 - (a) the Life Member's status or conduct is detrimental to the Objects, interests or standing of the Club, including (without limitation) if the Life Member has brought the Club or the sport of Australian Rules Football into disrepute; or
 - (b) the Life Member has failed to comply with this Constitution or any regulations, policies or standards of the Club.
- (2) At least 28 days before the General Meeting at which the Special Resolution referred to in clause (1) is to be proposed (Revocation Meeting), the Administrator must give written notice to the Life Member:
 - (a) of the proposed revocation of membership and the reasons for that revocation;
 - (b) of the date, time and place of the Revocation Meeting; and
 - (c) informing the Life Member that the Life Member may attend the Revocation Meeting and will be given a full and fair opportunity to make oral and written submissions to the Members.
- (3) The President must give the Life Member a reasonable opportunity to submit written submissions to members prior to the Revocation Meeting; and a reasonable opportunity to make oral submissions at the Revocation Meeting, before the Special Resolution is voted on by members.

3.10 Membership Fees and Subscription

- (1) The annual membership subscription, fees and any levies payable by members (or any category of members) to the Club shall be as determined by the Executive Committee from time to time.
- (2) Each member must pay the membership subscription, fees and any levies payable to the Treasurer, or another person authorised to receive payments, on the due date, as and when decided by the Executive Committee.
- (3) The Executive Committee may:
 - (a) set different membership fees for different members; and
 - (b) in its absolute discretion may waive all or part of a membership fee payable by a member.
- (4) If a member has not paid all fees due by the commencement of the season (the due date), the member ceases to be a member and shall not be eligible for any members rights and will be ineligible to score points in respect of any games played.
- (5) If a person who has ceased to be a member under subrule (4) offers to pay the subscription fee after the period referred to subrule (3) has expired —
 - (a) the Executive Committee may, at its discretion, accept that payment; and
 - (b) if the payment is accepted, the person's membership is reinstated from the date the payment is accepted; and
 - (c) no reimbursement of fees or re-instatement of game entitlements will be allowed.

3.11 Rights Not Transferable

- (1) The rights of a member are not transferable and end when membership ceases.

3.12 Register of Members and Executive Committee

- (1) The Secretary/Administrator is responsible to maintain the register of members and record in that register any change in the membership of the Club within 28 days of the change occurring.
- (2) The register must include each member's name and –
 - (a) A contact, postal, residential or email address of each member, and
 - (b) The class of membership held by the member, and
 - (c) The date on which the member became a member.
- (3) A record of Executive Committee members and other persons authorised to act on behalf of the Club is required to be maintained by the Secretary/Administrator.
- (4) The register of members and Executive Committee must be kept at the Secretary/ Administrator's place of residence or at another place determined by the Executive Committee.

3.13 Inspection of Register and Documents

- (1) Sub-rule (2)-(6) apply to a member who want to inspect –
 - (a) the register of members under Section 54(1) of the Act; or
 - (b) the record of the names and addresses of Board members, and other persons authorised to act on behalf of the Club, under section 58(3) of the Act; or
 - (c) any other record or document of the Club
- (2) The Member must contact the Secretary or President to request the inspection of the register.
- (3) The inspect of the register must be free of charge.
- (4) The member may make a copy of or take an extract from the register but shall have no right to remove the register for that purpose.
- (5) If the member wants to inspect a document that records the minutes of an Executive Committee meeting, the right to inspect that document is subject to any decision the Executive Committee has made about minutes of Executive Committee meetings generally, or the minutes of a specific Executive Committee meeting, being available for inspection by members.
- (6) The Executive Committee may require the member to provide a statutory declaration setting out the purpose for which the copy or extract is required and declaring the purpose is connected to the affairs of the Club.
- (7) A member must not use or disclose any information in a record or document for any purpose other than a purpose that:
 - (a) is directly connected to the affairs of the Club; or
 - (b) relates to the administration of the Act.

PART 4 —EXECUTIVE COMMITTEE

4.1 Executive Committee Powers

- (1) The affairs of the Club will be managed by an Executive Committee, hereafter referred to as the Executive Committee.
- (2) Subject to the Act, these rules, the by-laws and any resolution passed at a General meeting, the Executive Committee has power to do all things necessary or convenient to be done for the proper management of the affairs of the Club.
- (3) The Executive Committee must take all reasonable steps to ensure that the Club complies with the Act, these rules and any by-laws.
- (4) All Executive Committee members must be members of the Club.
- (5) The Executive Committee shall:
 - (a) act on all issues in accordance with the objects;
 - (b) operate for the collective and mutual benefit of all members of the Club;
 - (c) adjudicate on all matters brought before it which in any way affect the Club or the game of football within Exmouth;
 - (d) fix all fees and subscriptions payable by members and decide such levies, rates of fines and charges and enforce payment as per relevant policies, procedures and guidelines; and
 - (e) regularly review the Club's performance in achieving its aims and objectives.

4.2 Executive Committee Members

- (1) The business and affairs of the Club will be managed by the Executive Committee consisting of:
 - (a) The five office holders of the Club: and
 - (b) The Treasurer (who is ex-officio and non-voting), and
 - (c) and up to four (4) General Committee Members, who will have specific portfolios as determined at the Annual General Meeting.
- (2) The following are the five (5) office holders of the Club:

- (a) President,
 - (b) Vice President Junior,
 - (c) Vice President Senior,
 - (d) Seniors Admin/Registrar, and
 - (e) Juniors Admin/Registrar.
- (3) The maximum number of Executive Committee voting members shall not exceed nine (9).
- (4) No person shall be entitled to hold more than one position on the Executive Committee.

4.3 Eligibility for Executive Committee

- (1) A person may be an Executive Committee member if they are—
- (a) aged 18 or over; and
 - (b) are an Ordinary Member; and
 - (c) duly elected or nominated, as set out in rules 4.12 and 4.13, and
 - (d) are not disqualified from being an office holder of the Executive Committee under the Act; and
 - (e) satisfy any other eligibility criteria as set by the Executive committee from time to time
- (2) Employees of the Club are not eligible to hold any position with voting rights. They may be appointed with non-voting rights and as set out in the bylaws and in their position descriptions.

4.4 Responsibilities of Executive Committee Members

- (1) An Executive Committee member must exercise their powers and discharge their duties:
- (a) with a degree of care and diligence that a reasonable person would exercise in the circumstances;
 - (b) in good faith in the best interests of the Club and for a proper purpose.
- (2) An Executive Committee member or former Executive Committee member must not improperly use information obtained because they are an Executive Committee member to:
- (a) gain an advantage for themselves or another person; or
 - (b) cause detriment to the Association.
- (3) An Executive Committee member having any material personal interest in a matter being considered at an Executive Committee meeting must:
- (a) as soon as they become aware of that interest, disclose the nature and extent of their interest to the Executive Committee; and
 - (b) agree with the Executive Committee on the most appropriate manner to handle the disclosure of interest as set out in the by-laws; and
 - (c) must not be present when the matter is being considered at the meeting or vote on the matter; and
 - (d) ensure the nature and extent of the interest and how the interest relates to the activity of the Club is disclosed at the next General Meeting.
- (4) The Secretary/Administrator must record every disclosure made by an Executive Committee member under subrule (3) in the minutes of the Executive Committee Meeting at which the disclosure is made.
- (5) No Executive Committee member shall make any public statement or comment or cause to be published any words or article concerning the conduct of the Club unless the person is authorised by the Executive Committee to do so and such authority is recorded in the minutes of the Executive Committee Meeting.
- (6) Under the Act, no person shall be entitled to hold a position on the Executive Committee if the person has been convicted of, or imprisoned in the previous five years for:
- (a) an indictable offence in relation to the promotion, formation or management of a body corporate;
 - (b) an offence involving fraud or dishonesty punishable by imprisonment for a period of not less than three months; or
 - (c) an offence under Part 4 Division 3 (the duties of officers provisions) or Section 127 (the duty with respect to incurring of debt) of the Act; unless the person has obtained the consent of the Commissioner.
- (7) No person shall be entitled to hold a position on the Executive Committee if the person is, according to the Interpretation Act Section 13D, a bankrupt or a person whose affairs are under insolvency laws unless the person has obtained the consent of the Commissioner.

- (8) The Club will not allow a person to hold a position on the Executive Committee if the person has been convicted or imprisoned for an indictable offence involving inappropriate dealings and interaction with children.

4.5 Duties of President

- (1) The President has the following duties -
- (a) represent the Association;
 - (b) lead and support current and future planning;
 - (c) consult with the Administrator/Registrar Seniors regarding the business to be conducted at each Executive Committee meeting and any General meeting;
 - (d) convene and preside at Executive Committee meetings and preside at General meetings provided for in these rules;
 - (e) ensure that the minutes of a General meeting or Executive Committee meeting are reviewed and signed as correct;
 - (f) report activities to the members at the AGM;
 - (g) carry out any other duty under these rules or as requested by the Executive Committee.
- (2) The President may delegate representative responsibility to another Executive Committee member under written guidelines and following a policy set from time to time by the Executive Committee.
- (3) In the absence of the President from any meeting, the Executive Committee shall determine one of the Vice President's to Chair, as determined at the meeting.

4.6 Duties of Vice Presidents (Junior and Senior)

- (1) The Vice Presidents (Junior and Senior) have the following duties -
- (a) ensure the respective Junior and Senior sub-committees are responsible and accountable;
 - (b) oversee and regularly report to the Executive Committee on their respective sub-committee operations;
 - (c) to liaise with and provide support and assistance to the President;
 - (d) in the absence of the President, support all the roles and responsibilities of the President;
 - (e) in the absence of the President, agree on one to chair any meetings; and
 - (f) carry out any other duty given to the Vice President (Junior or Senior) under these rules or by the Executive Committee.

4.7 Duties of Seniors Admin/Registrar

- (1) The Seniors Admin/Registrar has the following duties (unless another person is authorised to undertake specified responsibilities by the Executive Committee): —
- (a) deal with the Club's correspondence;
 - (b) oversee or manage the Club's communication platform
 - (c) consult with the President regarding the business to be conducted at each Executive Committee meeting and any General meeting;
 - (d) preparing the notices required for meetings and for the business to be conducted at meetings;
 - (e) maintain the register of members, and recording in the register any changes in the membership;
 - (f) maintain an up-to-date copy of these rules and any by-laws;
 - (g) maintain a record of Executive Committee members and other persons authorised to act on behalf of the Association;
 - (h) ensure the safe custody of the books of the Club, other than the financial records, financial statements and financial reports, in liaison with the Juniors Admin/Registrar;
 - (i) maintain full and accurate minutes of Executive Committee meetings and general meetings;
 - (j) ensure all senior players are registered, player details are up to date and any transfers in accordance with bylaw;
 - (k) liaise and communicate with Vice Presidents (Junior and Senior with league representatives;
 - (l) carrying out any other duty given to the Admin/Register under these rules or by the Executive Committee.

4.8 Duties of Juniors Admin/Registrar

- (1) The Juniors Admin/Registrar has the following duties (unless another person is authorised to undertake specified responsibilities by the Executive Committee): —
- (a) deal with the Junior sub-committee correspondence
 - (b) Maintain the junior sub-committee communication platform;

- (c) consult with the Vice President (Junior) regarding the business to be conducted at junior sub-committee meeting;
- (d) preparing the notices required for sub-committee meetings and for the business to be conducted at meetings;
- (e) maintain the register of junior and family members, and recording in the register any changes in the membership;
- (f) maintain an up-to-date copy of any junior specific by-laws;
- (g) ensure the safe custody of the books of the Club, other than the financial records, financial statements and financial reports, in liaison with the Senior Admin/Registrar;
- (h) maintain full and accurate minutes of sub-committee meetings;
- (i) carrying out any other duty given to the Junior Admin/Registrar under these rules or by the Executive Committee.

4.9 Duties of Treasurer

- (1) The Treasurer shall be an ex-officio and non-voting member.
- (2) The Treasurer has the following duties (unless another person is authorised by the Executive Committee to do so): —
 - (a) manage the Association's financial affairs;
 - (b) ensure that any amounts payable to the Club are collected and issue receipts for those amounts in the Association's name;
 - (c) pay all monies into such account or accounts of the Club as the Executive Committee from time to time direct;
 - (d) ensure that any payments to be made by the Club that have been authorised by the Executive Committee or at a General meeting are made on time;
 - (e) regularly report to the Executive Committee on the financial status and performance of the Association;
 - (f) Assist the sub-committees with establishing budgets, and monitoring income and expenditure;
 - (g) ensure that the Club complies with the relevant requirements of Part 5 of the Act;
 - (h) ensure the safe custody of the Association's financial records, financial statements and financial reports;
 - (i) coordinate the preparation of the Financial Statements of the Club prior to their submission to the Annual General meeting in accordance with the Association's tier level;
 - (j) provide any assistance required by an auditor or reviewer conducting and audit or review of the Associations financial statements or financial reports;
 - (k) carry out any other duty given to the Treasurer under these rules or by the Executive Committee.

4.10 Duties of General Committee Members

- (1) The General Committee Members have the following duties -
 - (a) support the Executive Committee to oversee the portfolios and sub-committees, as set out in rule 5.7(1);
 - (b) oversee and regularly report to the Executive Committee as the Chair of any sub-committee; and
 - (c) carry out any duties under these rules or as determined by the Executive Committee.

4.11 Term of Office

- (1) A member becomes an Executive Committee member if the member —
 - (a) is elected to the Executive Committee at an AGM; or
 - (b) is appointed to the Executive Committee to fill a casual vacancy under rule 4.16; or
 - (c) is appointed as the Treasurer as an ex-officio and non-voting member.
- (2) The Office holder positions shall be elected for terms of two (2) years; and elections shall be staggered to avoid the loss of all Office holders in any one year.
- (3) At the first AGM, the President, Vice President Junior, and Senior Admin/Registrar shall be elected for a one-year term.
- (4) At the first AGM (and in all future odd years) the Vice President Senior, Junior Admin/Registrar shall be elected for a two-year term.
- (5) At the following AGM (and in all future even years) the President, Vice President Junior, and Senior Admin/Registrar shall be elected for a two-year term.

- (6) All Office holder positions shall be eligible for re-election for up to three (3) consecutive terms, subject to being re-elected under rules 4.3 and 4.12.
- (7) Any Office holder serving three (3) consecutive terms (i.e six years), must have a minimum two-year break before being eligible for re-election as an Office holder.
- (8) All other General Executive Committee member positions shall be one (1) year terms and members may be re-elected for up to four (4) consecutive terms.
- (9) The number of General Committee members required annually to oversee committees and portfolios may change and shall be at the discretion of the Executive Committee

4.12 Nomination of Executive Committee Members

- (1) At least 21 days before an AGM, the Seniors Admin/Registrar must send notice to all members —
 - (a) calling for nominations for election to the vacant Executive Committee positions; and
 - (b) stating the date by which nominations must be received by the to comply with sub-rule (2).
- (2) A nomination must be in writing in such form as is approved by the Executive Committee from time to time and signed by the member.
- (3) In the nomination form the member must certify that they are eligible to be elected to the Executive Committee in accordance with rule 4.3(3).
- (4) A member who wishes to be elected to the Executive Committee must complete and return the nomination at least seven days prior to the AGM.

4.13 Election of Executive Committee

- (1) At the AGM, an election must be held for any Executive Committee positions that have become vacant.
- (2) If the number of nominations received is equal to the number of vacancies to be filled, the President must declare the members elected to each position.
- (3) If the number of nominations received is less than the vacancies to be filled, the meeting may call for nominations from the members attending the AGM.
- (4) If the number of nominations received is greater than the vacancies to be filled, the meeting must vote in accordance with procedures that have been determined by the Executive Committee to decide who is to be elected to the positions.
- (5) A member who has nominated for a position may vote for themselves.
- (6) No member may be elected to more than one position on the Executive Committee.
- (7) On the member's election, the new President of the Club may take over as the Chairperson of the meeting
- (8) Any person elected to the Executive Committee who has not completed a nomination in accordance with rule 4.12 must within 14 days confirm in writing to the Executive Committee their eligibility under rule 4.3.
- (9) If the person is not eligible, their appointment to the Executive Committee is deemed not to have taken place.

4.14 Resignation and Removal From Office

- (1) An Executive Committee member may resign from the Executive Committee by written notice given to the Seniors Admin/Registrar or President.
- (2) The resignation takes effect —
 - (a) when the notice is received by the Seniors Admin/Registrar or President; or
 - (b) if a later time is stated in the notice, at the later time.
- (3) At a General meeting, the Club may by resolution —
 - (a) remove an Executive Committee member from office; and
 - (b) elect a member who is eligible under rule 4.3 to fill the vacant position.
- (4) An Executive Committee member who is the subject of a proposed resolution under subrule (3)(a) may make written representations (of a reasonable length) to the Executive Committee and may ask that the representation be provided to the members.

- (5) The Executive Committee may give a copy of the representations to each member or, if they are not so given, the Executive Committee member may require them to be read out at the General meeting at which the resolution is to be considered.

4.15 When Membership of Executive Committee Ceases

- (1) A person ceases to be an Executive Committee member if the person:
 - (a) resigns from the Executive Committee by giving written notice to the Seniors Admin/Registrar or President;
 - (b) dies or otherwise ceases to be a member;
 - (c) is, or becomes ineligible to act as an Executive Committee member under rule 4.4(6) or 4.4(7) or 4.4(8);
 - (d) becomes physically or mentally incapable of performing the duties and the Executive Committee resolves that their office be vacated for that reason;
 - (e) is absent for more than three (3) consecutive meetings without leave of absence; or
 - (f) is the subject of a special resolution passed by members to terminate their appointment as an Executive Committee member.
- (2) Under Section 41 of the Act the person, as soon as practicable, must deliver to the Executive Committee all the relevant documents and records they hold pertaining to the management of the Association's affairs.

4.16 Filling Casual Vacancies

- (1) The Executive Committee may appoint a member who is eligible to fill a position on the Executive Committee that —
 - (a) has become vacant; or
 - (b) was not filled by election at the most recent AGM.
- (2) The vacancy shall be filled for the remainder of the term, in which they are filling.
- (3) Subject to the requirement for a quorum, the Executive Committee may continue to act despite any vacancy in its membership.
- (4) If there are fewer Executive Committee members than required for a quorum, the Executive Committee may act only for the purpose of —
 - (a) appointing Executive Committee members under this rule; or
 - (b) convening a general meeting.

4.17 Payment to Executive Committee Members

- (1) The Club must not pay fees to an Executive Committee Member for acting as an Executive Committee Member.
- (2) The Executive Committee may, by resolution of the Executive Committee:
 - (a) consider and reimburse a Committee Member for out-of-pocket expenses properly incurred in connection with the Club's business; and
 - (b) such payments must be supported by appropriate documentation.

4.18 Appointment of Treasurer to the Executive Committee

- (1) Within one month of the Annual General Meeting the Executive must appoint a Treasurer for a two-year term.
- (2) The Treasurers position shall be ex-officio and non-voting,
- (3) Any remuneration to the Treasurer shall be determined by the Executive and included in the minutes of the first meeting of the Executive, following the AGM.

PART 5 - MEETINGS

5.1 Executive Committee Meetings

- (1) The Executive Committee must meet not less than eight (8) times in each year on the dates and at the times and places determined by the Executive Committee.
- (2) The date, time and place of the first Executive Committee meeting must be determined by the Executive Committee members as soon as practicable after the AGM.
- (3) Additional Executive Committee meetings may be convened by the President or any three (3) Executive Committee members.

5.2 Notice of Executive Committee Meetings

- (1) Notice of each Executive Committee meeting must be given to each Executive Committee member at least one week before the time of the meeting.
- (2) The notice must state the date, time and place of the meeting and must describe the general nature of the business to be conducted at the meeting.
- (3) Unless subrule (4) applies, the only business that may be conducted at the meeting is the business described in the notice.
- (4) Urgent business that has not been described in the notice may be conducted at the meeting if the Executive Committee members at the meeting unanimously agree to treat that business as urgent.

5.3 Procedure and Order of Business

- (1) The President or, in the President's absence, a Vice President must preside as Chairperson of the Executive Committee meeting.
- (2) If either are absent or unwilling to act as Chairperson of a meeting the Executive Committee members must choose one of them to act as Chairperson of the meeting.
- (3) The procedure to be followed at an Executive Committee meeting will be determined from time to time by the Executive Committee.
- (4) The order of business at an Executive Committee meeting may be determined by the Executive Committee members at the meeting.
- (5) A member or other person who is not an Executive Committee member may attend an Executive Committee meeting if invited to do so by the Executive Committee.
- (6) A person invited under subrule (5) to attend an Executive Committee meeting —
 - (a) has no right to any agenda, minutes or other document circulated at the meeting; and
 - (b) must not comment about any matter discussed at the meeting unless invited by the Executive Committee to do so; and
 - (c) cannot vote on any matter that is to be decided at the meeting.

5.4 Quorum for Executive Committee Meetings

- (1) No business is to be conducted at an Executive Committee meeting unless a quorum is present.
- (2) At an Executive Committee meeting 50% plus one (or the lower whole number) of Executive Committee members constitute a quorum for the conduct of the business of an Executive Committee meeting.
- (3) If a quorum is not present within 30 minutes after the notified commencement time of an Executive Committee meeting —
 - (a) in the case of a special meeting — the meeting lapses; or
 - (b) otherwise, the meeting is adjourned to the same time, day and place in the following week.
- (4) If —
 - (a) a quorum is not present within 30 minutes after the commencement time of an Executive Committee meeting held under subrule (4)(b); and
 - (b) at least 4 Executive Committee members are present at the meeting,those members present are taken to constitute a quorum.

5.5 Voting at Executive Committee Meetings

- (1) Each Executive Committee member present at an Executive Committee meeting has one vote on any question arising at the meeting.
- (2) A motion is carried if a majority of the Executive Committee members present at the Executive Committee meeting vote in favour of the motion.
- (3) If votes are divided equally on a question, the motion is rescinded
- (4) A vote may take place by the Executive Committee members present indicating their agreement or disagreement or by a show of hands, unless the Executive Committee decides that a secret ballot is needed to determine a decision.
- (5) If a secret ballot is needed, the chairperson of the meeting must decide how the ballot is to be conducted.
- (6) The presence of a Committee member at meeting need not be by attendance in person but may be by Committee members at the meeting being simultaneously in contact by telephone or other means of instantaneous communication.
- (7) A member who participates in a meeting as allowed under subrule (6) is taken to be present at the meeting and, if the committee member votes at the meeting, the member is taken to have voted in person.

5.6 Minutes of Executive Committee Meetings

- (1) The Executive Committee must ensure that minutes are taken and kept of each Executive Committee meeting.
- (2) The minutes must record the following —
 - (a) the names of the Executive Committee members present at the meeting;
 - (b) the name of any person attending the meeting;
 - (c) the business considered at the meeting;
 - (d) any motion on which a vote is taken at the meeting and the result of the vote;
 - (e) the disclosure of an Executive Committee member's material personal interest in a matter being considered at an Executive Committee meeting.
- (3) The President must ensure that the minutes of an Executive Committee meeting are reviewed and passed as correct by —
 - (a) the chairperson of the meeting; or
 - (b) the chairperson of the next Executive Committee meeting.
- (4) When the minutes of an Executive Committee meeting have been passed as correct, they are until the contrary is proved, evidence that —
 - (a) the meeting to which the minutes relate was duly convened and held; and
 - (b) the matters recorded as having taken place at the meeting took place as recorded; and
 - (c) any appointment purportedly made at the meeting was validly made.

5.7 Sub-Committees and Portfolios

- (1) To help the Executive Committee in the conduct of the Club's business the Executive Committee shall, in writing, do either or both of the following —
 - (a) appoint one or more sub-committees or portfolios, each to be chaired by a General Executive Committee member;
 - (b) create a special working group to complete specific tasks;
 - (c) create one or more subsidiary offices and appoint people to those offices; and
 - (d) may offer remuneration under written agreement to such persons, as set out in the bylaws.
- (2) In each case referred to in sub-rule (1), the Executive Committee shall provide the Club, person or group with written terms of reference specifying the purpose, outcomes, scope of work, operating guidelines, any financial support and accountability and method of reporting.
- (3) A sub-committee or working group may consist of the number of people or groups that the Executive Committee considers appropriate.
- (4) Subject to any directions given by the Committee in its terms of reference—
 - (a) a sub-committee may meet and conduct business as it considers appropriate; and

- (b) the holder of a subsidiary office may carry out the functions given to the holder as the holder.
- (5) The Club may appoint a person to a subsidiary office and offer appropriate remuneration under written agreement, as set out in the bylaws.

5.8 Delegation to Sub-Committees and Holders of Subsidiary Offices

- (1) In this rule —

non-delegable duty means a duty imposed on the Executive Committee by the Act or another written law.

- (2) The Executive Committee may, in writing, delegate to a sub-committee or the holder of a subsidiary office the exercise of any power or the performance of any duty of the Executive Committee other than —
- (a) the power to delegate; and
 - (b) a non-delegable duty.
- (3) A power or duty, the exercise or performance of which has been delegated to a sub-committee or the holder of a subsidiary office under this rule, may be exercised or performed by the sub-committee or holder in accordance with the terms of the delegation.
- (4) The delegation may be made subject to any conditions, qualifications, limitations or exceptions that the Executive Committee specifies in the document by which the delegation is made.
- (5) The delegation does not prevent the Executive Committee from exercising or performing at any time the power or duty delegated.
- (6) Any act or thing done by a sub-committee or by the holder of a subsidiary office, under the delegation has the same force and effect as if it had been done by the Executive Committee.
- (7) The Executive Committee may, in writing, amend or revoke the delegation.

5.9 Annual General Meeting (AGM)

- (1) The Executive Committee must determine the date, time and place of the Annual General meeting, within three months of the end of the Association's financial year.
- (2) At each AGM the Club must —
- (a) confirm the minutes of the previous AGM and of any other General meeting held since then if the minutes of that meeting have not yet been confirmed;
 - (b) receive and consider the annual report on the Club activities during the preceding financial year; and
 - (i) if a Tier 1 Association, receive the financial statements of the Club for the preceding financial year;
 - (ii) if a Tier 2 Club or a Tier 3 Association, receive the financial report of the Club for the preceding financial year;
 - (c) if required to be presented for consideration under Part 5 of the Act, a copy of the report of the review or auditor's report on the financial statements or financial report;
 - (d) elect the Executive Committee members, as required;
 - (e) vote on any Life membership nominations;
 - (f) appoint any Patron/s for the following 12 months;
 - (g) appoint an auditor for the following 12 months in accordance with the Act; and
 - (h) any other business of which notice has been given in accordance with these rules may be conducted at the AGM.

5.10 General Meetings

- (1) A General meeting, in addition to the AGM, will be held at least once during the year on a date and at a time and place determined by the Executive Committee.
- (2) The Executive Committee may convene a Special General meeting.
- (3) The Executive Committee must convene a Special General meeting if at least 20% of the members require a Special General meeting to be convened.

- (4) The Members requiring a Special General meeting to be convened must —
 - (a) make the requirement by written notice given to the Secretary/Administrator; and
 - (b) state in the notice the special resolution to be considered at the meeting; and
 - (c) each sign the notice.
- (5) The Special General meeting must be convened within 21 days after notice is given under subrule (4).
- (6) If the Executive Committee does not convene a Special General meeting within that 21-day period, the members making the requirement (or any of them) may convene the Special General meeting.
- (7) A Special General meeting convened by ordinary members under subrule (6) —
 - (a) must be held within 2 months after the date the original requirement was made; and
 - (b) may only consider the business stated in the notice by which the requirement was made.
- (8) A special resolution may be moved either at a Special General meeting or at an AGM, but all members must be given not less than 21-days' notice of the meeting in which a special resolution is to be proposed.
- (9) The special resolution must be passed by not less than seventy five percent of the eligible, financial and presiding members of the Club.

5.11 Notice of General Meetings

- (1) The Seniors Admin/Registrar or, in the case of a Special General meeting convened under rule 5.10(3), the members convening the meeting, must give to each member —
 - (a) at least 21 days' notice of a General meeting if a special resolution is to be proposed at the meeting; or
 - (b) at least 14 days' notice of a General meeting in any other case.
- (2) The notice must —
 - (a) specify the date, time and place of the meeting; and
 - (b) indicate the General nature of each item of business to be considered at the meeting; and
 - (c) if a special resolution is proposed —
 - (i) set out the wording of the proposed resolution as required by Section 51(4) of the Act; and
 - (ii) state that the resolution is intended to be proposed as a special resolution; and
 - (iii) be passed by not less than three-fourths of the presiding and voting members at the meeting.

5.12 Presiding Member and Quorum for General Meetings

- (1) The President or, in their absence a Vice President, will preside as chairperson of any General meeting.
- (2) No business is to be conducted at a General meeting unless a quorum is present.
- (3) At a General meeting, at least ten (10) financial members present and entitled to vote will constitute a quorum for the conduct of business at a General meeting.
- (4) If a quorum is not present within 30 minutes after the notified commencement time of a General meeting —
 - (a) Where the meeting is convened on the requisition of members, the meeting must be automatically dissolved; and
 - (b) In any other case:
 - (i) the meeting stands adjourned to a day, time and place as the Executive Committee decides, or at the same time and day in the following week; and
 - (ii) if no quorum is present at the resumed meeting within 30 minutes after the appointed time, any 8 members present at the resumed meeting, they will be taken to constitute a quorum.

5.13 Proxies

- (1) No proxy votes will be considered at General meeting, Special General meetings or Executive Committee meetings.

5.14 Adjournment of General Meeting

- (1) The Chairperson of a General meeting at which a quorum is present may, with the consent of the majority of the members present at the meeting, adjourn the meeting to another time at the same place or at another place.
- (2) Without limiting subrule (1), a meeting may be adjourned —
 - (a) if there is insufficient time to deal with the business at hand; or
 - (b) to give the members more time to consider an item of business.
- (3) No business may be conducted on the resumption of an adjourned meeting other than the business that remained unfinished when the meeting was adjourned.

5.15 Voting at General Meeting

- (1) On any question arising at a General meeting each eligible voting member has one vote.
- (2) If votes are divided equally on a question, the motion is rescinded.
- (3) The presence of a member at meeting need not be by attendance in person but may be by members at the meeting being simultaneously in contact by telephone or other means of instantaneous communication.
- (4) A member who participates in a General meeting as allowed under subrule (3) is taken to be present at the meeting and, if the member votes at the meeting, the member is taken to have voted in person.

5.16 Minutes of General Meeting

- (1) The Seniors Admin/Registrar, or a person authorised by the Executive Committee from time to time, must take and keep minutes of each General meeting.
- (2) The minutes must record the business considered at the meeting, any resolution on which a vote is taken and the result of the vote.
- (3) The President must ensure that the minutes of a General meeting are reviewed and passed as correct by —
 - (a) the Chairperson of the meeting; or
 - (b) the Chairperson of the next General meeting.
- (4) When the minutes of a General meeting have been passed as correct, they are in the absence of evidence to the contrary, taken to be proof that —
 - (a) the meeting to which the minutes relate was duly convened and held; and
 - (b) the matters recorded as having taken place at the meeting took place as recorded; and
 - (c) any election or appointment purportedly made at the meeting was validly made.
- (5) The minutes of a General meeting must be entered into a minute book or in an electronic format within 30 days after the meeting is held.

5.17 When Special Resolutions Are Required

- (1) A special resolution must be moved at a General meeting where notice of the special resolution has been given.
- (2) A special resolution is required if it is proposed at a General meeting —
 - (a) to affiliate the Club with another body; or
 - (b) amend the name of the Association; or
 - (c) amend the rules; or
 - (d) voluntarily wind up the Association; and
 - (e) cancel incorporation.
- (3) Subrule (1) does not limit the matters in relation to which a special resolution may be proposed.
- (4) Notice of a special resolution must:
 - (a) be in writing;
 - (b) include the place, date and time of the meeting;
 - (c) include the intention to propose a special resolution; and
 - (d) give notice to all members.

5.18 Determining Whether Resolution Carried

- (1) At a General meeting:

- (a) An ordinary resolution put to the vote will be decided by a majority of votes cast on a show of hands; and
 - (b) A special resolution put to the vote will be decided in accordance with Section 51 of the Act, and if a poll is demanded, in accordance with subrule (2).
- (2) If a poll is demanded on any question by the chairperson of the meeting or by at least 3 other members present in person —
- (a) the poll must be taken at the meeting in the manner determined by the chairperson;
 - (b) the chairperson must declare the determination of the resolution on the basis of the poll;
 - (c) the poll must be taken immediately.
- (3) If a poll is demanded and taken under subrule (2) in respect of ordinary resolutions, a declaration by the Chairperson of the result of the poll is evidence of the matter so declared.

PART 6 — DISPUTES, MEDIATION AND DISCIPLINARY ACTION

6.1 Resolving Disputes

- (1) This rule applies to:
- (a) disputes between members; or
 - (b) disputes between the Club and one or more members;
- that arise under the rules or relate to the rules of the Club.
- (2) In this rule ‘Member’ includes any former member whose membership ceased not more than three months before the dispute occurred.

6.2 Disputes Procedure

- (1) The parties to the dispute must meet and discuss the matter in dispute, and, if possible, resolve the dispute within 14 days after the dispute comes to the attention of all the parties.
- (2) In the case of a dispute involving the Club, the President or another Executive Committee member nominated by the President will represent the Club.
- (3) If the parties are unable to resolve the dispute within the 14-day period either party may initiate the dispute resolution procedure by giving a written notice to the Senior Admin/Registrar identifying:
- (a) the parties to the dispute and
 - (b) the subject of the dispute.
- (3) Within 14 days of receipt of a notice under clause 6.2(3), an Executive Committee meeting must be convened to determine the dispute.
- (4) The Senior Admin/Registrar must give the parties to the dispute at least 7 days' prior written notice of the date, time and place of the Executive Committee meeting.
- (5) The notice must inform the parties that they may attend the Executive Committee meeting and will be given a full and fair opportunity to make oral and/or written submissions to the Executive Committee.
- (6) At the meeting, the Executive Committee must:
- (a) give each party to the dispute a fair opportunity to make oral submissions and
 - (b) must give reasonable consideration to any written submissions; and
 - (c) determine the dispute.
- (7) Written notice of the Executive Committee decision regarding the dispute must be given to all parties to the dispute within 7 days after the Executive Committee meeting.
- (8) If —
- (a) the dispute is between one or more members and the Club; and
 - (b) any party to the dispute gives written notice to the Senior Admin/Registrar stating that the party:
 - (i) does not agree to the dispute being determined by the Executive Committee; and
 - (ii) requests the appointment of a mediator
- the Executive Committee must not determine the dispute.

6.3 Appointment of a Mediator

- (1) The mediator must be a person chosen —
- (a) if the appointment of a mediator was requested; and

- (b) by agreement between the member and the Executive Committee; or
 - (c) by agreement between the parties to the dispute.
- (2) If there is no agreement, then the Executive Committee must appoint the mediator.
- (3) The person appointed as mediator by the Executive Committee must be
- (a) a person who acts as a mediator for a similar not-for-profit body; or
 - (b) is recommended by a key stakeholder agency or organisation such as WACFL; and
 - (c) must not have a personal interest in the matter that is subject of the mediation; or
 - (d) be biased in favour of or against any party of the mediation.

6.4 Mediation Process

- (1) The parties to the mediation must attempt in good faith to settle the matter that is the subject of the mediation.
- (2) Each party to the mediation must give the mediator a written statement of the issues that need to be considered at the mediation at least seven (7) days before the mediation takes place.
- (3) In conducting the mediation, the mediator must —
- (a) give each party to the mediation every opportunity to be heard; and
 - (b) allow each party to the mediation to give due consideration to any written statement given by another party; and
 - (c) ensure that natural justice is given to the parties to the mediation throughout the mediation process.
- (4) The mediator cannot determine the matter that is the subject of the mediation.
- (5) The mediation must be confidential, and any information given at the mediation cannot be used in any other proceedings that take place in relation to the matter that is the subject of the mediation.
- (6) The costs of the mediation are to be paid by the party or parties to the mediation that requested the appointment of the mediator.

6.5 Disciplining of Members

- (1) Where the Executive Committee receives a complaint about a member or considers that a member:
- (a) has persistently refused or neglected to comply with a provision or provisions of this constitution including the objects contained herein, or with any bylaws; or
 - (b) has persistently and wilfully acted in a manner damaging to the interests of the Club;
- the Executive Committee may, by resolution:
- (i) Expel the member from the Club; or
 - (ii) Suspend the member for a specified period;
 - (iii) Provided after considering any submission made in connection with the complaint, it is satisfied that the facts alleged in the complaint are proven.
- (2) Where the Executive Committee passes a resolution under sub-rule (1), the Senior Admin/Registrar shall, as soon as practicable, send a written notice to the member which shall:
- (a) set out the Executive Committee resolution and outline the grounds on which it is based; and
 - (b) state that the member may address the Executive Committee at a meeting; and;
 - (c) state the date, place and time of that meeting, which shall not be earlier than 14 days and not later than 28 days after the service of the notice and inform the member that they may:
 - (i) attend and speak at the meeting, and/or
 - (ii) submit to the Executive Committee prior written representations relating to the resolution.
- (3) At an Executive Committee meeting held under rule sub-rule (2) the Executive Committee shall:
- (a) give the member an opportunity to make oral representations; and
 - (b) consider any written representations submitted prior to the meeting; and
 - (c) by resolution, determine whether to confirm or revoke the resolution, which was specified in the notice to the member.
- (4) Where the Executive Committee confirms a resolution under rule 6.5.3 (c) the Senior Admin/Registrar shall within 7 days give the member notice in writing of that confirmation and that of the member's right of mediation under rule 6.4.

6.6 Consequences of Suspension

- (1) During the period a member's membership is suspended, the member —
- (a) loses any rights (including voting rights) arising as a result of membership; and

- (b) is not entitled to a refund, rebate, relief or credit for membership fees paid, or payable, to the Association.
- (2) When a member is suspended, the Secretary/Administrator must record in the register —
 - (a) the date on which the suspension takes effect; and
 - (b) the period of the suspension.
- (3) When the period of the suspension ends, the Secretary/Administrator must record in the register of members that the member's membership is no longer suspended.

6.7 If Mediation Results in Decision to Suspend or Expel Being Revoked

- (1) If —
 - (a) mediation takes place because a member whose membership is suspended or who is expelled from the Club gives notice; and
 - (b) as the result of the mediation, the decision to suspend the member's membership or expel the member is revoked,

that revocation does not affect the validity of any decision made at an Executive Committee meeting or General meeting during the period of suspension or expulsion.

PART 7 — FINANCIAL MATTERS

7.1 Financial Year

- (1) The Association's financial year is set out in rule 1.4.

7.2 Source of Funds

- (1) The funds of the Club may be derived from membership fees, levies, donations, sponsorship, fundraising activities, grants, interest and any other sources approved by the Executive Committee.

7.3 Control of Funds

- (1) The Club must open an account/s in the name of the Club with a financial institution from which all expenditure of the Club is made and into which all funds received by the Club are deposited.
- (2) Subject to any restrictions imposed at a General meeting, the Executive Committee may approve expenditure on behalf of the Club.
- (3) The Executive Committee may authorise the Treasurer to expend funds on behalf of the Club up to a specified limit, without requiring approval from the Executive Committee for each item on which the funds are expended, as set out in the bylaws.
- (4) The authorised signatories to the account are to be:
 - (a) the Treasurer and
 - (b) the President; and
 - (c) the Senior Admin/Registrar; and
 - (d) the Vice President (Junior).
- (5) Excluding subrule (3), all financial transactions of the Club must be approved by at least two of the authorised signatories in subrule (4).
- (6) All funds of the Club must be deposited into the Clubs account within five (5) working days after their receipt.

7.4 Financial Statements and Financial Reports

- (1) For each financial year, the Executive Committee must ensure that the requirements imposed on the Club under Part 5 of the Act relating to the financial statements or financial report of the Club are met.
- (2) Without limiting subrule (1), those requirements include —
 - (a) if the Club is a tier 1 Association, the preparation of the financial statements; and
 - (b) if the Club is a tier 2 or tier 3 Association, the preparation of the financial report; and
 - (c) if required, the review or auditing of the financial statements or financial report, as applicable; and
 - (d) the presentation to the AGM of the financial statements or financial report, as applicable; and
 - (e) if required, the presentation to the AGM of the copy of the report of the review or auditor's report, as applicable, on the financial statements or financial report.
- (3) Under Section 66 of the Act, a Club must keep financial records that: -

- (a) correctly record and explain its transactions and financial position and performance; and
- (b) enable true and fair financial statements to be prepared in accordance with Part 5 Division 3 of the Act.

7.5 Auditor or Reviewer

- (1) At the AGM the members shall appoint an auditor or reviewer at such remuneration as they determine.
- (2) The auditor or reviewer shall examine the books, accounts, receipts and other financial records of the Club for the year in which they are appointed, and report to the following AGM.

PART 8 — GENERAL MATTERS

8.1 By-Laws

- (1) The Club will adopt the by-laws of the Gascoyne Football Association and the Western Australian Country Football League and all future amendments shall apply;
- (2) The Executive Committee shall formulate, issue, adopt, interpret and amend additional by-laws for the proper advancement, management and administration of the Club, the advancement of the Objects and as it thinks necessary or desirable from time to time;
- (3) Such by-laws must be consistent with this constitution;
- (4) All by-laws shall be binding on the members of the Club;
- (5) At the request of a member, the Admin/Registrar must make a copy of the by-laws available for inspection by the member or direct the member to the appropriate electronic site for them to be viewed at no charge.

8.2 Giving Notices to Members

- (1) A notice or other document that is to be given to a member under these rules is taken not to have been given to the member unless it is in writing and —
 - (a) delivered by hand to the recorded address of the member; or
 - (b) sent by prepaid post to the recorded postal address of the member; or
 - (c) sent by electronic transmission to an appropriate recorded number or recorded electronic address of the member.

8.3 Custody of Books and Securities

- (1) Subject to subrule (2), the books and any securities of the Club must be kept in the Administrator's custody or control.
- (2) The financial records and, as applicable, the financial statements or financial reports of the Club must be kept in the Treasurer's custody or control.
- (3) Subrules (1) and (2) have effect except as otherwise decided by the Executive Committee.
- (4) The books and securities of the Club must be retained for at least seven (7) years.

8.4 Executing Documents and Common Seal

- (1) The Club does not have a common seal.
- (2) The Club shall execute an official document if the document is signed by:
 - (a) the President, and
 - (b) at least one other Executive Committee member or person authorised by the Executive Committee.

8.5 Indemnification

- (1) The Club will indemnify any person who is an Executive Committee member, officer, or agent or who is or was servicing in another capacity at the request of the Club to the extent authorised by law and may purchase and maintain liability insurance on behalf of such persons or to protect itself against liability for such indemnification to the extent authorised by law.

8.6 Supply of Liquor- Liquor Act to be Observed

- (1) The Club is committed to operate its facilities in accordance with the Liquor Control Act (1988) and its amendments and all decrees of the Director of Liquor and Licensing.
- (2) The Club shall practice safe alcohol policies, including not serving alcohol during junior games, and as set forth in the bylaws.

- (3) No liquor shall be sold or supplied for consumption other than is allowed by the Liquor Control Act (1988) and its amendments.
- (4) The Club shall be open for sale of liquor during such hours as the Executive Committee shall from time to time determine, and as permitted under the Liquor Control Act.
- (5) No liquor shall be sold or supplied for consumption elsewhere than on the Club premises unless such liquor is removed from the premises of the Club by or on the instruction of the member purchasing the same.
- (6) A member and the guests of that member in the company of that member, may be served liquor for consumption on the Club's premises.
- (7) A member introducing a guest shall be responsible for the proper conduct of that guest whilst on Club premises.
- (8) The Club must appoint and maintain an Approved Manager for the purposes of observing liquor licensing requirements and regulations for all opening times and functions.
- (9) The Club must maintain a register of visitors to the Club and this register must be continually available for inspection at the Club's premises.
- (10) No liquor shall be sold or supplied to any person under the age of 18 years.
- (11) No payment or part payment to the Executive Committee, or other officer or servant of the Club shall be made by way of commission or allowance from or upon the receipts of the Club for liquor.

8.7 Dissolution of the Association

- (1) The Club may cease its activities and have its incorporation cancelled in accordance with the Act if the members resolve by Special Resolution that the Club will:
 - (a) apply to the Commissioner for cancellation of its incorporation; or
 - (b) appoint a liquidator to wind up its affairs.
- (2) The Club must be wound up under Section 30(a) and Part 9 of the Act before cancellation can take place if it has outstanding debts or any other outstanding legal obligations or is a party to any current legal proceedings.
- (3) Upon cancellation of the Club, the surplus property will not be paid to or distributed among the members but will be given or transferred to one or more organisations listed in section 24(1) of the Act with objects similar to the objects of the Club.
- (4) The winding up and dissolution of the Club must be determined by a special resolution of the members.

8.7 Alteration of Rules

- (1) No repeals of any existing rules and no new rules or alteration, amendments or suspensions of a rule shall be valid unless a special resolution is carried by a three-fourths majority of members present and with voting rights at a General or Special General Meeting.
- (2) Notices of motions to repeal, alter or suspend any rule shall be given to the Admin/Registrar at least twenty-one (21) days preceding the Annual or Special General Meeting at which the motion shall be presented.
- (3) Within one month after the making of any amendment or addition to the rules of the Club, passed by special resolution, the Executive Committee shall send or deliver the required documents and a certified copy of the amendment or alteration to all relevant departments. No effect will be given to the amendments without the approval of these department.

END

NOTICE OF ANNUAL GENERAL MEETING TO ALTER THE CONSTITUTION

The Exmouth Eagles Football Club Incorporated is convening a General meeting
at which the following resolution/s will be proposed as special resolutions to alter the
Constitution of the Association.

The meeting will be held at _____ a.m./p.m. on _____ the
_____ 20 _____

The meeting will take place at

SPECIAL RESOLUTION/S:

Currently clause.....states:

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It is proposed to alter this clause so that it states as follows:

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Currently clause.....states:

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It is proposed to alter this clause so that it states as follows:

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