

# **Thirroul Rugby League Football Club Inc.**



**Draft Constitution  
2006**

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THIRROUL RUGBY LEAGUE FOOTBALL CLUB INC  
DRAFT CONSTITUTION

TABLED AT 2006 ANNUAL GENERAL MEETING

**SECTION A: GENERAL**

NAME: The name of the club shall be Thirroul Rugby League Football Club Incorporated.

OBJECTS: The objects of the club shall be:

- a) to promote the sport of rugby league in the Thirroul district,
- b) to field rugby league teams in official competitions,
- c) to provide social functions for the benefit of members, and
- d) to raise funds for the purposes of the association.

**SECTION B: MEMBERSHIP**

- a) Subject to these rules, the members of the club shall be all current financial members of the club together with such other new members as the Committee admits to membership.
- b) Current financial members shall not be required to make application for membership of the club. Membership shall be renewed by payment of annual fees.
- c) Playing members of the club of at least eighteen years of age shall be deemed to be ordinary members of the club with full voting rights. The Committee shall decide whether annual fees of these members shall be paid at the commencement of the football season or subtracted from match payments.
- d) any person of at least eighteen years of age is eligible to make application for membership of the club.

- e) Application for membership of the club shall be made in writing on the Membership Application Form. The application shall be proposed and seconded by two current members and lodged with the Secretary of the club.
- f) As soon as practicable after receiving an application for membership, the Secretary shall refer the nomination to the Committee which shall determine whether to accept or reject the application.
- g) Members other than Life Members shall pay annual fees as set by the Committee.
- h) Every person ceasing to be a member of the club shall forfeit all rights or claims upon the club.

## LIFE MEMBERSHIP

1. The Thirroul R.L.F.C. may elect any number of Life Members. Nominations for Life Membership will close on the thirty first (30th) day of September each year.
2. Nominations shall be in writing giving the full name of the proposer and seconder and stating the qualifications of the nominee, which will include ten (10) years service on the Committee or sub-committee of Thirroul R.L.F.C. In exceptional circumstances Life Membership may be considered for a nominee with less than ten (10) years of service. The Committee will examine these qualifications. If these are acceptable the nominees will be submitted to ballot at the Annual General Meeting.
3. There must be at least seventy five (75) percent of all the total voting strength of the Annual General Committee in attendance before an election for life membership will be proceeded with. A ballot will be taken to decide whether any or all of the nominees will be declared eligible for selection. All nominees declared eligible will then be submitted to ballot. Votes must be

recorded on all nominees. Nominee/s receiving at least three (3) fifths (5) of those voting shall be declared a life member

4. Life Membership may be cancelled at any Annual General Meeting or Special General Meeting if a motion to the effect be carried by a 3/5 majority of the members entitled to vote after due notice of motion has been given and shall contain the names of the proposer and seconder and shall state the reasons for cancellation. There must be at least seventy five (75) percent of all the total voting strength of the Annual General Committee in attendance at that Annual General Meeting or Special General Meeting before cancellation of life membership can be proceeded with.

5. Acceptance of Life Membership shall be acceptance of these conditions.

6. Life Members shall be issued a medallion which shall not be transferable.

## MEMBERSHIP RIGHTS NOT TRANSFERABLE

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

- a) cannot be transferred to another person, and
- b) terminates upon cessation of the person's membership.

## CESSATION OF MEMBERSHIP

Cessation of membership will occur if a member:

- a) dies,
- b) resigns membership,
- c) is expelled from the club, or
- d) does not satisfy annual fees requirements.

## DISCIPLINING OF MEMBERS

- a) Where the Committee is of the opinion that a member has persistently refused to comply with these rules, or has willfully acted in a manner prejudicial to the interests of the club, the Committee may, by resolution, suspend the member for a specific period or expel the member from the club.
- b) Any member who is suspended or expelled from the club shall have the right of appeal. Any such appeal shall be made in writing and lodged with the Secretary. The Secretary shall, as soon as practicable thereafter, call a Special General Meeting of members for the purpose of considering the appeal. At any such meeting, the members present shall decide by secret ballot whether the resolution of the Committee shall be confirmed or revoked.

## LIABILITY OF MEMBERS

The members of the club shall have no liability to contribute towards the payment of debts and liabilities of the club or the costs, charges and expenses of the winding up of the club except for the amount of any unpaid membership fees.

## **SECTION C: MANAGEMENT**

### THE COMMITTEE

#### DUTIES

- a) The Committee shall control and manage the affairs of the club.
- b) The Committee has the power to perform all such acts as appear to the Committee to be necessary for the proper management of the affairs of the club with the exception of those functions that are required by these rules to be exercised

by members at an Annual General Meeting or Special General Meeting.

### Membership of the Committee

The Committee shall consist of The Executive (President, Vice President, Secretary, Assistant Secretary and Treasurer) and up to nine ordinary members.

### Election of The Committee

- a) All members of the Committee shall be elected at the Annual General Meeting.
- b) Nomination of candidates for election as office bearers or ordinary members of the Committee shall be made in writing, signed by two members and accompanied by the written consent of the candidate.
- c) Nominations shall be delivered to the Secretary not less than seven days before the Annual General Meeting.
- d) If insufficient nominations are received to fill all vacancies on the Committee, the candidates nominated shall be deemed to be elected and further nominations will be called for at the meeting.
- e) If insufficient further nominations are received, any vacant positions remaining on the Committee shall be deemed to be casual vacancies. (See Clause j below)
- f) If the number of nominations received is equal to the number of positions to be filled, the persons nominated shall be deemed to be elected.
- g) If the number of nominations received exceeds the number of vacancies to be filled, a ballot shall be held.
- h) Each member of the Committee shall, subject to these rules,

hold office from the date of his or her election until the following Annual General Meeting.

- i) Retiring Committee members are eligible for re-election.
- j) In the event of a casual vacancy occurring on the Committee, the Committee may appoint a member to fill the vacancy until the next Annual General Meeting.

## THE EXECUTIVE

- a) The Executive, shall consist of the President, Vice-President, Secretary, Assistant Secretary and Treasurer.
- b) One of the above mentioned Executive members shall be appointed by the Executive to also fulfill the duties of Public Officer of the club.

## DUTIES OF EXECUTIVE MEMBERS

### The President

The President of the club shall:

- a) chair Committee Meetings, Special Meetings and the Annual General Meeting, and
- b) be responsible for the administration of the club, in accordance with these rules and decisions taken at Committee Meetings, Special General Meetings and the Annual General Meeting.

### The Vice-President

The Vice President of the club shall:

- a) assist the President in the function of his or her duties, and
- b) in the absence of the President, assume the responsibility of

that office.

### The Secretary

The Secretary of the club shall:

- a) keep minutes of the appointment of all office bearers and members of the Committee,
- b) keep minutes of the names of members present and all proceedings at Committee meetings, Special Meetings and the Annual General Meeting,
- c) be responsible for the clerical administration of the club, including correspondence to and from the club, and
- d) maintain a register of members of the club showing the name, address and date of commencement of membership and, if relevant, the date of cessation of membership for each member.

### The Assistant Secretary:

The Assistant Secretary of the club shall:

- a) assist the Secretary in the function of his or her duties, and
- b) in the absence of the Secretary, assume the responsibility of that office.

### The Treasurer

The Treasurer of the club shall:

- a) ensure that all money due to the club is collected and banked and that all payments authorised by the club are made,
- b) ensure that correct books and accounts are kept showing the financial affairs of the club including full details of all receipts and expenditure connected with the activities of the club,

c) present a financial report at each meeting of the Committee showing all income and expenditure for the previous month and the balance of all accounts and investments held in the club's name, and

d) present an Annual Financial Statement and Balance Sheet at the Annual General Meeting.

### The Public Officer

The Public Officer of the club shall:

- a) act as the official contact person for the incorporated club,
- b) following the Annual General Meeting, lodge with the NSW Office of Fair Trading an Annual Statement, summarising the year's financial transactions, and
- c) notify the NSW Office of Fair Trading of any changes to the club's constitution.

### SUB-COMMITTEES

A general meeting or a Committee meeting may appoint members to a sub-committee to undertake any duties referred to it and to report back to the body appointing it. A sub-committee may meet and adjourn as it thinks proper.

## **SECTION D: MEETINGS**

### COMMITTEE MEETINGS

- a) The Committee shall meet at least once a month. Additional meetings, if necessary, may be convened by the President.
- b) A quorum of any Committee Meeting shall be five members. If a quorum is not present within thirty minutes of the notified

starting time of the meeting, the meeting will lapse and the President shall convene another meeting as soon as practicable.

## ANNUAL GENERAL MEETINGS

a) The Committee shall, in each calendar year and within six months of the expiration of the club's financial year, convene an Annual General Meeting of the club's members.

b) Written notice shall be given by the Secretary to all members at least 21 days prior to the meeting specifying the time and place of the meeting and details of any Special Resolutions or Life Membership applications to be decided at the meeting.

c) A quorum of any Annual General Meeting shall be fifteen members. If a quorum is not present within thirty minutes of the notified starting time of the meeting, the meeting shall be postponed to a date, time and place to be determined by the Committee. This meeting shall be convened as soon as practicable.

d) In addition to any other business which may be transacted, the business of the Annual General Meeting shall be:

- 1) to confirm the minutes of the last Annual General Meeting and of any Special General Meeting held since that meeting (see Special General Meeting section below),
- 2) to receive from the Committee reports upon the activities of the club during the preceding year,
- 3) to receive a statement from the Treasurer which is not misleading and gives a true and fair view for the last financial year of the club's income and expenditure and assets and liabilities, and
- 4) to elect the Executive and other members of the Committee.

## SPECIAL GENERAL MEETINGS

- a) A Special General Meeting is any general meeting of the members of the club that is not an Annual General Meeting.
- b) The Committee may, whenever it thinks fit, convene a Special General Meeting of the club.
- c) The Committee shall, on the requisition in writing of not less than ten members, convene a Special General Meeting.
- d) A requisition of members for a Special General Meeting shall state the purposes of the meeting, be signed by the members making the requisition and be lodged with the Secretary of the club.
- e) Written notice shall be given by the Secretary to all members at least 21 days prior to the meeting, specifying the time and place of the meeting and the nature of the business to be transacted at the meeting.
- f) No business other than that specified in the notice convening the meeting shall be transacted at the meeting.
- g) A quorum of any Special General Meeting shall be fifteen members. If a quorum is not present within thirty minutes of the notified starting time of the meeting, the meeting shall be postponed to a date, time and place to be decided by the Committee. This meeting shall be convened as soon as practicable.

## PRESIDING MEMBER

Whenever possible, the President shall be the chairperson of Committee Meetings, the Annual General Meeting and Special General Meetings. In the absence of the President, the Vice-President shall officiate. In the absence of both office-bearers, those members present shall elect a chairperson for the meeting.

## VOTING

- a) With the exception of voting for Life Membership (see Life Membership section above) and Special Resolutions (see Special Resolutions section below), all resolutions shall be decided by a simple majority of votes of the members present.
- b) Subject to these rules, a resolution put to the vote of a meeting shall be decided by a show of hands unless a count or secret ballot is demanded by any member.
- c) Every member at a meeting, subject to these rules, is entitled to one vote. However, if there is an equality of votes, the President or chairperson shall have a second or casting vote.

## SPECIAL RESOLUTIONS

Certain decisions shall be made by way of a Special Resolution presented at a Special General Meeting or the Annual General Meeting.

A Special Resolution shall be required for:

- a) changing the club's name,
- b) changing the club's constitution,
- c) amalgamating with another incorporated association,
- d) voluntarily winding up the association, or
- e) applying for registration of the club as a company or co-operative. Written notice shall be given by the Secretary to all members specifying the intention to propose the resolution as a Special Resolution at least 21 days prior to the date of the general meeting. At least three quarters of the members present must vote in favour of the resolution for it to be passed.

## PROXIES NOT PERMITTED

Members must be present at any meeting in order to vote.  
Voting by proxy shall not be permitted.

## SECTION E: MISCELLANEOUS

### INSURANCE

The club shall effect and maintain insurance as is required under the Associations Incorporation Act together with any other insurance which may be required by Illawarra District Rugby League or Country Rugby League of N.S.W. Inc.

### FUNDS

a) The funds of the club shall be derived from entrance fees and annual subscriptions of members, donations and, subject to any resolution passed at a General Meeting, such other sources as the Committee determines.

b) All money received by the club shall be deposited as soon as practicable to the credit of the club's bank account.

c) The club shall, as soon as practicable after receiving any money, issue a receipt.

d) Subject to these Rules and any resolution passed at a general meeting, the funds of the club shall be used in pursuance of the Objects of the club in such manner as the Committee determines.

e) No funds shall be paid to members of the club except as bona fide remuneration for services rendered or expenses incurred on behalf of the club.

f) Payments shall be made through a petty cash system or by

cheque signed by two of the authorised signatories. The authorised signatories shall be the President, Secretary and Treasurer.

## INSPECTION OF BOOKS

The records, books, membership register and other documents of the club shall be open for inspection, free of charge, by a financial member following written application and giving reasonable notice to the Secretary. However, no documents may be removed from the site granted for inspection by the Secretary.

## COMMON SEAL

- a) The Common Seal of the club shall be kept in the custody of the Public Officer.
- b) The Common Seal shall only be affixed to a document with the approval of the Committee. The stamping of the Common Seal shall be witnessed by the signatures of two members of the Committee.

## ALTERATION OF RULES

This Constitution may be altered, rescinded or added to only by a Special Resolution at a Special General Meeting or Annual General Meeting.

## PROCEDURAL RULES

The Committee shall have the power to make, amend or repeal Procedural Rules when considered necessary for the proper management of the affairs of the club. Any such rules shall be consistent with the Objects and Rules of this Constitution.