

Constitution & Rules

Adopted 5th December 2011

Ammendments

Adopted 01st March 2012

Page 14 AGM item 29 (e) To define the Clubs Financial Year for reporting purposes (addition)

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1. Definitions

In this constitution, unless there be something in the subject or context inconsistent therewith:

Club means North Wagga Australian Football Netball Club inc

Constitution means this constitution

Committee means the group of members elected to the committee to manage the affairs of the Club

full member means any person who is in one of the categories of membership referred to in rule 9

special general meeting means a general meeting of the Club other than an annual general meeting.

the Act means the Associations Incorporation Act 2009.

the Regulation means the Associations Incorporation Regulation 2010.

Football means Australian Rules Football

AFL means the Australian Football League

AFL (NSW/ACT) means AFL (NSW/ACT) commission limited

League means a League that is currently conducting or may in the future conduct an Australian Football Competition within New South Wales or the Australian Capital Territory

Senior Football shall mean any game of the code other than Under Age Football

Under Age means any player who is under the age of eighteen (18) years as at the 1st of January in the year of the request

Under Age Competitions means competitions Under 17 and Under 18

Juniors – Junior Competition means competitions upto and including Under 16

The provisions of the Interpretation Act 1987 apply to and in respect of this constitution in the same manner as those provisions would so apply if this constitution were an instrument made under the Act.

2. Name and Affiliates

The name of the association is the North Wagga Australian Football Netball Club inc

The Club is affiliated with AFL Riverina

3. Preliminary

3.1 The company is a company limited by guarantee and shall be a non-proprietary company

3.2 The company is established for the purposes set out in this constitution.

3.3 A copy of the Constitution of the Club shall be supplied to a member on request being made to the Secretary of the Club, and if demanded by the Secretary from that member, on payment of any fee that may be prescribed by the Act

4. Objects

The objects for which the club is established are as follow-

- a) To encourage, foster and promote sport in general, with a particular emphasis on Australian Rules Football
- b) To establish, support and aid in the formation of any association, club or organization calculated to benefit the Members of the club and to make contribution to any insurance Fund for the benefit of the Members.
- c) To purchase, hire, lease or otherwise acquire property, Leasehold or otherwise for the purposes of the Club
- d) To erect, maintain, improve or alter any building for the purposes of the Club
- e) To give, sell, exchange, hire, lease or otherwise dispose of the property of the club, or any parts thereof to the benefit of the Club.
- f) To invest and deal with any of the monies of the Club not immediately required upon such securities and in such manner as may from time to time be determined
- g) To borrow, raise or secure the payment of money to the benefit of the Club
- h) To provide for members and members guests a social and sporting Club, with all the usual facilities of a club including meals, liquid and other refreshments and provisions for sporting activities and other special amenities related to Football
- i) To do all such other things incidental or conducive to the attainment of the above objects

5. Limited Liability

5.1 The liability of the members is limited

6. Members Guarantee

6.1 Each member undertakes to contribute an amount not exceeding ten dollars (\$10.00) if the Club is wound up:

- a) While he or she is a member of the Club; or
- b) Within one year of the date that he or she ceases to be a member.

6.2 The contribution referred to in rule 6.1 shall be for the:

- a) Payment of debts and liabilities of the Club contracted before the member ceased to be a member; and
- b) Costs, charges and expenses of winding up.

7. Application of Property on Dissolution

7.1 If the Club is wound up or dissolved and after the satisfaction of all the Clubs debts and liabilities, any property whatsoever remains, that property shall;

- a) Not be transferred, paid to or distributed among the members
- b) be given or transferred to an institution or institutions having objects similar to the objects of the Club and which prohibits the distribution of its or their income and property amongst its or their members to an extent at least as great as is imposed on the Club.

7.2 The institution or institutions referred to in rule 7.1(b) shall be determined by:

- a) The members of the Club in general meeting (by ordinary resolution) at or before the time of dissolution or in default thereof
- b) The Supreme Court of New South Wales.

8. Property and income of the Club.

8.1) the income and property of the Club shall be applied solely towards the promotion of the objects of the Club as set forth in this Constitution. No portion of the income or property of the Club shall be paid or transferred directly or indirectly by way of dividend bonus or otherwise by way of profit to the members of the Club.

8.2) Nothing in this constitution shall prevent the payment:

- a) In good faith of reasonable and proper remuneration to any employed officer or other employee of the Club; or
- b) In good faith of reasonable and proper remuneration to any member of the Club in return for services actually rendered;
- c) of interest at a rate not exceeding interest at the rate for the time being charged by bankers in Sydney for overdrawn accounts on money lent by any member to the Club;
- d) Of reasonable and proper rent for premises demised or let by any member to the Club.

9. Membership

9.1 The Full membership of the club shall be divided into the following categories:

- a) Ordinary members
- b) Life members

9.2 The category of Ordinary membership shall consist of three Classes, being Class A, Class B and Class C

9.3 The number of Full members having the right to vote in the election of the committee shall be not less than twenty-five (25) percent of all members of the Club.

Ordinary Members.

9.4 Ordinary members shall be persons who are elected to Ordinary Membership of the Club

9.5 A person shall be eligible to be a class A Ordinary member if:

- a) He is a member of the Club;
- b) He is a football player

9.6 A person shall be eligible to be a class B Ordinary member if:

- a) She is a member of the Club;
- b) She is a netball player

9.7 All Ordinary members who are not Class A or Class B members shall be Class C Ordinary members

9.8 Ordinary Members are entitled to:

- a) Such playing and social privileges and advantages of the Club as may be determined by the committee from time to time; and
- b) Attend and vote at general meetings (including Annual General Meetings) of the Club;
- c) Vote in the election of the committee
- d) Vote on any Special Resolution (including a Special Resolution to amend this constitution
- e) Propose, second or nominate any eligible member for life membership
- f) To nominate for and be elected to hold office on the committee

Life Members

9.9 A life member shall be any member who in consideration of outstanding service to the Club has been granted life membership of the Club in accordance with this constitution

9.10 Life membership may only be conferred at a general meeting of the Club (including an Annual General Meeting)

9.11 Candidates for Life membership shall be proposed by one and seconded by another Ordinary or Life member and submitted to the Committee for approval

9.12 If a nomination for Life membership is approved by the Committee, the nomination shall be referred to the next general meeting of the Club and not less than twenty-one (21) days written notice shall be given to all members eligible to vote at that meeting

9.13 (a) Minimum of 10 years continuous service on the Executive Committee of North Wagga Football Netball Club

- (b) 200 Senior Games
- (c) 250 club games

(d) Outstanding service to the Club over a designated period (15 years) includes Committee, Trainers, Team managers, selectors, time keepers, canteen, score board attendants and service on the gate

9.14 If a nomination for Life membership is approved by a resolution passed by two thirds majority of the members present and voting at the general meeting the nominated person shall thereby be a Life member of the Club

9.15 Every Life member shall be entitled to the rights and privileges of an Ordinary member

9.16 Every Life member shall be entitled to no charge entry to grounds on match day and a special life member badge shall be struck

9.17 A life member is relieved from payment of any annual subscription.

10. Transfer between classes of membership

The Committee has the power on the application of any member to transfer that member to another category of membership (other than Life membership)

11. Nomination for membership

11.1) application for membership of the Club shall be in writing and shall be in such form as the Committee may prescribe and shall contain the following particulars:

(a) The full name of applicant, and

(b) The residential address of the applicant;

(c) The date of birth of applicant

(d) Such other particulars as may be prescribed by the Committee from time to time

11.2) as soon as practicable after receiving a nomination for membership, the secretary must refer the nomination to the committee which is to determine whether to approve or to reject the nomination.

11.3) as soon as practicable after the committee makes that determination, the secretary must:

(a) Notify the nominee, in writing, that the committee approved or rejected the nomination (whichever is applicable), and

(b) If the committee approved the nomination, request the nominee to pay (within the period of 28 days after receipt by the nominee of the notification) the sum payable under this constitution by a member as entrance fee and annual subscription.

11.4) The secretary must, on payment by the nominee of the amounts referred to in subclause (13.1) within the period referred to in that provision, enter or cause to be entered the nominee's name in the register of members and, on the name being so entered, the nominee becomes a member of the association.

12. Cessation of membership

A person ceases to be a member of the association if the person:

(a) Dies, or

(b) Resigns membership, or

(c) Is expelled from the club, or

(d) Fails to pay the annual membership fee under clause 13.2 within 3 months after the fee is due.

13. Fees and subscriptions

13.1) Joining fees, subscriptions, levies and other payments payable by members of the Club shall be such as the Committee may from time to time determine provided that the annual subscription shall not be less than \$2.00 or such other minimum subscription provided from time to time by the Act

13.2) All joining fees, subscriptions, levies and other payments shall be due and payable annually on a date, or dates as determined by the Committee from time to time

13.3) Subject to rule 13.4, any person who has not paid his or her joining fee, subscription, levy or

other payments by the due date shall cease to be entitled to the privileges of membership of the Club and shall cease to be a member and be removed from membership of the Club

13.4) If the Committee considers there to be a sufficient reason for the delay in payment of the joining fee, subscription, levy or other payment, the committee may resolve that a member be given additional time (as determined by the committee) to make the payment and the member shall remain a member of the Club during this time. If the payment has not been made within this additional period, Rule 13.3 shall apply to the member.

13.5) The secretary shall cause reasonable notice to be given in writing to each member of the due date for payment of the joining fee, subscription, levy or other payment in rule 13.2

13.6) Members who satisfy the Committee that they are in receipt of such form of pension as may be approved by the Committee shall be entitled to a reduction in their subscription in such amount as may be determined by the committee

14. Members' liabilities

The liability of a member of the Club to contribute towards the payment of the debts and liabilities of the Club or the costs, charges and expenses of the winding up of the Club is limited to \$10.00 plus the amount, if any, unpaid by the member in respect of their membership and fees of the Club as required by rule 13.1

15. Disciplinary Proceedings

15.1) The Committee shall have the power to reprimand, fine, suspend or expel or accept the resignation of any member, if that member:

(a) In the reasonable opinion of the Committee, has wilfully refused or neglected to comply with any of the provisions of this constitution or by-law; or

(b) is, in the reasonable opinion of the Committee;

1) Guilty of any conduct prejudicial to the interests of the Club; or

2) Guilty of conduct which is unbecoming of a member.

15.2) the following procedure shall apply to disciplinary proceedings of the Club:

(a) A member shall be advised in writing of a decision pursuant to rule 15.1 of the committee to reprimand, fine, suspend or expel the member within twenty-one (21) days of the committee's decision

(b) A member who is penalised may, within 14 days of the date of the notice referred to in paragraph a of this rule 15.2, lodge with the Club a written notice requesting that the committee review this decision.

(c) If the Committee receives a request pursuant to paragraph b of this rule 15.2, it shall review the decision which is the subject of the request within thirty (30) days of receipt of the request.

(d) In reviewing a decision following a request, the Committee may uphold its original decision or change its decision as to guilt and/or penalty

(e) The committee shall inform the member of its decision following the review within seven (7) days of the decision

(f) No motion by the Committee to reprimand, fine, suspend or expel a member shall be deemed to be

passed unless a majority of the committee members present in person vote in favour of such penalty
(g) Any decision of the committee to reprimand, fine, suspend or expel a member shall, subject to the members rights for a review in this rule 16.2, be final and the Committee shall not be required to give any reason for its decision.

15.3) The committee may, by resolution, expel the member from the association or suspend the member from membership of the association if, after considering the complaint and any submissions made in connection with the complaint, it is satisfied that the facts alleged in the complaint have been proved and the expulsion or suspension is warranted in the circumstances.

15.4) if the committee expels or suspends a member, the secretary must, within 7 days after the action is taken, cause written notice to be given to the member of the action taken, of the reasons given by the committee for having taken that action and of the member's right of appeal under clause 12.

15.5) the expulsion or suspension does not take effect:

(a) Until the expiration of the period within which the member is entitled to appeal against the resolution concerned, or

(b) If within that period the member exercises the right of appeal, unless and until the association confirms the resolution under clause 12, whichever is the later.

16. Right of appeal of disciplined member

16.1) A member may appeal to the Club in general meeting against a resolution of the committee under clause 16, within 7 days after notice of the resolution is served on the member, by lodging with the secretary a notice to that effect.

16.2) the notice may, but need not, be accompanied by a statement of the grounds on which the member intends to rely for the purposes of the appeal.

16.3) On receipt of a notice from a member under subclause (1), the secretary must notify the committee which is to convene a general meeting of the Club to be held within 28 days after the date on which the secretary received the notice.

16.4) at a general meeting of the association convened under subclause 16.3:

(a) No business other than the question of the appeal is to be transacted, and

(b) The committee and the member must be given the opportunity to state their respective cases orally or in writing, or both, and

(c) The members present are to vote by secret ballot on the question of whether the resolution should be confirmed or revoked.

16.5) the appeal is to be determined by a simple majority of votes cast by members of the Club.

Part 2 - The committee

17. Powers of the committee

Subject to the Act, the Regulation and this constitution and to any resolution passed by the association in general meeting, the committee:

(a) Is to control and manage the affairs of the Club, and

(b) may exercise all such functions as may be exercised by the Club, other than those functions that

are required by this constitution to be exercised by a general meeting of members of the Club, and
(c) Has power to perform all such acts and do all such things as appear to the committee to be necessary or desirable for the proper management of the affairs of the Club.

18. Composition and membership of committee

(1) The committee is to consist of:

(a) The office-bearers of the Club, and

(b) At least 3 ordinary committee members, each of whom is to be elected at the annual general meeting of the association under clause 20.

(2) The total number of committee members is to be 7.

(3) The office-bearers of the Club are as follows:

(a) The president,

(b) The vice-president,

(c) The treasurer,

(d) The secretary.

(4) A committee member may hold up to 2 offices (other than both the president and vice-president offices).

(5) Each member of the committee is, subject to this constitution, to hold office until the conclusion of the annual general meeting following the date of the member's election, but is eligible for re-election.

19. Election of committee members

(1) Nominations of candidates for election as office-bearers of the Club or as ordinary committee members:

(a) Must be made in a format as approved by the committee, signed by 2 members of the club and accompanied by the written consent of the candidate (which may be endorsed on the form of the nomination), and

(b) Must be delivered to the secretary of the club at least 7 days before the date fixed for the holding of the annual general meeting at which the election is to take place.

(2) If insufficient nominations are received to fill all vacancies on the committee, the candidates nominated are taken to be elected and further nominations are to be received at the annual general meeting.

(3) If insufficient further nominations are received, any vacant positions remaining on the committee are taken to be casual vacancies.

(4) If the number of nominations received is equal to the number of vacancies to be filled, the persons nominated are taken to be elected.

(5) If the number of nominations received exceeds the number of vacancies to be filled, a ballot is to be held.

(6) The ballot for the election of office-bearers and ordinary committee members of the committee is to be conducted at the annual general meeting in such usual and proper manner as the committee may direct.

(7) A person nominated as a candidate for election as an office-bearer or as an ordinary committee member of the club must be a member of the club.

20. Secretary

(1) The secretary of the Club must, as soon as practicable after being appointed as secretary, lodge notice with the association of his or her address.

(2) It is the duty of the secretary to keep minutes of:

(a) All appointments of office-bearers and members of the committee, and

(b) The names of members of the committee present at a committee meeting or a general meeting, and

(c) All proceedings at committee meetings and general meetings.

(3) Minutes of proceedings at a meeting must be signed by the chairperson of the meeting or by the chairperson of the next succeeding meeting.

21. Treasurer

It is the duty of the treasurer of the Club to ensure:

(a) That all money due to the club is collected and received and that all payments authorised by the club are made, and

(b) 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 association.

22. President

It is the duty of the President of the Club to:

(a) Chair the club's annual general meeting: see that the agenda is followed, all business is completed, awards or presentations made and speakers welcomed.

(b) Manage committees and/or executive meetings: ensure that all matters are discussed and the best decisions made, without lengthy meetings.

23. Casual vacancies

(1) In the event of a casual vacancy occurring in the membership of the committee, the committee may appoint a member of the Club to fill the vacancy and the member so appointed is to hold office, subject to this constitution, until the conclusion of the annual general meeting next following the date of the appointment.

(2) A casual vacancy in the office of a member of the committee occurs if the member:

(a) Dies, or

(b) Ceases to be a member of the Club, or

(c) Becomes an insolvent under administration within the meaning of the Corporations Act 2001 of the Commonwealth, or

(d) Resigns office by notice in writing given to the secretary, or

(e) Is removed from office under clause 19, or

(f) Becomes a mentally incapacitated person, or

(g) Is absent without the consent of the committee from 3 consecutive meetings of the committee, or

(h) Is convicted of an offence involving fraud or dishonesty for which the maximum penalty on conviction is imprisonment for not less than 3 months, or

(i) Is prohibited from being a director of a company under Part 2D.6 (Disqualification from managing corporations) of the Corporations Act 2001 of the Commonwealth.

24. Removal of committee members

(1) The Club in general meeting may by resolution remove any member of the committee from the office of member before the expiration of the member's term of office and may by resolution appoint another person to hold office until the expiration of the term of office of the member so removed.

(2) If a member of the committee to whom a proposed resolution referred to in subclause (1) relates makes representations in writing to the secretary or president (not exceeding a reasonable length) and requests that the representations be notified to the members of the association, the secretary or the president may send a copy of the representations to each member of the Club or, if the representations are not so sent, the member is entitled to require that the representations be read out at the meeting at which the resolution is considered.

25. Committee meetings and quorum

(1) The committee must meet at least 3 times in each period of 12 months at such place and time as the committee may determine.

(2) Additional meetings of the committee may be convened by the president or by any member of the committee.

(3) Oral or written notice of a meeting of the committee must be given by the secretary to each member of the committee at least 24 hours (or such other period as may be unanimously agreed on by the members of the committee) before the time appointed for the holding of the meeting.

(4) Notice of a meeting given under subclause (3) must specify the general nature of the business to be transacted at the meeting and no business other than that business is to be transacted at the meeting, except business which the committee members present at the meeting unanimously agree to treat as urgent business.

(5) Any 3 members of the committee constitute a quorum for the transaction of the business of a meeting of the committee.

(6) No business is to be transacted by the committee unless a quorum is present and if, within half an hour of the time appointed for the meeting, a quorum is not present, the meeting is to stand adjourned to the same place and at the same hour of the same day in the following week.

(7) If at the adjourned meeting a quorum is not present within half an hour of the time appointed for the meeting, the meeting is to be dissolved.

8) At a meeting of the committee:

(a) The president or, in the president's absence, the vice-president is to preside, or

(b) If the president and the vice-president are absent or unwilling to act, such one of the remaining members of the committee as may be chosen by the members present at the meeting is to preside.

26. Delegation by committee to sub-committee

(1) The committee may, delegate to one or more sub-committees (consisting of such member or members of the Club as the committee thinks fit) the exercise of such of the functions of the committee as are specified in the instrument, other than:

(a) This power of delegation, and

(b) A function which is a duty imposed on the committee by the Act or by any other law.

(2) A function the exercise of which has been delegated to a sub-committee under this clause may, while the delegation remains unrevoked, be exercised from time to time by the sub-committee in

accordance with the terms of the delegation.

(3) A delegation under this clause may be made subject to such conditions or limitations as to the exercise of any function, or as to time or circumstances, as may be specified in the instrument of delegation.

(4) Despite any delegation under this clause, the committee may continue to exercise any function delegated.

(5) Any act or thing done or suffered by a sub-committee acting in the exercise of a delegation under this clause has the same force and effect as it would have if it had been done or suffered by the committee.

(6) The committee may, by instrument in writing, revoke wholly or in part any delegation under this clause.

(7) A sub-committee may meet and adjourn as it thinks proper.

27. Voting and decisions

(1) Questions arising at a meeting of the committee or of any sub-committee appointed by the committee are to be determined by a majority of the votes of members of the committee or sub-committee present at the meeting.

(2) Each member present at a meeting of the committee or of any sub-committee appointed by the committee (including the person presiding at the meeting) is entitled to one vote but, in the event of an equality of votes on any question, the person presiding may exercise a second or casting vote.

(3) Subject to clause 25.1, the committee may act despite any vacancy on the committee.

(4) Any act or thing done or suffered, or purporting to have been done or suffered, by the committee or by a sub-committee appointed by the committee, is valid and effectual despite any defect that may afterwards be discovered in the appointment or qualification of any member of the committee or sub-committee.

Part 3 - General meetings

28. Annual general meetings - holding of

(1) The Club must hold its first annual general meeting within 18 months after its registration under the Act.

(2) The Club must hold its annual general meetings:

(a) Within 6 months after the close of the Club's financial year, or

(b) Within such later time as may be allowed by the Director-General or prescribed by the Regulation.

29. Annual general meetings - calling of and business at

(1) The annual general meeting of the Club is, subject to the Act and to clause 28, to be convened on such date and at such place and time as the committee thinks fit.

(2) In addition to any other business which may be transacted at an annual general meeting, the business of an annual general meeting is to include the following:

(a) To confirm the minutes of the last preceding annual general meeting and of any special general meeting held since that meeting,

(b) To receive from the committee reports on the activities of the Club during the last preceding financial year,

(c) To elect office-bearers of the Club and ordinary committee members,
(d) To receive and consider any financial statement or report required to be submitted to members under the Act.

(e) To define the Clubs Financial Year for reporting purposes

(3) An annual general meeting must be specified as such in the notice convening it.

30. Special general meetings - calling of

(1) The committee may, whenever it thinks fit, convene a special general meeting of the Club.

(2) The committee must, on the requisition in writing of at least 25 per cent of the total number of members, convene a special general meeting of the Club.

(3) A requisition of members for a special general meeting:

(a) Must state the purpose or purposes of the meeting, and

(b) Must be signed by the members making the requisition, and

(c) Must be lodged with the secretary, and

(d) May consist of several documents in a similar form, each signed by one or more of the members making the requisition.

(4) If the committee fails to convene a special general meeting to be held within 1 month after that date on which a requisition of members for the meeting is lodged with the secretary, any one or more of the members who made the requisition may convene a special general meeting to be held not later than 3 months after that date.

(5) A special general meeting convened by a member or members as referred to in subclause (4) must be convened as nearly as is practicable in the same manner as general meetings are convened by the committee.

31. Notice

(1) Except if the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the Club, the secretary must, at least 14 days before the date fixed for the holding of the general meeting, give a notice to each member specifying the place, date and time of the meeting and the nature of the business proposed to be transacted at the meeting.

(2) If the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the Club, the secretary must, at least 21 days before the date fixed for the holding of the general meeting, cause notice to be given to each member specifying, in addition to the matter required under subclause (1), the intention to propose the resolution as a special resolution.

(3) No business other than that specified in the notice convening a general meeting is to be transacted at the meeting except, in the case of an annual general meeting, business which may be transacted under clause 29.2.

(4) A member desiring to bring any business before a general meeting may give notice in writing of that business to the secretary who must include that business in the next notice calling a general meeting given after receipt of the notice from the member.

32. Quorum for general meetings

(1) No item of business is to be transacted at a general meeting unless a quorum of members entitled under this constitution to vote is present during the time the meeting is considering that item.

(2) Ten members present (being members entitled under this constitution to vote at a general

meeting) constitute a quorum for the transaction of the business of a general meeting.

(3) If within half an hour after the appointed time for the commencement of a general meeting a quorum is not present, the meeting:

(a) If convened on the requisition of members, is to be dissolved, and

(b) in any other case, is to stand adjourned to the same day in the following week at the same time and (unless another place is specified at the time of the adjournment by the person presiding at the meeting or communicated by written notice to members given before the day to which the meeting is adjourned) at the same place.

(4) If at the adjourned meeting a quorum is not present within half an hour after the time appointed for the commencement of the meeting, the members present (being at least 3) are to constitute a quorum.

33. Presiding member

(1) The president or, in the president's absence, the vice-president, is to preside as chairperson at each general meeting of the association.

(2) If the president and the vice-president are absent or unwilling to act, the members present must elect one of their number to preside as chairperson at the meeting.

34. Adjournment

(1) The chairperson of a general meeting at which a quorum is present may, with the consent of the majority of members present at the meeting, adjourn the meeting from time to time and place to place, but no business is to be transacted at an adjourned meeting other than the business left unfinished at the meeting at which the adjournment took place.

(2) If a general meeting is adjourned for 14 days or more, the secretary must give written or oral notice of the adjourned meeting to each member of the Club stating the place, date and time of the meeting and the nature of the business to be transacted at the meeting.

(3) Except as provided in subclauses (1) and (2), notice of an adjournment of a general meeting or of the business to be transacted at an adjourned meeting is not required to be given.

35. Making of decisions

(1) A question arising at a general meeting of the Club is to be determined by either:

(a) A show of hands, or

(b) If on the motion of the chairperson or if 5 or more members present at the meeting decide that the question should be determined by a written ballot—a written ballot.

(2) If the question is to be determined by a show of hands, a declaration by the chairperson that a resolution has, on a show of hands, been carried or carried unanimously or carried by a particular majority or lost, or an entry to that effect in the minute book of the Club, is evidence of the fact without proof of the number or proportion of the votes recorded in favour of or against that resolution.

(3) If the question is to be determined by a written ballot, the ballot is to be conducted in accordance with the directions of the chairperson.

36. Special resolutions

A special resolution may only be passed by the Club in accordance with section 39 of the Act.

37. Voting

(1) On any question arising at a general meeting of the Club a member has one vote only.

(2) In the case of an equality of votes on a question at a general meeting, the chairperson of the meeting is entitled to exercise a second or casting vote.

(3) A member is not entitled to vote at any general meeting of the Club unless all money due and payable by the member to the Club has been paid.

(4) A member is not entitled to vote at any general meeting of the Club if the member is under 18 years of age.

38. Proxy votes not permitted

Proxy voting must not be undertaken at or in respect of a general meeting.

Note: Schedule 1 of the Act provides that an association's constitution is to address whether members of the association are entitled to vote by proxy at general meetings.

39. Postal ballots

(1) The Club may hold a postal ballot to determine any issue or proposal (other than an appeal under clause 16)

(2) A postal ballot is to be conducted in accordance with Schedule 3 to the Regulation.