

Constitution of

Weeroona Bay Football and Sports Club
Incorporated

ABN: 68 531 024 579 Incorporation Registration number: A4002



Revised November 2017

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Rule 1 - NAME OF THE CLUB

The name of the Club shall be the "Weeroona Bay Football and Sports Club incorporated" hereafter referred to as "the club".

Rule 2 - OBJECTIVES OF THE CLUB

The objects of the club shall be:

[a] the development of Australian Rules Football, Cricket and any other team sports in Whyalla.

[b] The fielding of teams in all grades of competition organised by the Whyalla Football League Incorporated, South Australian National Football League Incorporated, South Australian Community Football League Incorporated, Whyalla Ladies dart Association, or any other sporting body that may arise.

[c] To provide social and recreational amenities and facilities for the members of the Club. To provide accommodation for them on such premises as the Club may, from time to time, occupy from the joint funds of the club.

[d] To do all things which the club or the committee of Management thereof may think necessary or desirable for promoting the recreation, accommodation and convenience of the members.

[e] To purchase, take on the lease, in exchange, or otherwise, any lands, buildings, easements, or property, real or personal, which may be required for the purpose of or conveniently used in connection with any objects of the Club and to sell, demise, mortgage, give in exchange or dispose of the same or any part or parts thereof from time to time and to grant easement in, through, over or upon any land and to acquire easements of rights over any other land.

[f] To apply the whole of the net profits of the club after the payment of all costs and expenses of and incidental to the proper and efficient management and development thereof to purchase benefiting the club.

[g] To establish, promote or assist in establishing or promoting, and to subscribe to or become a member of or associated or amalgamated with any other association or club whose objects of the club or the establishment or promotion of which may be beneficial to the club.

[h] To support and to subscribe to any charitable, athletic or public body.

[i] To do all such other lawful things as are incidental or conducive to the attainment of the above objects.

Rule 3 - PROPERTY AND INCOME OF THE CLUB

The property and income of the Club shall be used only for the purposes of the objects of the Club and no part thereof shall be used for the pecuniary profit or benefit of any member or members.

Rule 4 - MEMBERSHIPS

Membership of the Club shall consist of :

Life Members

Player Members

Non-playing Members

Associate Members

Honorary Members

{a} Life Members shall be any member nominated by the Committee of Management in consideration of any special services to the Club for a period of ten [10] years, or has, over a period of ten [10] seasons, not necessarily consecutive, taken part in at least four [4] official senior matches in each season. Such nomination shall be entitled to all the privileges of membership.

[b] Player Members. Any person to become a playing member must fill in and sign a registration form, or any other forms as required by the Whyalla Football League. Playing membership fee shall be proposed by the Committee of Management and determined at the Annual General Meeting. Fees for members under fifteen [15] years of age shall be decided at the Annual General Meeting.

[c] Non Playing Members shall include all members who are registered as non-playing members and who may, with approval of the committee of Management, continue to be members of the Club, subject to these rules and to payment of such fee, as are from time to time prescribed by the Committee of Management

[d] From and after the first day of November, a person may be nominated for Membership by a member and seconded by another. The notice of nomination shall state the nominee's full name, age, address and such other particulars as the Committee of Management may from time to time prescribe. The Committee of Management shall consider the application at its next ensuing meeting and if a majority of the Committee of Management so approves the person nominated shall be elected as a member provided if the Committee of Management rejects such nomination it shall not be obliged to give any reason for such rejection, the Secretary shall keep a record of all members voting on each election

(e) All financial members within the above classifications shall be eligible to vote at all general meetings and all members over the age of eighteen (18) shall be eligible for election to the Committee of Management.

(f) Financial Members shall be entitled to attend all club functions held in the Clubroom except such official functions, attendance at which is by invitation given by the committee of management.

(g) A person may be expelled from membership by resolution of the Committee of Management. No reason for such expulsion need be given, but the member must be notified by the secretary in writing. Membership fee shall be forfeited and there shall be no right of appeal against the Committee's ruling. The Committee of Management may re-admit an expelled person as a member at any time.

(h) Membership in each year shall commence on the first day of November and cease on the last day of October.

(i) A register of members shall be kept in which the secretary shall enter and keep regularly posted the full name, address, and membership classification of every member and the date of his/her becoming a member and upon the member ceasing to be a member, the secretary shall enter the date of his/her so ceasing and the reason therefore.

(j) A member shall not be entitled to vote at any meeting unless he has been financial for at least one (1) month before the date of the first holding of such meeting and has attained the age of 18 years.

(k) Associate Membership. Persons over the age of eighteen (18) years may be admitted by the Committee as Associate Members at an annual subscription amount as the Committee may from time to time determines.

(l) Associate members shall have no proprietary interest in the property or assets of the Club and shall not be eligible to stand for any office in the Club nor vote at general meetings.

(m) A member may resign from membership of the association by giving written notice to the Secretary of the association. Any resigning member shall be liable for any outstanding subscriptions which may be recovered as a debt due to the association.

HONORARY MEMBERS.

(1)The players of any sports club who visit the Club on any day for the purpose of playing against the Weeroona Bay Football and Sports Club, shall be honorary members of the Club for that day.

(2)The officials of a club referred to in paragraph (1) shall be honorary members of the Club for that day.

(3) The committee and/or the manager shall have power to elect as honorary members for any period not exceeding two months any person who is a member of another Sports Club which is visiting Whyalla.

(4) The name of the honorary member and the name of the Sports Club of which the honorary member is a member shall be recorded.

5) Honorary members shall enjoy all the privileges of ordinary members save and except as follows

(a) Honorary members shall not be eligible to be elected as members of the Executive Committee

(b) Honorary members shall not be eligible to be entitled to vote on any issues

(c) Honorary members shall not be entitled to receive any notice required to be given to full members.

(d) Honorary members shall not be liable to pay any entrance fee on subscription.

Rule 5 - Financial Year

The Financial year of the Club shall commence on the first day of November on any year and close on the thirty first day of October in the following year.

Rule 6 - ANNUAL GENERAL MEETING

The Annual Meeting of the Club shall be held not later than the last day in ~~February~~ December and shall be called by advertisement in the local newspaper, social media, email or local television.

- (a) Receive the Annual Reports and audited statements of Receipts and Expenditure.
- (b) Election of Office Bearers.
- (c) Ratify membership fees for the following season.
- (d) Discuss any general business which may be brought before the meeting and make recommendations for consideration by the Committee of Management in regards to such general business.

Members financial as at the previous season, and Life Members shall be entitled to vote on all resolutions moved at the Annual General Meeting.

Financial Membership period is from the 1st Day of November to 31st Day of October.

Rule 7 - OFFICE BEARERS

The Office Bearers of the Club shall consist of Patron, Chairman, Vice-Chairman, Secretary, Treasurer, Players Representative and five (5) committee persons. The Patron shall be elected annually, the Chairman, Vice Chairman and five Committee persons elected for two yearly terms.

The Executive Office Bearers of the Club shall consist of, Chairman, Vice-Chairman, Secretary and Treasurer.

Any casual vacancy occurring amongst the Office Bearers shall be filled by an appointment made by the Committee of Management and the person so appointed shall hold office until the next Annual General Meeting.

Fourteen (14) days prior to the Annual General Meeting the Secretary shall advertise in the local paper, social media, email or local television, calling for nominations for all Office Bearers. The advertisement shall state that nominations must be lodged with the Secretary in writing one week before the advertised starting time of the Annual General Meeting and that all nominations must be signed by the nominee and also the proposer and seconder. The proposer and seconder of nominations must be financial members of the club.

Each of the Office Bearers shall be automatically nominated for re-election unless he/she has given the Secretary written notice of his/her wish to withdraw.

Rule 8 - COMMITTEE OF MANAGEMENT

The Committee of Management shall consist of Office Bearers excepting Patron and must be elected at the Annual General Meeting.

The Committee of Management may invite the Junior Secretary and the Social Committee Secretary to attend their meetings. These officers may enter into all decisions but shall not have voting rights.

The Committee of Management may appoint such sub-committees as they think fit, these sub-committees shall be directly responsible to the Committee of Management at any time.

If any member of the Management Committee fails to attend 3 consecutive meetings without apology, the Management Committee will write to the member to ascertain their intentions. Should no reply reach the Management Committee within 1 month of the date of correspondence, then the Management Committee may declare the members seat vacant, notifying them in writing and appoint a new member who will complete the term.

The Committee of Management shall

- (a) Manage the affairs of the Club.
- (b) Control and care for the funds of the Club.
- (c) Appoint delegates to represent the Club at Meetings.
- (d) Call general or special meetings of the club.
- (e) Make by-laws for the management of the club provided such by-laws are not inconsistent with these rules.
- (f) Appoint Coaches, either playing or non-playing, for each season.
- (h) Have power to grant honorariums to the Secretary and to the Treasurer.
- (i) Attend to the care and up keep of the Club Rooms and all club property.
- (j) Appoint a Public Officer as required under the Associations Incorporation Act 1985.

Rule 9 - POWERS

The Association shall have all powers conferred by Section 25 of the Associations Incorporation Act 1985, for the purpose of carrying out its objects.

Rule 10 - COMMITTEE MEETINGS

The Committee of Management shall meet at such times as they may deem necessary but not less than once in each calendar month. No business shall be conducted in the absence of a quorum. A quorum shall be formed by 50% of elected Office Bearers plus 1.

The Chairman shall preside at all meetings or in his/her absence the Vice-Chairman. Should both be absent the members present shall elect one of their members to take the chair. In all cases the chairman shall have a casting vote only.

Rule 11 - SPECIAL MEETINGS

Upon receipt of a requisition signed in writing by ten or more financial members, the Committee of Management shall arrange to call within fourteen (14) days of receiving such requisition a special general meeting of the members of the club. Notice of such meetings shall be advertised in the local newspaper, social media, email or local television at least seven (7) days before the meeting is to be held. The requisition must state the precise resolution or resolutions which are submitted to the meeting and no business other than that set out in the requisition shall be discussed at the special meeting called. Twenty (20) financial members shall be required to form a quorum at any such meetings

Rule 12 - CHAIRMAN AT MEETINGS

At any general or special general meeting of the Club the Chairman of the Committee of Management shall preside, or in his/her absence the Vice-Chairman. In the event of neither being present the members present at the meeting shall elect a Chairman. In all cases the Chairman shall have casting vote only.

Rule 13 - VOTING AT MEETINGS

At general or special meetings voting shall be by secret ballot except that in matters of minor importance the chairman may allow voting by show of hands.

In all General meetings of the Club the following shall be entitled to vote:

Life Members

Player Members

Non-playing Members

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

Rule 14 - SECRETARY

The Secretary shall

- (a) Keep correct minutes of all Committee and General Meetings.
- (b) Conduct correspondence under the direction of the Committee of Management.
- (c) Perform functions usually appertaining to his/her office in a business-like manner.

Rule 15 - TREASURER

The Treasurer shall:-

- (a) Receive subscriptions and all other monies belonging to the Club and keep proper records by issuing an official receipt and entering same in a cash book or electronically.
- (b) Make payments of amounts owing by the Club after they have been passed for payment by the Committee of Management and record such payments in a cash book or electronically.
- (c) Bank all money received in a bank account opened in the Club's name at such bank as is approved by the Committee of Management.
- (d) Submit a financial report at all meetings of the Committee of Management.
- (e) Prepare an Annual Statement of Receipts and Expenditure for presenting to members at the Annual General Meeting.

Rule 16 - AUDITORS

The accounts of the Club shall be audited by a Certified auditor. The Auditor shall certify the correctness of the financial statements submitted to members at the Annual General Meeting each year or shall report fully on any reason why they cannot so certify the financial statements

Rule 17 - LIFE MEMBERSHIP

(a) Life Members shall be any member nominated by the Committee of Management in consideration of any special services to the Club for a period of ten [10] years, or has, over a period of ten [10] seasons, not necessarily consecutive, taken part in at least four [4] official senior matches in each season. Such nomination shall be entitled to all the privileges of membership.

(b) The Committee of Management shall have power to confer Honorary Life Membership upon any official or player who has given ten (10) years of active service to the Club.

Rule 18 - CLUB COLOURS

The colours of the Club shall be Black and Gold. The design of the uniform shall be registered with and subject to the approval of the Whyalla Football League.

Rule 19 - INTERPRETATION OF RULES

In the event of any questions arising not provided for in these rules, or any question as to the interpretation there-of, the opinion of the Committee of Management shall be acted upon.

Rule 20 - ALTERATION OF RULES

No rules shall be altered or repealed (except as provided for under rule 8) without the concurrence of seventy (70) per centum of the members present and entitled to vote at the Annual General Meeting of the Club. Notice of any proposal to alter or repeal any rule shall be given to the Secretary in writing not less than fourteen (14) days prior to the Annual General Meeting and not less than seven (7) days notice of any such proposal shall be given to members. Such notice shall be given by advertisement in the local newspaper, social media, email or local television.

Rule 21 - LICENSING ACT

The following regulations shall apply in respect of any permit or licence as the case may be obtained by the Club pursuant to the Licensing Act 1967 or any amendment thereof.

(1) No payment or part payment of any secretary, manager, or other office bearer or servant of the Club shall be made by way of commission allowance from or upon the receipts of the Club for the liquor supplied.

(2) The Register of Members of the Club for the time being shall be kept on Club premises.

(3) The books of account, minute books and other records of Members and all other books relating to the transaction, business, rules and management of the Club shall be written in the English Language.

(4) Minutes of all resolutions and proceedings of the Committee of Management shall be documented to be kept for that purpose.

(5) Correct accounts and books shall be kept showing the financial affairs of the Club and the particulars usually shown in the books of account of a like nature.

(6) No person shall be allowed to become an honorary or temporary member of the Club or be relieved of the payment of the regular subscription, except those possessing the qualifications for such membership as defined in the Club rules and subject to the conditions therein

(8) No liquor shall be sold or supplied to any person under eighteen (18) years of age.

(9) No person under eighteen (18) years of age, except persons who are being trained as waiters or messengers and are not allowed to serve behind the bar shall be employed in the premises of the club.

Rule 22 - FOOTBALL RULES

(a) PLAYERS REPRESENTATIVE

The Players Representative on the Committee of Management shall be elected by the players, both league and seconds, at a meeting of players arranged by the Committee of Management before the first league match each season.

(b) SELECTION COMMITTEE

The selection committee shall comprise Coach, Captain, and Independent Selector. The independent member to be selected by the Committee of Management.

(c) COACH

The Coach shall be responsible to the Committee of Management but shall have the sole management of all players in the dressing-room and on the field . He shall report to the Committee of Management any player who is guilty of any act of misconduct calculated to lower the dignity of the Club. Any player as reported shall be dealt with by the Committee of Management.

(d) JUNIORS

The Committee of Management shall appoint a Junior Chairperson and Junior Secretary and other necessary officers for the successful administration of the Junior division. A separate Junior Committee of Management and such Committee shall be responsible to the Committee of Management.

Rule 23 - WINDING UP

The Association may be wound up in the manner provided for in section 41 of the Associations Incorporation Act 1985.

Voluntary Winding up: The Club shall be wound up only by a special resolution as defined in the Act. In the event that any money or assets remain after such winding up shall be distributed to the Whyalla Football League or some other non-profit body nominated by the Association and having similar objects to the club. No portion shall be distributed either directly or indirectly to the members of the club except by way of Bona Fide payment for services rendered or expenses incurred on behalf of the club.