

Woden Valley Soccer Club – Rules

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PART I - PRELIMINARY

1. Incorporation

Woden Valley Soccer Club Incorporated (henceforth referred to as "the Club") is an association incorporated under the *Associations Incorporation Act 1991* (henceforth referred to as "the Act").

2. Validity

These rules were drafted for the specific purpose of complying with the Act and were adopted by a special meeting of the Club on Wednesday November 18th 1992, and in conjunction with "The Objects" of the Club these rules replace the "Constitution of the Woden Valley Soccer Club Incorporated".

PART II - MEMBERSHIP

3. Playing Members

A player shall be a member if he or she has registered and been accepted by the Club's Committee. Playing members must be at least 18 years of age to be entitled to vote at general meetings of the Club.

4. Non-playing Members

A non-playing member is any parent or guardian nominated on the registration form of a child who has been accepted by the Committee as a playing member, any authorised Club team official (coach or manager), any person nominated by a member and accepted by the Committee as a member for the year to March 31st next, or any person made a Life Member pursuant to rule 4A below. Non-playing members must be at least 18 years of age to be entitled to vote at general meetings of the Club.

4A. Life Members

A person may, on the recommendation of the Committee, be made a Life Member of the Club, and any award of life membership shall be announced at, and become effective from, the next scheduled annual end-of-season Presentation Night following the decision to make the award. Any member of the Club may (in writing) nominate a person he or she considers worthy of life membership for consideration by the Committee.

A person shall not be made a Life Member of the Club unless he or she has, over an extended period, made an outstanding contribution to the affairs of the Club, and through this to the development of the game of soccer for children and young adults in the Australian Capital Territory.

A person made a Life Member of the Club has all the rights, privileges and obligations of a non-playing member of the Club.

5. Register of Members

Names of playing and non-playing members shall be entered in the register of members by the Club Administrator or other person nominated by the Committee.

6. Membership Entitlements Not Transferable

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

- (a) is not capable of being transferred or transmitted to another person; and
- (b) terminates upon cessation of the person's membership.

7. Cessation of Membership

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

- (a) resigns from membership of the Club;
- (b) is expelled from the Club; or
- (c) fails to renew membership of the Club.

Renewal of membership by players is required annually by March 31st in a given year for the following 12 months. A member is entitled to resign from membership of the Club at any time by notifying the Club Administrator.

8. Fee, Subscriptions etc.

There is no entrance fee or annual subscription fee for members. There will normally be annual registration fees payable on behalf of playing members at rates determined by the Committee.

9. Members' Liabilities

The liability of a member 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 the amount, if any, unpaid by the member (parent or guardian) in respect of registration fees.

10. Disciplining of Members

(1) Where the Committee is of the opinion that a member:

(a) has refused or neglected to comply with a provision of these rules; or

(b) has wilfully acted in a manner prejudicial to the interests of the Club, the Committee may, by resolution:

(i) suspend the member from such rights and privileges of membership of the Club as the Committee may determine for a specified period; or

(ii) expel the member from the Club.

(2) A resolution of the Committee under subrule (1) to expel a member has the effect of immediate suspension until the Committee, at a meeting held not earlier than 14 days and not later than 28 days after service on the member of a notice under subrule (3), confirms, amends or revokes the resolution in accordance with this subrule. A resolution of the Committee under subrule (1) to suspend a member shall normally take effect only after the member has been notified under subrule (4) and:

(a) has waived the right of appeal; or

(b) has appealed and had the resolution to suspend confirmed at a hearing conducted under the provisions of rule 11, subrules (5), (6) and (7).

However, where the Committee resolves under subrule (1) to suspend a member for longer than 4 weeks it may, if it deems such action to be in the Club's interest, impose by separate resolution an interim suspension covering the period until any appeal under these rules has been heard.

(3) Where the Committee passes a resolution to expel a member under subrule (1), the Administrator shall, as soon as practicable, cause a notice in writing to be served on the member:

(a) setting out the resolution of the Committee and the grounds on which it is based;

(b) stating that the member may make submissions to the committee at a meeting to be held not earlier than 14 days and not later than 28 days after service of the notice to consider whether the resolution should be confirmed under subrule (2);

(c) stating the date, place and time of that meeting; and

(d) informing the member that the member may do any or all of the following:

(i) attend and speak at the meeting;

(ii) submit to the Committee at or prior to the meeting written representations relating to the resolution;

(iii) call witnesses to speak at the meeting on the member's behalf.

(4) Where the Committee passes a resolution under subrule (1) to suspend a member, the Administrator shall, as soon as practicable, advise the member orally and cause a notice in writing to be served on the member:

(a) setting out the resolution of the Committee and the grounds on which it is based;

(b) advising the member of the member's right to appeal against the imposition and/or the severity of the suspension, and either:

(i) that upon the member's advising an intention to appeal in accordance with subrule (4)(c) the suspension will not take effect before that appeal is heard; or

(ii) that the Committee has also resolved under the provisions of subrule (2) to impose an interim suspension until any appeal has been heard.

(c) requiring the member to advise a nominated committee member within 7 days of the date of the notice of any intention to appeal, and advising that by failing to do this the member will waive the right of appeal;

(d) stating the date, place and time at which any appeal will be heard; and

(e) informing the member that at an appeal hearing the member may do any or all of the following:

(i) attend and speak;

(ii) submit written representations relating to the appeal;

(iii) call witnesses on the member's behalf.

(5) Subject to Section 50 of the Act, at a meeting of the Committee mentioned in subrule (2), the Committee shall:

(a) give the member mentioned in subrule (1) an opportunity to make oral representations and call witnesses to make oral representations on the member's behalf;

(b) give due consideration to any written representations submitted to the Committee by that member at or prior to the meeting; and

(c) by resolution determine whether to confirm, to amend or to revoke the resolution of

the Committee made under subrule (1).

(6) Where the Committee takes a decision under subrule (5)(c), the Administrator shall, within 7 days after that decision, by notice in writing, inform the member of the decision. Where the decision is to confirm a resolution of the Committee made under subrule (1) or to substitute a suspension for expulsion, the notice shall also inform the member of the member's right of appeal under rule 11.

(7) A resolution confirmed by the Committee under subrule (5) shall have the effect of suspension:

(a) until the expiration of the period within which the member is entitled to appeal against the resolution where the member does not exercise the right of appeal within that period; or

(b) where within that period the member exercises the right of appeal, unless and until the club confirms the resolution in accordance with subrule 11(4).

(8) Where the Committee under subrule (5) amends a resolution under subrule (1) from one of expulsion to one of suspension, the resolution to suspend shall be treated as a resolution to suspend under subrule (1) and all the provisions of these rules concerning suspensions shall apply.

11. Right of Appeal of a Disciplined Member

(1) A member may appeal to the Club in general meeting against a resolution of the Committee which is confirmed under subrule 10(5) by lodging with the Administrator a notice to that effect within 7 days after notice of confirmation of the resolution is served on the member.

(2) Upon receipt of a notice under subrule (1), the Administrator shall notify the Committee which shall convene a general meeting of the Club to be held within 21 days after the date on which the Secretary received the notice or as soon as possible after that date.

(3) Subject to section 50 of the Act, at a general meeting of the Club convened under subrule (2):

(a) no business other than the question of the appeal shall be transacted;

(b) the Committee and the member shall be given the opportunity to make representations in relation to the appeal orally and/or by calling witnesses and/or in writing; and

(c) the members present shall vote by secret ballot on the question of whether the resolution made under subrule 10(5) should be confirmed, amended or revoked.

(4) If a meeting convened under subrule (2) passes a resolution in favour of confirmation of the resolution made under subrule 10(5)(c), that resolution is confirmed. If the meeting passes a resolution substituting for expulsion of the member concerned suspension of the member for a specified period, that suspension becomes immediately effective and is not subject to appeal.

(5) A member suspended under subrule 10(1) may appeal against that suspension in the manner prescribed in subrule 10(4)(c). In resolving to suspend a member under subrule 10(1) the Committee shall appoint a subcommittee of three of its members to hear any appeal against the suspension, shall appoint one of those members chairperson of the subcommittee, and shall specify the date, place and time when the appeal hearing, if required, shall be held.

(6) A subcommittee established under subrule (5) shall consider oral or written submissions made by or on behalf of the member lodging the appeal. Having heard these submissions and taking into account any other evidence it deems relevant the subcommittee shall, by simple majority vote, confirm, amend or revoke the Committee's resolution to suspend the member. The subcommittee's power to amend the committee's resolution shall be limited to reducing the length of the suspension imposed.

(7) A decision reached by a subcommittee under subrule (6) shall be final and shall be notified by the chairperson:

- (a) to the member lodging the appeal at the earliest opportunity; and
- (b) to the Committee at its next scheduled meeting.

PART III - THE COMMITTEE

12. Powers of the Committee

The Committee, subject to the Act, the Regulations, these rules, and to any resolution passed by the Club in general meeting:

- (a) shall control and manage the affairs of the Club;
- (b) may exercise all such functions as may be exercised by the Club other than those functions that are required by these rules to be exercised by the Club in general meeting; 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.

13. Constitution and Membership

(1) Committee members must be at least 18 years of age.

(2) The Committee shall consist of office-bearers of the Club set out in subrule (3) and such other ordinary committee members as are elected pursuant to subrule (5) or appointed in accordance with subrule (7).

(3) The office-bearers of the Club shall be:

President

Vice-President (Rooball Boys)

Vice-President (Rooball Girls)

Vice-President (Under 10 to Under 12 Boys)

Vice-President (Under 10 to Under 12 Girls)

Vice-President (Under 13 to Under 18 Boys)

Vice-President (Under 13 to Under 17 Girls)

Administrator

Treasurer

Marketing Officer (Sponsorship, Fundraising and Publicity)

Operations (Match Day Setup Officer)

Operations (Equipment Officer)

(4) All office-bearers shall be elected with the exception of the Administrator, who will be remunerated at a level determined by the elected members of the Committee, will be appointed annually by the elected members of the Committee, and will not be entitled to vote at Committee meetings.

(5) The Committee may include, in addition to the office-bearers listed above, no more than four ordinary Committee members without portfolio. These would normally also be elected at the annual general meeting.

(6) Each elected member of the Committee shall, subject to these rules, hold office until the conclusion of the annual general meeting following the date of the member's

election, but is eligible for re-election.

(7) In the event of a vacancy in the elected membership of the Committee, the Committee may appoint a member of the Club to fill the vacancy and the member so appointed shall hold office, subject to these rules, until the conclusion of the annual general meeting next following the date of the appointment. Should the position of Administrator fall vacant the Committee may recruit a replacement whose initial tenure shall be until the conclusion of the next scheduled annual general meeting, but whose appointment may be extended beyond that point by the next incoming Committee.

14. Election of Committee Members

(1) The election of office-bearers (other than the Administrator) and ordinary committee members shall be conducted at the annual general meeting.

(2) Nominations of candidates for election as office-bearers of the Club or as ordinary committee members shall be made orally by a member of the Club, and if consent of the candidate is forthcoming, a seconder for the nomination will be required.

(3) If the number of nominations received exceeds the number of vacancies to be filled, a ballot shall be held by show of hands.

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

(5) If insufficient nominations are received, any vacant positions remaining on the Committee shall be deemed to be vacancies.

(6) A person is not eligible to simultaneously hold both of the positions of President and Treasurer, and neither the President nor the Treasurer is eligible to be appointed Administrator.

15. Administrator

(1) The Administrator of the Club shall, as soon as practicable after being appointed as Administrator, notify the Club of his or her address.

(2) The Administrator will carry out the functions of Club Secretary, Registrar and Public Officer, and assume such other responsibilities as the Committee may specify in his/her job description.

(3) The Administrator shall, as part of his/her duties, keep minutes of:

(a) all elections and appointments of office-bearers and ordinary committee members;

(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.

(4) Minutes of proceedings at a meeting shall be signed by the person presiding at the next succeeding meeting.

16. Treasurer

The Treasurer of the Club shall:

(a) collect and receive all monies due to the Club and make all payments authorised by the Club; and

(b) keep correct accounts and books showing the financial affairs of the Club with full details of all receipts and expenditure connected with the activities of the Club.

17. Vacancies

For the purposes of these rules a vacancy in the office of an elected member of the Committee occurs if the member:

(a) dies;

(b) ceases to be a member of the Club;

(c) resigns the office;

(d) is removed from office pursuant to rule 18;

(e) is disqualified from the office under subsection 63(1) of the Act; or

(f) is absent without the consent of the Committee from three consecutive meetings of the Committee.

18. Removal of Committee Members

The Club in general meeting may by resolution, subject to section 50 of the Act, remove any member of the Committee from office before the expiration of the member's term of office.

19. Committee Meetings and Quorum

(1) The Committee shall meet at least bi-monthly at such place and time as the Committee may determine.

(2) Additional meetings of the Committee may be convened by any member of the Committee.

(3) Oral or written notice of a meeting of the Committee shall be given by the Administrator to each member of the Committee at least 48 hours (or such other period as may be unanimously agreed upon by the members of the Committee) before the time appointed for the holding of the meeting.

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

(5) Any four members of the Committee constitute a quorum for the transaction of the business of a meeting of the Committee.

(6) No business shall be transacted by the Committee unless a quorum is present and if within half an hour after the time appointed for the meeting a quorum is not present the meeting shall be dissolved.

(7) At meetings of the Committee:

(a) the President or in the absence of the President, a Vice-President shall preside; or

(b) if the President and all Vice-Presidents are absent, one of the remaining members of the Committee may be chosen by the members present to preside.

20. Non-elected Office-bearers and Sub-committees

The Club's Committee may appoint, independently, as it deems necessary in addition to the Administrator listed as an office-bearer under subrule 13(3), other non-elected persons to represent the Club and take responsibility for things such as coaching, publicity, social activities, fundraising etc. which may not (perhaps because of a vacancy) have elected representation on the Committee, or may create such sub-committees as it feels are necessary to the proper functioning of the Club. All members who are eligible to vote are eligible for such positions.

21. Voting and Decisions

(1) Questions arising at a meeting of the Committee or of any sub-committee appointed by the Committee shall 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 (except the Administrator) 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. Should the Administrator be appointed to a sub-committee, he/she shall be entitled to vote at meetings of that sub-committee.

(3) Subject to subrule 19(5), the Committee may act notwithstanding 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 notwithstanding any defect that may afterwards be discovered in the appointment or qualification of any member of the Committee or sub-committee.

PART IV - GENERAL MEETINGS

22. Annual General Meetings

(1) The Annual General Meeting will be held in October or November each year.

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

(a) to confirm the minutes of the last preceding annual general meeting and of any 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 members of the Committee, including office-bearers, for the following year; and

(d) to receive and consider the statement of accounts and the reports that are required to be submitted to members pursuant to subsection 73(1) of the Act.

(3) An annual general meeting shall be specified as such in the notice covering it in accordance with rule 23.

(4) An annual general meeting shall be conducted in accordance with the provisions of this Part.

23. Calling General Meetings

A general meeting may be held whenever the Committee directs or upon a written request received by the Committee, setting out the objectives of such a meeting and signed by at least six members of the Club eligible to vote. Members must be given at least seven days' notice of any such meeting.

24. General Meetings - Procedure and Quorum

- (1) No item of business shall be transacted at a general meeting unless a quorum of members entitled under these rules to vote is present during the time the meeting is considering that item.
- (2) 10 members present in person (being members at least 18 years of age entitled under these rules to vote at a general meeting) constitute a quorum for the transaction of the business of a general meeting.
- (3) If within one hour after the appointed time for the commencement of a general meeting a quorum is not present, the meeting if convened upon the requisition of members shall be dissolved and in any other case shall stand adjourned to the same day in the following week at the same time and (unless another place is specified at the time of 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 one hour after the time appointed for the commencement of the meeting, the members present (being not less than 3) shall constitute a quorum.

25. Presiding Member

- (1) The President, or in the absence of the President, a Vice-President, shall preside at each general meeting of the Club.
- (2) If the President and all Vice-Presidents are absent from a general meeting, the committee members present shall elect one of their number to preside at the meeting.

26. Adjournment

- (1) The person presiding at 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 shall be transacted at an adjourned meeting other than the business left unfinished at the meeting at which the adjournment took place.
- (2) Where a general meeting is adjourned for 14 days or more, the Secretary shall give written notice of the adjourned meeting 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 subrules (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.

27. Making of Decisions

(1) A question arising at a general meeting of the Club shall be determined on a show of hands and, unless before or on the declaration of the show of hands a poll is demanded, a declaration by the person presiding 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.

(2) At a general meeting of the Club, a poll may be demanded by the person presiding or by not less than three members present in person.

(3) Where a poll is demanded at a general meeting, the poll shall be taken:

(a) immediately in the case of a poll which relates to the election of the person to preside at the meeting or to the question of an adjournment; or

(b) in any other case, in such manner and at such time before the close of the meeting as the person presiding directs, and the resolution of the poll on the matter shall be deemed to be the resolution of the meeting on that matter.

28. Voting

(1) Subject to subrule (3), upon any question arising at a general meeting of the Club a member who is eligible to vote has one vote only.

(2) All votes shall be given personally. No proxy voting is allowed.

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

PART V- MISCELLANEOUS

29. Funds - Source

(1) The funds of the Club shall be derived from registration fees of playing members, donations, sponsorships and, subject to any resolution passed by the Club in general meeting and subject to section 114 of the Act, such other sources as the Committee determines.

(2) All money received by the Club shall be deposited as soon as practicable and without deduction to the credit of the Club's bank account.

(3) The Club shall, as soon as practicable after receiving any money, issue an appropriate receipt.

30. Funds - Management

(1) Subject to any resolution passed by the Club in 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.

(2) A contract for:

(a) the employment of a person (or the provision by a person of on-going services, other than match day set up services or services as a Pee Wee mentor or as a referee, to the Club); or

(b) the purchase of goods or equipment over the value of \$10,000;

shall only be made after prior approval of the Committee.

(3) All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments shall be signed by any member of the Committee being a member of the Committee authorised to do so by the Committee.

(4) All traders' accounts are to be paid by cheque or electronic bank transfer. Any single expenditure exceeding \$5,000 or an amount to be determined from time to time by the Committee shall only be made after prior approval of the Committee. Any single expenditure exceeding \$1,000 (or an amount to be determined from time to time by the Committee) but less than the amount requiring prior Committee approval under this subrule shall only be made after prior approval of two authorized signatories to the Club's bank account. Prior approval under this subrule is not required if prior approval of the Committee has been obtained under subrule (2).

(5) There shall be either three or four signatories to the Club's bank account(s), one of whom shall be the Treasurer. Additional signatories shall be elected members of the Committee, with the exception that the person responsible for purchasing stock for the canteen and barbeque, if not an elected Committee member, may be made a signatory. Signatories other than the Treasurer shall be determined by the Committee and shall be reviewed annually at its first meeting following the Annual General Meeting. The Committee may, by resolution, cancel any signatory's status as a signatory at any time should it consider that to be in the Club's best interest. Any signatory who resigns from the Committee and/or the Club, or is expelled from the Club ceases to be an approved signatory from the date of resignation or expulsion.

(6) The financial year shall end on the 30th of September each year.

31. Auditor

(1) An auditor shall be appointed by the Club's Committee each year. The person must not be an officer of the Club, and must not have prepared or assisted with the preparation of the accounts being audited.

(2) The Committee shall take steps to ensure that audited accounts are completed at least 14 days before the annual general meeting.

32. Custody of Books

Subject to the Act, the Regulations and these rules, the President, Administrator or Treasurer shall keep in his or her custody or under his or her control all records, books, and other documents relating to the Club.

33. Inspection of Books

The records, books and other documents of the Club shall be open to inspection at a place in the Territory, free of charge, by a member of the Club at any reasonable hour.

34. Service of Notices

(1) For the purposes of these rules, a notice may be served by or on behalf of the Club upon any member either personally or by sending it by certified post to the member at the member's address shown in the register of members.

(2) Where a document is sent to a person by properly addressing, prepaying and posting to the person a letter containing the document, the document shall, unless the contrary is proved, be deemed for the purposes of these rules to have been served on the person at the time at which the letter would have been delivered in the ordinary course of post.

35. Surplus Property

In the event of the dissolution or winding up of the Club, the surplus property will be vested in Capital Football, with a request that the property be distributed to junior soccer clubs in the ACT with preference to clubs in the vicinity of Woden Valley.

36. Club's Colours

The Club's colours shall be red and sky blue.

37. Alteration of Objects and Rules

Neither the objects of the Club referred to in section 29 of the Act nor these rules shall be altered except in accordance with the Act.

38. Common Seal

- (1) The Common Seal of the association shall be kept in the custody of the administrator
- (2) The Common Seal shall not be attached to any instrument except by the authority of the Committee, and the attaching of the Common Seal shall be attested by the signatures of 2 members of the Committee, not including the administrator.