

Australian Capital Territory
Associations Incorporation Ordinance 1953
CONSTITUTION AND RULES
OF
BELNORTH FOOTBALL CLUB INCORPORATED

CONTENTS

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AUSTRALIAN CAPITAL TERRITORY
ASSOCIATIONS INCORPORATION ORDINANCE 1953
CONSTITUTION AND RULES OF
BELNORTH FOOTBALL CLUB INCORPORATED

PART I.

1 INTERPRETATION

In this constitution and rules unless the context otherwise requires:

Note A definition applies except so far as the contrary intention appears (see Legislation Act, s 155).

"**financial year**" means the year ending on 31 October.

"**general meeting**" means an annual general meeting or special general meeting convened in accordance with these rules.

"**member**" means a member, however described, of the association.

"**ordinary committee member**" means a member of the committee who is not an office-bearer of the association as mentioned in section 12 (1) (a).

"**secretary**" means the person holding office under these rules as secretary of the association or, if no such person holds that office, the public officer of the association.

"the" **Act** means the Associations Incorporation Act 1991 .

"**the Club**" means Belnorth Football Club Incorporated.

"**the Executive Committee**" means the Executive Committee constituted in accordance with these Rules.

"the" **regulation** means the Associations Incorporation Regulation 1991 .

1A Application of Legislation Act 2001

The Legislation Act 2001 applies to these rules in the same way as it would if they were an instrument made under the Act.

PART II. NAME

2. The name of the Association shall be **Belnorth Football Club Incorporated**.

PART III. OBJECTS, PURPOSES AND POWERS

3. The objects and purposes of the Club are: -

(a) To promote and foster the sport of football.

- (b) To promote social intercourse amongst members and conduct sporting or recreational activities for the benefit of members.
4. The Club shall have the following powers: -
- (a) To affiliate and liaise with any organisation that will further the objects and purposes of the Club and the interests of the sport of football generally.
 - (b) To take such steps as the Executive Committee or the members in general meeting may from time to time deem expedient for the purposes of raising funds or procuring contributions to the funds of the Club, whether by way of donations, subscriptions or otherwise.
 - (c) to accept any gift, whether subject to a special trust or not, for any one or more of the objects or purposes of the Club.
 - (d) To borrow or raise money in such manner as the Executive Committee may think fit or as may be approved or directed by resolution passed at a general meeting and to secure the repayment of money so raised or borrowed or the payment of any other debt or liability of the Club by giving mortgages, charges or securities upon or over all or any of the real or personal property of the Club.
 - (e) To buy, sell, supply and deal in all kinds of goods, equipment or provisions required by the Club or by members or persons participating in the activities of the Club.
 - (f) To print and publish such newsletters, periodicals, books, leaflets or other documents as the Executive Committee or the members in general meeting may think desirable for the promotion of the objects and purposes of the Club and to maintain a library for the use of members.
 - (g) To arrange, promote, conduct and direct outings, excursions and social activities.
 - (h) To purchase, take on lease or in exchange, and hire or otherwise acquire any real or personal property that may be deemed necessary or convenient for any of the objects or purposes of the Club.
 - (i) To construct, maintain and alter buildings, and undertake works necessary or convenient for any of the objects or purposes of the Club.
 - (j) Subject to the provisions of the **Trustees Ordinance 1957**, to invest any moneys of the Club not immediately required for any of its objects or purposes in such manner as the Executive Committee may from time to time determine.
 - (k) To establish, support, or aid in the establishment or support of, any other association or other body formed for any objects consistent with the objects or purposes of the Club.
 - (l) To do all such things not inconsistent with the above provisions as are incidental or conducive to the attainment of the objects or purposes and the exercise of the powers of the Club.

PART IV - MEMBERSHIP

5. (a) A person is qualified to be a member if:
- (i) The person has parental responsibility for a person under the age of 18 years who is registered as a player with the Club; or
 - (ii) The person is registered as a player with the club and is over the age of 18 years; and
 - (iii) The person participates in the activities of the club and has been nominated for membership in accordance with clause 6 and has been approved for membership of the Club by the Executive Committee
- (b) Persons qualified to be a member under clauses 5(a)(i) and 5(a)(ii) are deemed to be members of the Club and do not need to apply for membership under clause 6.
6. (a) A nomination of a person for membership of the Club —
- (i) must be made by a member of the Club in writing in the form set out in appendix 1; and
 - (ii) must be lodged with the secretary of the Club.
- (b) As soon as is practicable after receiving a nomination for membership, the secretary must refer the nomination to the Executive Committee which must decide whether to approve or to reject the nomination.
- (c) If the Executive Committee decides to approve a nomination for membership, the secretary must as soon as practicable after that decision notify the nominee of that approval and request the nominee to pay within 28 days after receipt of the notification the sum payable under these rules by a member as the entrance fee and the first year's annual subscription.
- (d) The secretary must, on payment by the nominee of the amounts mentioned in subsection (c) within the period mentioned in that subsection, enter the nominee's name in the register of members and, on the name being so entered, the nominee becomes a member of the Club.
- (e) All members must comply with the Rules and Regulations of Football Federation Australia, including the Member Protection Policy and Code of Conduct (copies of which are available on www.footballaustralia.com.au).

7 Membership entitlements not transferable

A right, privilege or obligation that a person has because of being a member of the Club —

- (a) cannot be transferred or transmitted to another person; and
- (b) terminates on cessation of the person's membership.

8 Cessation of membership

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

- (a) dies or, for a corporation, is wound up; or
- (b) resigns from membership of the Club; or
- (c) is expelled from the Club; or
- (d) fails to renew membership of the Club.

9 Resignation of membership

(a) A member is not entitled to resign from membership of the Club except in accordance with this section.

(b) A member who has paid all amounts payable by the member to the Club may resign from membership of the Club by first giving notice (of not less than 1 month or, if the Executive Committee has determined a shorter period, that shorter period) in writing to the secretary of the member's intention to resign and, at the end of the period of notice, the member ceases to be a member.

(c) If a person ceases to be a member, the secretary must make an appropriate entry in the register of members recording the date the member ceased to be a member.

10. Fee, subscriptions etc

(a) The amount of subscription for membership and for registration of a person as a player shall be the amount determined by resolution of the Executive Committee from time to time.

(b) The annual membership fee is payable—

- (i) except as provided by paragraph (ii)—before 1 July in each calendar year; or
- (ii) if a person becomes a member on or after 1 July in any calendar year—before 1 July in each succeeding calendar year.

(iii) For the purpose of these rules, the amount of subscription for the registration of a person as a player shall be deemed to include the amount of subscription for membership of that person.

11 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 in relation to membership of the Club as required by clause 10.

12 Disciplining of members

- (a) If the Executive Committee is of the opinion that a member—
 - (i) has persistently refused or neglected to comply with a provision of these rules; or
 - (ii) has persistently and wilfully acted in a manner prejudicial to the interests of the Club;the Executive Committee may, by resolution—
 - (iii) expel the member from the Club; or
 - (iv) suspend the member from the rights and privileges of membership of the Club that the Executive Committee may decide for a specified period.
- (b) A resolution of the Executive Committee under subsection (a) is of no effect unless the Executive 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 subsection (c), confirms the resolution in accordance with this section.
- (c) If the Executive Committee passes a resolution under subsection (a), the secretary must, as soon as practicable, serve a written notice on the member—
 - (i) setting out the resolution of the Executive Committee and the grounds on which it is based; and
 - (ii) stating that the member may address the Executive Committee at a meeting to be held not earlier than 14 days and not later than 28 days after service of the notice; and
 - (iii) stating the date, place and time of that meeting; and
 - (iv) informing the member that the member may do either or both of the following:
 - (A) attend and speak at that meeting;
 - (B) submit to the Executive Committee at or before the date of that meeting written representations relating to the resolution.
- (d) Subject to the Act, section 50, at a meeting of the Executive Committee mentioned in subsection (b), the committee must—
 - (i) give to the member mentioned in subsection (a) an opportunity to make oral representations; and
 - (ii) give due consideration to any written representations submitted to the Executive Committee by that member at or before the meeting; and
 - (iii) by resolution decide whether to confirm or to revoke the resolution of the Executive Committee made under subsection (a).

- (e) If the Executive Committee confirms a resolution under subsection (d), the secretary must, within 7 days after that confirmation, by written notice inform the member of that confirmation and of the member's right of appeal under clause 13.
- (f) A resolution confirmed by the Executive Committee under subsection (d) does not take effect—
 - (i) until the end of the period within which the member is entitled to appeal against the resolution if the member does not exercise the right of appeal within that period; or
 - (ii) if within that period the member exercises the right of appeal—unless and until the Club confirms the resolution in accordance with clause 12(d).

13 Right of appeal of disciplined member

- (a) A member may appeal to the Club in general meeting against a resolution of the Executive Committee that is confirmed under clause 12(d), within 7 days after notice of the resolution is served on the member, by lodging with the secretary a notice to that effect.
- (b) On receipt of a notice under subsection (a), the secretary must notify the Executive Committee which must call a general meeting of the Club to be held within 21 days after the date when the secretary received the notice or as soon as possible after that date.
- (c) Subject to the Act, section 50, at a general meeting of the Club called under subclause (b)—
 - (i) no business other than the question of the appeal may be transacted; and
 - (ii) the Executive Committee and the member must be given the opportunity to make representations in relation to the appeal orally or in writing, or both; and
 - (iii) the members present must vote by secret ballot on the question of whether the resolution made under clause 12(d)) should be confirmed or revoked.
- (d) If the meeting passes a special resolution in favour of the confirmation of the resolution made under clause 12(d), that resolution is confirmed.

14. Life Membership

The Executive Committee may confer life membership of the Club, on any member who they desire to recognise as having rendered special service to the Club or who has made a special contribution to the advancement of the Club, being a person who has been directly associated with and actively engaged in promoting the aims of the Club. A person elected to life membership shall, for the purposes of this constitution, be deemed to be a financial member of the Club.

15. Honorary Membership

The Executive Committee may appoint up to five (5) Honorary Members each financial year in recognition of the special contribution they will be able to make in the furtherance of the Club's aims and objectives.

PART V - EXECUTIVE COMMITTEE

16 Powers of Executive Committee

The Executive Committee, subject to the Act, the regulations, these rules, and to any resolution passed by the Club in general meeting—

- (a) controls and manages the affairs of the Club; and
- (b) may exercise all functions that 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 acts and do all things that appear to the Executive Committee to be necessary or desirable for the proper management of the affairs of the Club; and
- (d) determine the duties of the members and Officers of the Executive Committee consistent with the nature of the Office to which they are appointed; and
- (e) fix the amount of subscription for membership and registration of a person as a player for the ensuing year.

17. Constitution and Membership

- (a) The Executive Committee shall consist of the Officers of the Club all of whom shall be elected at the annual general meeting of the Club in each year;
- (b) The Officers of the Club shall consist of:
 - (i) President
 - (ii) Vice President
 - (iii) Secretary
 - (iv) Treasurer
 - (v) Competitive Registrar
 - (vi) Rooball Registrar
 - (vii) Small Sided Games Registrar
 - (viii) Grounds and Fixtures Officer
 - (ix) Senior Registrar
 - (x) Mini Registrar
 - (xi) Operations Officer
- (c) Each Officer of the Club shall, subject to the provisions of the Constitution, be elected for a period of not more than two years until the conclusion of the annual general meeting two years following the date of the Officer's election;

- (d) Officers of the Club shall be elected for a period of not more than two years and, at every subsequent annual general meeting, one half of the Officers, or such numbers as the fraction of one half is to the whole number of Officers set out in clause 17(b), shall retire but may, if eligible, offer themselves for re-election;
- (e) The Officers of the Club to retire shall be determined as follows:
 - (i) Vice President, Treasurer, Rooball Registrar, Competitive Registrar, Grounds and Fixtures Officer, shall be the first to retire;
 - (ii) the remaining Officers (President, Secretary, Operations Officer , Senior Registrar, Small Sided Games Registrar, Mini Registrar) shall retire at the annual general meeting in the year following.
- (f) Following the annual general meeting of the Club in each year a Technical Director shall be appointed by the Executive Committee;

18. Election of committee members

- (a) Nominations of candidates for the election of Officers of the Executive Committee may be made in writing or orally by any member of the Club with the written or oral consent of the candidate at the annual general meeting;
- (b) If insufficient nominations are received or the number of nominations received is equal to the number of positions to be filled the persons nominated are taken to be elected;
- (c) If the number of nominations received exceeds the number of positions to be filled, or if more than one nomination is received for any one position, a ballot shall be conducted at the annual general meeting in such usual and proper manner as the Chairman of the meeting may direct;
- (d) If any position remains vacant after the conclusion of the elections, the persons then elected shall constitute the Executive Committee and may co-opt such members of the Club to be members of the Executive committee as are necessary to fill all remaining vacancies of the Executive Committee.
- (e) A person is not eligible to simultaneously hold more than 1 position on the Executive Committee.

19. Vacation of Office

- (a) For these rules, a vacancy in the office of a member of the Executive Committee happens if the member—
 - (i) dies; or
 - (ii) ceases to be a member of the association; or
 - (iii) resigns the office by signed written notice addressed to the secretary of the Club; or

- (iv) is removed from office under clause 19(b) (Removal of committee members); or
- (v) becomes an insolvent under administration within the meaning of the Corporations Act; or
- (vi) suffers from mental or physical incapacity; or
- (vii) is disqualified from office under the Act, section 63 (1); or
- (viii) is absent without the consent of the Executive Committee from three consecutive meetings of the Executive Committee.

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

20. Casual Vacancies

In the event of a casual vacancy of an Officer of the Club, the Executive Committee may appoint a member of the Club to fill the vacancy and the member so appointed shall hold office, subject to the provisions of the Constitution, until the conclusion of the period the vacating member would have retained the position.

21. Executive Committee Meetings and Quorum

- (a) The Executive Committee shall meet at such place and at such times as the Executive Committee may determine, but shall meet at least *once each month* during the official playing season.
- (b) Special meetings of the Executive Committee may be convened by the President or any five of its members.
- (c) Oral or written notice of a meeting of the Executive Committee must be given by the secretary to each member of the Executive Committee at least 48 hours (or any other period that may be unanimously agreed on by the members of the committee) before the time appointed for the holding of the meeting.
- (d) Notice of a meeting given under subsection (c) must specify the general nature of the business to be transacted at the meeting and no business other than that business may be transacted at the meeting, except business that the Executive Committee members present at the meeting unanimously agree to treat as urgent business.
- (e) Any 5 members of the Executive Committee constitute a quorum for the transaction of the business of a meeting of the Executive Committee.
- (e) No business may be transacted by the Executive 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 stands adjourned to the same place and at the same hour of the same day in the following week.
- (f) If at the adjourned meeting a quorum is not present within half an hour after the time appointed for the meeting, the meeting is dissolved.

- (g) At meetings of the Executive Committee—
 - (i) the president or, in the absence of the president, the vice-president presides; or
 - (ii) if the president and the vice-president are absent— 1 of the remaining members of the Executive Committee may be chosen by the members present to preside.

22 Voting and decisions

- (a) Questions arising at a meeting of the Executive Committee or of any subcommittee appointed by the Executive Committee are decided by a majority of the votes of members of the Executive Committee or subcommittee present at the meeting.
- (b) Each member present at a meeting of the Executive Committee or of any subcommittee appointed by the Executive Committee (including the person presiding at the meeting) is entitled to 1 vote but, if the votes on any question are equal, the person presiding may exercise a second or casting vote.

23. Disclosure of Interest

- (a) A member of the Executive Committee who is interested in any contract or arrangement made or proposed to be made with the Club shall disclose his interest at the first meeting of that Executive Committee at which the contract or arrangement is first taken into consideration, if his interest then exists, or, in any other case, at the first meeting of the Executive Committee after the acquisition of his interest.
- (b) No member of the Executive Committee shall vote as a member of the Executive Committee in respect of any contracts or arrangement in which he is interested and if he does so vote his vote shall not be counted.

24 Delegation by committee to subcommittee

- (a) The Executive Committee may, in writing, delegate to 1 or more subcommittees (consisting of the member or members of the Club that the Executive Committee considers appropriate) the exercise of the functions of the Executive Committee that are specified in the instrument, other than—
 - (i) this power of delegation; and
 - (ii) a function that is a function imposed on the Executive Committee by the Act, by any other Territory law, or by resolution of the Club in general meeting.
- (b) A function, the exercise of which has been delegated to a subcommittee under this section may, while the delegation remains unrevoked, be exercised from time to time by the subcommittee in accordance with the terms of the delegation.
- (c) A delegation under this clause may be made subject to any conditions or limitations about the exercise of any function, or about time or circumstances, that may be specified in the instrument of delegation.

- (d) Despite any delegation under this section, the Executive Committee may continue to exercise any function delegated.
- (e) Any act or thing done or suffered by a subcommittee acting in the exercise of a delegation under this section has the same force and effect as it would have if it had been done or suffered by the Executive Committee.
- (f) The Executive Committee may, in writing, revoke wholly or in part any delegation under this section.
- (g) A subcommittee may meet and adjourn as it considers appropriate.

PART VI - FINANCIAL MATTERS

25. Accounting Records

- (a) Funds—source
 - (i) The funds of the Club must be derived from fees and annual subscriptions of members, donations and, subject to any resolution passed by the Club in general meeting and subject to the Act, section 114, any other sources that the Executive Committee decides.
 - (ii) All money received by the Club must be deposited as soon as practicable and without deduction to the credit of the Club's bank account.
 - (iii) The Club must, as soon as practicable after receiving any money, issue an appropriate receipt.
- (b) Funds—management
 - (i) Subject to any resolution passed by the Club in general meeting, the funds of the Club must be used for the objects of the Club in the way that the Executive Committee decides.
 - (ii) All cheques, drafts, bills of exchange, promissory notes other negotiable instruments and electronic transactions must be signed (including signatures on line) by any 2 members of the Executive Committee authorised to do so by the Executive Committee.
- (c) The Treasurer shall keep accounting records in such form as the Executive Committee may direct of:
 - (i) all sums of money received and expended by the Club and the matters in respect of which the expenditure takes place, and
 - (ii) the assets and liabilities of the Club.
- (d) The accounting records shall all be kept in such a manner as will enable true and fair accounts of the Club to be prepared from time to time and the accounts of the Club to be conveniently and properly audited.

- (e) Subject to any reasonable restrictions as to time and manner of inspecting them that may, for the time being, be imposed by the Club, the accounting records shall be open to the inspection of the members of the Club.
- (f) The accounting records shall be kept at such place or places as the Executive Committee from time to time determines.

26. Banking and Finance

- (a) The Treasurer shall, on behalf of the Club, receive all moneys paid to the Club and, upon receipt, issue official receipts therefore.
- (b) The Executive Committee shall cause to be opened with such banks as it selects, banking accounts in the name of the Club into which all moneys received shall be paid by the Treasurer as soon as possible after receipt thereof.
- (c) Except with the authority of the Executive Committee, no payment shall be made from the funds of the Club otherwise than by cheque drawn on the Club's bank account or electronic transaction, but the Executive Committee may provide the Treasurer with a sum to meet urgent expenditure, subject to the observance of such conditions in relation to the use and expenditure thereof as the Executive Committee may impose.
- (d) No cheques or electronic transactions shall be drawn on the Club's bank account except for the payment of expenditure that has been authorised by the Executive Committee.
- (e) All cheques or electronic transactions drawn on the Club's bank account shall be signed (including signatures on line) by two Officers of the Executive Committee as the Executive Committee shall from time to time determine provided that those two officers are not members of the same family.

27. Auditor

- (a) At each annual general meeting of the Club the members present shall appoint a person, not being a member, servant or Public Officer of the Club, as the auditor of the Club.
- (b) A person so appointed shall hold office until the annual general meeting next after that at which he/she is appointed, and is eligible for re-appointment.
- (c) If an appointment is not made at an annual general meeting the Executive Committee shall appoint an auditor of the Club for the current financial year.
- (d) If a casual vacancy occurs in the office of auditor during the course of a financial year, the Executive Committee may appoint a person as the auditor and the person so appointed shall hold office until the next succeeding annual general meeting.
- (e) Nominations for appointment as auditor may be made orally at an annual general meeting.

28. Audit of Accounts

- (a) The Executive Committee shall, at least once in each financial year, cause the financial affairs of the Club to be audited by the person appointed as auditor of the Club in accordance with these rules, and shall prepare or cause to be prepared, a balance sheet setting out the assets and liabilities of the Club.
- (b) The Treasurer shall cause to be delivered to the auditor the accounts, books and accounting records of the Club.
- (c) The auditor
 - (i) has a right of access to the accounts, books and accounting records of the Club,
 - (ii) may require from the Executive Committee of the Club, such information and explanations as may be necessary for the performance of his duties as auditor;
 - (iii) may employ persons to assist him in investigating the accounts of the Club.
- (d) The auditor shall certify as to the correctness of the accounts and balance sheet of the Club and shall report thereon to the members present at the annual general meeting.
- (e) In his report, and in certifying as to the correctness of the accounts, the auditor shall state:
 - (i) whether he has obtained the information required by him,
 - (ii) whether, in his opinion, the accounts are properly drawn up so as to exhibit a true and fair view of the financial position of the Club according to the information at his disposal and the explanations given to him and as shown by the books of the Clubs and
 - (iii) whether the rules relating to the administration of the funds of the Club have been observed.

29. Financial Year

The financial year of the Club shall be the period beginning on 1 November in each year and ending on 31 October of that year.

PART VII - INCOME AND PROPERTY OF THE CLUB

30. Income and Property of the Club

- (a) The income and property of the Club, however derived, shall be applied solely towards furthering the objects and purposes of the Club and no portion thereof shall be paid or transferred, directly or indirectly, by dividend, bonus, or otherwise to any member of the Club.

- (b) The Club shall not: -
 - (i) appoint a person who is an elected member of the Executive Committee to any office under the control of the Club to the holder of which there is payable any remuneration by way of salary, fees or allowances; or
 - (ii) pay to any such person any remuneration or other benefit in money or moneys worth (other than the repayment of cut-of-pocket expenses).
- (c) Nothing in the foregoing provisions of this rule prevents the payment in good faith to a servant or member of the Club of:
 - (i) remuneration in return for service actually rendered to the Club by the servant or member or for goods supplied to the Club by the servant or member in the ordinary course of business;
 - (ii) interest at a rate not exceeding the Commonwealth Savings Bond Rate on moneys lent to the Club by the servant or member; or
 - (iii) a reasonable and proper sum by way of rent for premises let to the Club by the servant or member.

PART VIII - GENERAL MEETINGS

31 Annual general meetings—holding of

- (a) The Club must, at least once in each calendar year and within 5 months after the end of each financial year of the Club, call an annual general meeting of its members.
- (b) Clause 31(a) has effect subject to the powers of the registrar-general under the Act, section 120 in relation to extensions of time.

32 Annual general meetings—calling of and business at

- (a) The annual general meeting of the Club must, subject to the Act, be called on the date and at the place and time that the Executive Committee considers appropriate.
- (b) In addition to any other business that may be transacted at an annual general meeting, the business of an annual general meeting is—
 - (i) to confirm the minutes of the last annual general meeting and of any general meeting held since that meeting; and
 - (ii) to receive from the committee reports on the activities of the Club during the last financial year; and
 - (iii) to elect members of the Executive Committee, including office-bearers; and
 - (iv) to receive and consider the statement of accounts and the reports that are required to be submitted to members under the Act, section 73 (1).

- (c) An annual general meeting must be specified as such in the notice calling it in accordance with clause 34 (Notice).
- (d) An annual general meeting must be conducted in accordance with the provisions of this part.

33 General meetings—calling of

- (a) The Executive Committee may, whenever it considers appropriate, call a general meeting of the Club.
- (b) The Executive Committee must, on the requisition in writing of not less than 5% of the total number of members, call a general meeting of the Club.
- (c) A requisition of members for a general meeting—
 - (i) must state the purpose or purposes of the meeting; and
 - (ii) must be signed by the members making the requisition; and
 - (iii) must be lodged with the secretary; and
 - (iv) may consist of several documents in a similar form, each signed by 1 or more of the members making the requisition.
- (d) If the Executive Committee fails to call a general meeting within 1 month after the date when a requisition of members for the meeting is lodged with the secretary, any 1 or more of the members who made the requisition may call a general meeting to be held not later than 3 months after that date.
- (e) A general meeting called by a member or members mentioned in subsection (4) must be called as nearly as is practicable in the same way as general meetings are called by the Executive Committee and any member who thereby incurs expense is entitled to be reimbursed by the Club for any reasonable expense so incurred.

34 Notice

- (a) 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, send by electronic mail to each member at the member's address appearing in the electronic register of members and place on the club's website, a notice specifying the place, date and time of the meeting and the nature of the business proposed to be transacted at the meeting.
- (b) 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, send notice to each member in the way provided in subsection (1) specifying, in addition to the matter required under that subsection, the intention to propose the resolution as a special resolution.
- (c) No business other than that specified in the notice calling a general meeting may be transacted at the meeting except, for an annual general meeting, business that may be transacted under section 22 (2).

- (d) A member desiring to bring any business before a general meeting may give written notice 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.

35 General meetings—procedure and quorum

- (a) No item of business may 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.
- (b) Five members present in person (who are entitled under these rules to vote at a general meeting) constitute a quorum for the transaction of the business of a general meeting.
- (c) If within 30 minutes after the appointed time for the start of a general meeting a quorum is not present, the meeting if called on the requisition of members is dissolved and in any other case stands 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.
- (d) If at the adjourned meeting a quorum is not present within 30 minutes after the time appointed for the start of the meeting, the members present (being not less than 3) constitute a quorum.

36 Presiding member

- (a) The president, or in the absence of the president, the vice-president, presides at each general meeting of the Club.
- (b) If the president and the vice-president are absent from a general meeting, the members present must elect 1 of their number to preside at the meeting.

37 Adjournment

- (a) 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 may be transacted at an adjourned meeting other than the business left unfinished at the meeting at which the adjournment took place.
- (b) 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.
- (c) Except as provided in subsections (a) and (b), 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.

38 Making of decisions

- (a) A question arising at a general meeting of the Club is to be decided 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 association, is evidence of the fact without proof of the number or proportion of the votes recorded in favour of or against that resolution.
- (b) At a general meeting of the Club, a poll may be demanded by the person presiding or by not less than 3 members present in person or by proxy at the meeting.
- (c) If the poll is demanded at a general meeting, the poll must be taken—
 - (i) immediately if the poll relates to the election of the person to preside at the meeting or to the question of an adjournment; or
 - (ii) in any other case—in the way and at the time before the close of the meeting that the person presiding directs, and the resolution of the poll on the matter is taken to be the resolution of the meeting on that matter.

39 Voting

- (a) Subject to subclause (c), on any question arising at a general meeting of the Club a member has 1 vote only.
- (b) All votes must be given personally or by proxy but no member may hold more than 5 proxies.
- (c) If the votes on a question at a general meeting are equal, the person presiding is entitled to exercise a second or casting vote.
- (d) A member or proxy is not entitled to vote at any general meeting of the Club unless all money due and payable by the member or proxy to the Club have been paid, other than the amount of the annual subscription payable for the then current year.

40 Appointment of proxies

- (a) Each member is entitled to appoint another member as proxy by notice given to the secretary no later than 24 hours before the time of the meeting for which the proxy is appointed.
- (b) The notice appointing the proxy must be in the form set out in appendix 2.

PART IX - MISCELLANEOUS

41. Public Officer

- (a) The Executive Committee shall appoint a person resident in the Australian Capital Territory to be the Public Officer of the Club for the purposes of the *Associations Incorporation Act 1991* and, if that office at any time becomes vacant, appoint a person resident in the Territory to fill that vacancy.

- (b) The Public Officer of the Club may, subject to these rules, hold any other office in the Club.
- (c) The office of the Public Officer of the Club becomes vacant if the person holding that office:
 - (i) dies;
 - (ii) becomes bankrupt, applies to take advantage of any law relating to bankrupt or insolvent debtors or compounds with his creditors;
 - (iii) becomes of unsound mind;
 - (iv) resigns his office by writing signed by him addressed to the Executive Committee;
 - (v) ceases to be resident in the Territory; or
 - (vi) is dismissed from that office by the Executive Committee.

42. Alteration of objects and rules

Neither the objects of the Club mentioned in the Act, section 29 nor these rules may be altered except in accordance with the Act.

43 Common seal

- (a) The common seal of the Club must be kept in the custody of the secretary.
- (b) The common seal must not be attached to any instrument except by the authority of the Executive Committee and the attaching of the common seal must be attested by the signatures either of 2 members of the Executive Committee or of 1 member of the Executive Committee and of the secretary.

44 Custody of books

Subject to the Act, the regulation and these rules, the secretary must keep in his or her custody or under his or her control all records, books, and other documents relating to the association.

45 Inspection of books

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

46 Service of notice

For these rules, the Club may serve a notice on a member by sending it by post to the member at the member's address shown in the register of members.

Note For how documents may be served, see the Legislation Act, pt 19.5.

47 Surplus property

- (a) At a general meeting of the Club, the Club must pass a special resolution nominating—
 - (i) another association for the Act, section 92 (1) (a); or
 - (ii) a fund, authority or institution for the Act, section 92 (1) (b);in which it is to vest its surplus property in the event of the dissolution or winding up of the Club.
- (b) An association nominated under subclause 38(a)(i) must fulfil the requirements specified in the Act, section 92 (2).

Appendix 1

(see s 3 (1))

Application for membership of the Belnorth Football Club Incorporated (incorporated under the Associations Incorporation Act 1991) I,

.....
(full name of applicant)

of
(address)

.....apply to become
(occupation)

a member of the Belnorth Football Club Incorporated. If I am admitted as a member, I agree to be bound by the rules of the Club for the time being in force.

.....
(Signature of applicant)

Date

I,

(full name)

a member of the Club, nominate the applicant, who is personally known to me, for the membership of the Club.

.....

(Signature of proposer)

Date

I,

(full name)

a member of the association, second the nomination of the applicant, who is personally known to me, for membership of the Club.

.....

(Signature of seconder)

Date

Appendix 2

(see s 30 (2))

Form of appointment of proxy

I,

(full name)

of

(address)

a member of the Belnorth Football Club Incorporated

appoint

(full name of proxy)

of

(address)

a member of the Belnorth Football Club Incorporated, as my proxy to vote for me on my behalf at the general meeting of the Belnorth Football Club Incorporated (annual general meeting or other general meeting, as the case may be) to be held on

..... and at any adjournment of that meeting.

*My proxy is authorised to vote in favour of/against (delete as appropriate) the resolution (insert details).

.....

(Signature of member

appointing proxy)

(*To be inserted if desired.)

Date

Note A proxy vote may not be given to a person who is not a member of the association.