CONSTITUTION OF THE ROLEYSTONE JUNIOR FOOTBALL CLUB INC

1. Name

1.1 This club shall be known as and called the Roleystone Junior Football Club Inc.(“RJFC”).

2. Objects

2.1 to promote and encourage the Australian Rules Football Game in a junior setting in

accordance with the rules, laws, bylaws and directives of the Australian Football Commission within the boundaries of the Western Australian Football League District that RJFC is, from time to time, affiliated with and comes under the direction of;

2.2 to do all things, acts and deeds necessary to RJFC’s interests in Australian Rules Football;

2.3 to provide an environment for boys and girls under the age of 18 years subject to the

District Development Bylaws to participate in and learn the game of Australian Rules Football;

2.4 to promote and create club spirit in a harmonious setting;

2.5 to promote and create fairness, equality and equity for all members and players.

3. Attaining Objects

3.1 The Association shall be empowered to do all things necessary which are incidental to and necessary for the attainment of the objects of the Association.

4. Not for profit body

4.1 RJFC must apply all its property and income towards the promotion of its objects or purposes. No part of that property or income is to be paid or otherwise distributed, directly or indirectly, to members of RJFC, except in good faith in the promotion of those objects or purposes.

* 1. A payment may be made to a member out of the funds of the Association only if it is authorised under sub rule (4.3).

4.3 A payment to a member out of the funds of the Association is authorised if it is —

1. the payment in good faith to the member as reasonable remuneration for any services provided to the Association, or for goods supplied to the Association, in the ordinary course of business; or
2. the payment of interest, on money borrowed by the Association from the member, at a rate not greater than the cash rate published from time to time by the Reserve Bank of Australia; or
3. the payment of reasonable rent to the member for premises leased by the member to the Association; or
4. the reimbursement of reasonable expenses properly incurred by the member on behalf of the Association.

5. Powers of the Association

5.1 To acquire, hold, deal with, and dispose of any real or personal property;

5.2 To open and operate bank accounts;

5.3 To invest its money –

(i) in any security in which trust moneys may be invested; or

(ii) in any other manner authorised by the rules of RJFC;

5.4 To borrow money upon such terms and conditions as RJFC thinks fit;

5.5 To give such security for the discharge of liabilities incurred by RJFC as the Association thinks fit;

5.6 To appoint agents and employees to transact any business of RJFC on its behalf for reward or otherwise;

5.7 In consultation with and permission from the local government body, to build, construct, erect, maintain, alter and repair any premises building or other structure of any kind and to furnish equip and improve the same for use by RJFC;

5.8 Accept donations and gifts in accordance with the objects of RJFC at the discretion of the committee;

5.9 Print and publish any information by any media including newsletters, newspapers, articles or leaflets for promotion of RJFC;

5.10 Provide gifts and prizes in accordance with the objects of RJFC;

5.11 Organise social events for Members and the promotion of RJFC; and

5.12 To enter into any other contract RJFC considers necessary or desirable;

5.13 To make and implement policies and procedures;

5.14 To make and implement disciplinary procedures for players, coaches, members and spectators.

6. Membership

6.1 Membership shall be open to any person who wishes to participate in the game of Junior Australian Rules football and / or who wishes to further the interests of RJFC;

6.2 Any person seeking membership shall make an application to the Committee and: -

6.2.1 If there is no dispute regarding membership any Committee member may approve the application;

6.2.2 If there is dispute regarding membership, the Committee shall determine whether the application is successful or not;

6.3 Each person admitted to membership shall be: -

6.3.1 Bound by the Constitution, policies and By-Laws of RJFC (as amended from time to time);

6.3.2 Be liable and pay for such fees and subscriptions as may be fixed by RJFC;

6.3.3 Entitled to all advantages and privileges of membership.

6.4 Membership Categories

6.4.1 Ordinary Member

Any person who: -

(a) has a child (for which they are the legal parent / guardian) registered as a junior member; or

(b) wishes to participate in the playing activities or any role supporting playing activities of RJFC; shall automatically have membership as an ordinary member.

Any person who is an ordinary member of RJFC is entitled to hold any office and to enjoy the privileges of RJFC.

6.4.2 Social Members

Persons other than ordinary members who are interested in promoting RJFC and its objects, but do not wish to participate in the playing activities of RJFC may become an ordinary member.

6.4.3 Junior Members

Any person under the age of 18 years registered to play with RJFC shall automatically be a junior member but shall not be entitled to hold any office.

6.4.4 Life Member

The Management Committee may elect any member who has given outstanding service to RJFC as a life member. Any member of RJFC may nominate a person to the Management Committee for consideration for life membership.

6.4.5 Patron

The Association may, at its discretion, elect a patron(s) or vice patron(s) of the Association for such period as may be deemed necessary. Such patron(s) or vice patron(s) shall not be eligible to vote unless they are current members of the Association under another category of membership.

6.5 The Registrar shall maintain an up to date register of members of RJFC.

6.6 A member may, at any reasonable time, inspect the records and documents of RJFC.

7. Fees and Subscriptions

7.1 Fees and subscriptions shall be levied annually and paid or a payment arrangement entered into within 3 weeks of the commencement of the Football season.

7.2 Fees and subscriptions shall be fixed annually by RJFC.

7.3 Any fines imposed on any members shall be paid within 2 weeks of the notice of the fine being sent to the member and shall be paid into the common funds of RJFC.

7.4 If any loss shall arise in any transaction of RJFC and the funds, after providing for the current expenditure of RJFC, shall not be sufficient to make good the same, such loss shall be borne and paid by the Members admitted to RJFC under these rules in equal shares.

7.5 If any member shall fail to pay any annual subscription, contribution call, fine or other payment for which such member is liable under these rules within the time specified for payment of the same, such member shall lose their representation in RJFC until they shall have made such payment and if a resolution be carried by a majority in favour of expulsion, such member shall be expelled from RJFC and the committee of RJFC shall be the sole judge. Any member expelled from RJFC shall lose and forfeit to RJFC all interest and benefit of such member and in the funds and property of RJFC as from the date of such expulsion. The expelled member shall not be entitled to a refund of fees already paid.

8. Termination of Membership

8.1 Any persons membership may be terminated for the following reasons: -

8.1.1 Resignation;

8.1.2 Expulsion;

8.1.3 A member’s annual membership fee remains unpaid after 30 days from falling due unless the Committee has agreed to waive the membership fee or enter into a payment arrangement.

8.2 The Committee shall have the power to suspend or expel any member of the association for: -

8.2.1 Any events outlined in 8.1;

8.2.2 False or inaccurate statements made in the members application for membership;

8.2.3 Breach of any rule, regulation or bylaw of the Association or the governing District; and

8.2.4 By any act detrimental to the Association after having undertaken due inquiry.

8.3 Any member who is expelled, suspended or has their membership terminated, shall have the right to appeal against their suspension or expulsion by presenting their case to a General Meeting called for such purpose, and the decision of the General Meeting shall be final.

9. Finance

9.1 All funds of RJFC shall be deposited into RJFC’s accounts at such bank or recognised financial institution as the Management Committee may determine.

9.2 All accounts due by the Association shall be paid by cheque or direct debit or case after having been passed for payment at the Management Committee Meeting and when immediate payment is necessary, account/s shall be paid up to a value of $1,000.00 and the action endorsed at the next Management Committee Meeting.

9.3 The Treasurer shall not allow the spending of more than a set amount Petty Cash of $1,000.00 without the consent of the Management Committee, and shall keep a record of such expenditure in a Petty Cash Book.

9.4 A statement showing the financial position of the Association shall be tabled at each Management Committee Meeting by the Treasurer.

9.5 A statement of Income and Expenditure, Assets and Liabilities shall be submitted to the Annual General Meeting.

9.6 The financial year of the Association shall commence on the 1st September each year. The accounts, books and all financial records of the Association shall be audited each year prior to the AGM.

9.7 The signatories of the accounts of RJFC shall be the Treasurer and one of either of the President, Vice President or Secretary.

9.8 All property and income of the Association will apply solely to the promotion of the objects of the Association and no part of that property or income shall be paid or otherwise distributed, directly, or indirectly, to members, except in good faith in the promotion of these objects.

9.9 Unless the members resolve otherwise at a general meeting, the Treasurer shall have custody of all securities, books and documents of a financial nature and accounting records of the Association

10. Management Committee

10.1 The Management Committee is sometimes called the Executive Committee.

10.2 Committee persons are sometimes referred to as Officer Bearers.

10.3 The main Office Bearers are often referred to as the Executive.

10.4 Management of the Association shall be vested in the Management Committee elected by the members at the Annual General Meeting and consist of the following officers: -

10.4.1 President;

10.4.2 Vice President;

10.4.3 Secretary;

10.4.4 Treasurer;

10.4.5 Committee Members;

10.4.6 Club or Team Delegates;

10.4.7 Any other person or position the Management Committee deems appropriate.

10.5 No person shall hold more than one position on the Management Committee at any one time. A person shall cease to be a member of the Management Committee on the 1st January following the Annual General Meeting which follows their election and they will be eligible for re-election.

10.6 A quorum of the Management Committee shall be 6 of its members plus one.

10.7 Any officer elected at the Annual General Meeting shall take office on the 1st January following the AGM.

10.8 If the President or Vice President is unable to attend, then a chairperson nominated by the meeting shall chair the meeting.

10.9 Any person nominated for a position on the Executive shall first have held a position as a non-executive committee member for 12 months prior to nomination.

10.10 A member of the Management Committee may lose their seat on the Committee for any of the following: -

10.10.1 Absence from three or more meetings without a leave of absence;

10.10.2 Found not to be a financial member unless otherwise approved by the Management Committee.

10.11 Unless the members resolve otherwise at a general meeting, the Secretary shall have custody of all books, documents, records and registers of the Association, other than those kept and maintained by, or in the custody of, the Treasurer or Registrar.

11. Powers of the Management Committee

11.1 The Management Committee shall carry out the day-to-day running of the Association and shall have the power to:

11.1.1 Administer the finances, appoint bankers, and direct the opening of banking accounts for specific purposes and to transfer funds from one account to another, and to close any such account;

11.1.2 Fix the manner in which such banking accounts shall be operated upon providing the Management Committee passes all payments;

11.1.3 Fix fees and subscriptions payable by members and decide such levies, fines and charges as is deemed necessary and advisable, and to enforce payment thereof;

11.1.4 Adjudicate on all matters brought before it which in any way affect the Association;

11.1.5 Cause minutes to be made of all proceedings at meetings of the Committee and General Meetings of members;

11.1.6 Make, amend and rescind rulings and By-laws;

11.1.7 Have the power to form and appoint any subcommittee/s as required for specific purposes;

11.1.8 May at their discretion employ a person or persons to carry out certain duties required by the Association, at salaries or remunerations for such period of time, as may be deemed necessary;

11.1.9 Should a vacancy occur on the Management Committee during the season, the Management Committee shall appoint a successor until the next Annual General Meeting;

11.1.10 Appoint an officer/s or agent of the Management Committee to have custody of the Association’s records, documents and securities.

12. Auditor

12.1 The Annual General Meeting shall elect or appoint an Auditor or Auditors.

12.2 The Auditor/s shall examine and audit all the books and accounts of the Association annually, and have the power to call for all books, papers, accounts, receipts etc., of the Association and report thereon to the Annual General Meeting.

13. General Meetings

13.1 Annual General Meeting

13.1.1 The Annual General Meeting of the Association must be held within four months of the end of the club’s financial year.

13.1.2 The Secretary shall give at least fourteen (14) day’s notice of the date of the Annual General Meeting, to members.

13.1.3 All financial members may attend the Annual General Meeting.

13.1.4 The quorum at the Annual General Meeting shall be a minimum of 21 members. If, at the end of 30 minutes after the time appointed in the notice for the opening of the Meeting, there be no quorum the meeting shall stand and adjourn for one week. If at such meeting there is no quorum those members present shall be competent to discharge the business of the meeting.

13.1.5 The agenda for an Annual General Meeting shall be: -

13.1.5.1 Opening of Meeting;

13.1.5.2 Apologies;

13.1.5.3 Confirmation of Minutes of previous Annual General Meeting;

13.1.5.4 Presentation of Annual Report;

13.1.5.5 Adoption of Annual Report;

13.1.5.6 Presentation of Treasurer’s statement;

13.1.5.7 Election of New Executive and appointment of Auditor;

13.1.5.8 Vote of thanks to outgoing Executive;

13.1.5.9 Determination of Annual Membership Fee;

13.1.5.10 Notice/s of Motion;

13.1.5.11 Urgent general business;

13.1.5.12 Closure.

13.2 General Meetings

13.2.1 General Meetings may be called by the Management Committee or at the request of the President and Secretary or on the written request of members of the Association. The committee must meet at least 3 times in each year on the dates and at the times and places determined by the committee.

13.2.2 The Secretary shall give at least seven (7) day’s notice, in writing, of the date of the General Meeting to the members. Notice of General Meetings shall set out clearly the business for which the meeting has been called. No other business shall be dealt with at that General Meeting unless an urgent motion is made and approved by the Management Committee.

13.2.3 The quorum at the General Meeting shall consist of at least one executive committee member and majority of the members present at the meeting.

13.2.4 The Committee must, within 21 days of receiving a request in writing to do so from not less than 20 percent of members, convene a special general meeting for the purpose specified in that request.

14. Standing Orders and Rules of Debate

14.1 The following must be observed an any general meeting: -

14.1.1 Any member giving notice of a motion shall provide a copy of the motion to the secretary at least 3 days before the next scheduled meeting.

14.1.2 In the event that the motion is urgent, the member shall raise the motion in the general business section of the meeting by stating aloud the motion to be put.

14.1.3 Once the motion has been put, debate shall take place and any motion not seconded shall lapse.

14.1.4 Once the debate over the motion has concluded, the President (or chair of the meeting if the President is absent) shall put the question of motion to the members present at the meeting for vote;

14.1.5 The majority vote of the present members shall prevail. If the votes are even, the Presidents vote shall be the deciding vote;

14.1.6 The President cannot vote unless it is a deciding vote;

14.1.7 Any written motion requiring amendment prior to the motion being passed, such amendment shall be put to the members present at the meeting and voted upon. The majority vote as to the amendment shall prevail.

14.1.8 When an amendment is declared carried it shall take the place of the original motion, whereby a further amendment can be proposed until the question is finally decided.

14.2 It shall be lawful for a majority of members present at any meeting to suspend any standing orders.

14.3 Any member desiring to propose a motion or discuss any matter under consideration must address the Committee.

14.4 No member when speaking, shall be interrupted unless called to order, when they shall sit down and the member so calling order shall be heard in preference to any other speaker, and the President or chairman (as the case may be) shall then decide without discussion upon the point of order before the subject is resumed or any other subject discussed.

14.5 No member may speak to any motion after it has been voted upon. When two or more members wish to speak, the President shall call upon the member who in their opinion rose first.

14.6 In discussion, no member shall be allowed to speak more than once, except strictly in explanation, except the mover of the original motion who shall have the right of reply.

14.7 A member when speaking must confine his remarks to the subject under debate and avoid personal inferences or prejudices. No member shall use discourteous language or reflect personally on any member whilst in debate or at all.

14.8 Any member dissatisfied with the President’s decision or ruling shall be dealt with as follows: -

14.8.1 A temporary Chairperson shall be appointed and the following question asked of the members at the meeting: -

14.8.1.1 “Shall the decision of the President stand as the judgement of this meeting?”

14.9 If after two speakers have spoken successively on the same side of the question and no speaker follows on the opposite side of the argument, the President shall submit the motion to vote to the meeting after affording the mover the right of reply.

14.10 No new business shall be taken after 9:00pm of any meeting.

14.11 No resolution shall be rescinded except at a meeting after notice of motion shall have been given at a meeting held at least 14 days prior to such meeting and then motion for such rescission must be carried by a majority of the members present at the meeting and entitled to vote.

15. Voting

15.1 Voting powers at the Annual General Meeting and General Meetings are as follows: -

15.1.1 The President shall be entitled only to a casting vote in the event of a tied vote otherwise the President shall have no power to vote;

15.1.2 Each individual member present shall have one (1) vote;

15.2 Voting powers at Management Committee Meetings are as follows: -

15.2.1 The President shall be entitled to a casting vote in the event of a tied vote;

15.2.2 Each individual committee member present shall have one (1) vote.

16. Common Seal

16.1 The common seal of the Association shall be kept in the care of the Secretary.

16.2 The seal shall not be used or affixed to any deed or document except pursuant to a resolution of the Management Committee and in the presence of at least the President and two members of the Committee, both of whom shall subscribe their names as witnesses.

17. Alterations to the Constitution and By Laws

17.1 No alteration, repeal or addition shall be made to the Constitution except at the Annual General Meeting, or General Meeting, called for that purpose and notice of all motions to alter, repeal or add to the Constitution shall be given to members fourteen (14) days prior to the Annual General Meeting, or seven (7) days prior to a General Meeting called for such purpose.

17.2 The Secretary shall forward such notices of motion to each Management Committee member at least fourteen (14) days prior to the Annual General Meeting or seven (7) days prior to a General Meeting.

17.3 Alterations to the By-laws can be made only at Management Committee Meetings provided notice of the proposed alteration/s has been duly notified to Committee Members.

17.4 Such motions, or any part thereof, shall be of no effect unless passed by a seventy five percent (75%) majority (Special Resolution) of those present and entitled to a vote at the Annual General Meeting, General Meeting or Management Committee Meeting, as the case may be.

17.5 Within one month of the passing of a Special Resolution, the Secretary shall notify the Department of Consumer and Employment Protection of the amendment. (In the case of a licensed club, the Director of Liquor Licensing must also be notified.)

18. Dissolution

18.1 If, on the winding up of the Association, any property of the Association remains after satisfaction of the debts and liabilities of the Association and the costs, charges and expenses of that winding up, that property shall be distributed: -

18.1.1 to another incorporated association having objects similar to those of the Association; or

18.1.2 for charitable purposes, which incorporated Association or purposes, as the case requires, shall be determined by resolution of the members.

19. Disputes and mediation

The grievance procedure set out in this rule applies to disputes under these rules between-

1. a member and another member; or
2. a member and the Association; or
3. if the Association provides services to non-members, those non-members who receive services from the Association, and the Association.

The parties to the dispute must meet and discuss the matter in dispute, and, if possible, resolve the dispute within 14 days after the dispute comes to the attention of all of the parties.

If the parties are unable to resolve the dispute at the meeting, or if a party fails to attend that meeting, then the parties must, within 10 days, hold a meeting in the presence of a mediator.

The mediator must be-

1. a person chosen by agreement between the parties; or
2. in the absence of agreement-

(i) in the case of a dispute between a member and another member, a person appointed by the Committee of the Association;

(ii) in the case of a dispute between a member or relevant non-member (as defined by sub-rule (1) (c)) and the Association, a person who is a mediator appointed to, or employed with, a not for profit organisation.

A member of the Association can be a mediator.

The mediator cannot be a member who is a party to the dispute.

The parties to the dispute must, in good faith, attempt to settle the dispute by mediation.

The mediator, in conducting the mediation, must-

1. give the parties to the mediation process every opportunity to be heard;
2. allow due consideration by all parties of any written statement submitted by any party; and
3. ensure that natural justice is accorded to the parties to the dispute throughout the mediation process.

The mediator must not determine the dispute.

The mediation must be confidential and without prejudice.

If the mediation process does not result in the dispute being resolved, the parties may seek to resolve the dispute in accordance with the Act or otherwise at law.

20. Club Colours

20.1 The registered colours of the club shall be black and gold.