

RULES OF
WEST IVANHOE UNITED SPORTS CLUB
INCORPORATED

With effect from incorporation

Being the incorporated association formed by the amalgamation of
West Ivanhoe Sporting Club Inc. (A0035765T) and
West Ivanhoe Roosters Junior Football Club Inc. (A0057547U)

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**RULES OF
WEST IVANHOE UNITED SPORTS CLUB INCORPORATED**

With effect from incorporation

Note: The persons who from time to time are members of the Club are an incorporated association by the name given in rule 1 of these Rules.

Under section 46 of the Associations Incorporation Reform Act 2012, these Rules are taken to constitute the terms of a contract between the Club and its members.

PART 1: PRELIMINARY

1. Name

The name of the incorporated association is West Ivanhoe United Sports Club Incorporated.

2. Purposes

The purposes of the Club are to encourage, promote, advance, foster and cultivate participation in sport, including without limitation to:

- (1) establish, promote and organise representative teams of the Club for cricket, football, netball and other sports;
- (2) maximising the use of the Club's facilities for training and representative matches of cricket, football, netball and other sports;
- (3) promote the development of a sense of fair play and a love of sport in the community;
- (4) to encourage, advance and assist in the development of an improved standard of physical fitness in the community;
- (5) to educate, train, coach and encourage members of the Club and the community in any sport so that all members of the community can reveal their potential; and
- (6) to encourage members of the Club to assist in the development of sport and recreational activities throughout West Ivanhoe and surrounding areas.

3. Financial year

The financial year of the Club is each period of 12 months ending on 30 June.

4. Club colours

Official uniforms of the Club must be predominantly royal blue and white. The colours of the official uniform may only be changed by a resolution of a general meeting on the recommendation of the Committee.

5. Definitions and interpretation

(1) In these Rules:

absolute majority, of the Committee, means a majority of the Committee members currently holding office and entitled to vote at the time (as distinct from a majority of Committee members present at a Committee meeting);

AGM means an annual general meeting of the Club;

Associate Member means a member referred to in rule 16;

By-Law means a charter, regulation, by-law, policies or procedure made by the Committee under rule 50(3)(c) which has not been invalidated under rule 50(4);

chairperson, of a general meeting or Committee meeting, means the person chairing the meeting as required under rule 60;

Club means the incorporated association to which these Rules apply;

Committee means the committee having management of the business of the Club;

Committee meeting means a meeting of the Committee held in accordance with these Rules;

Committee member means a member of the Committee elected or appointed under Division 3 of Part 5 of these Rules;

disciplinary appeal meeting means a meeting of the members of the Club convened under rule 29(3);

disciplinary meeting means a meeting of the Committee convened for the purposes of rule 30;

disciplinary subcommittee means the subcommittee appointed under rule 26;

Former Clubs means the former associations West Ivanhoe Sporting Club Inc. (A0035765T) and West Ivanhoe Roosters Junior Football Club Inc. (A0057547U) which amalgamated to form the Club.

financial year means the 12 month period specified in rule 3;

Associate Member means a member referred to in rule 14;

Full Member Nominee has the meaning given in rule 14(4).

general meeting means a general meeting of the members of the Club convened in accordance with Part 4 of these Rules and includes an AGM, a special general meeting and a disciplinary appeal meeting;

Life Member means a member referred to in rule 17;

member means a member of the Club;

member entitled to vote means a member who under rule 20(2) is entitled to vote at a general meeting;

Past Player Member means a member referred to in rule 15;

special resolution means a resolution that requires not less than three-quarters of the members voting at a general meeting to vote in favour of the resolution;

sport section means the operational division of the Club established for the management of an organised sport played by representative teams of the Club from time to time;

sport section affiliate, in relation to a sport section, means the Full Members, Past Player Members and Life Members affiliated with that sport section;

sport section annual meeting, in relation to a sport section, means the annual meeting of that sport section referred to in rule 36;

sport section subcommittee means a subcommittee established by the Committee in accordance with rule 54 to manage the day-to-day operations of a sport section;

supermajority means a majority of the Committee including at least one member affiliated with each sport section;

the Act means the **Associations Incorporation Reform Act 2012** (Vic) and includes any regulations made under that Act; and

the Registrar means the Registrar of Incorporated Associations in Victoria.

- (2) The following rules also apply in interpreting these Rules, except where the context makes it clear that a rule is not intended to apply.
- (a) A singular word includes the plural, and vice versa.
 - (b) A word which suggests one gender includes the other genders.
 - (c) If a word is defined, another part of speech has a corresponding meaning.
 - (d) A reference to something being **written** or **in writing** includes that thing being represented or reproduced in any mode in a visible form, including physical or electronic;
 - (e) A reference to legislation (including subordinate legislation) is to that legislation as amended, modified in relation to the Club, reenacted or replaced, and includes any subordinate legislation issued under it;
 - (f) If an example is given of anything (including a right, obligation or concept), such as by saying it includes something else, the example does not limit the scope of that thing;
 - (g) A power to do something includes a power, exercisable in the like circumstances, to revoke or undo it;
 - (h) A reference to a power is also a reference to authority or discretion;
 - (i) The word **agreement** includes an undertaking or other binding arrangement or understanding, whether or not in writing
- (j) A word (other than a word defined in subrule (1)) which is defined by the Act has the same meaning in these Rules where it relates to the same matters as the matters for which it is defined in the Act.

PART 2: POWERS OF THE CLUB

6. Powers of the Club

- (1) Subject to the Act, the Club has power to do all things incidental or conducive to achieve its purposes.
- (2) Without limiting subrule (1), the Club may:
 - (a) acquire, hold and dispose of real or personal property;
 - (b) open and operate accounts with financial institutions;
 - (c) invest its money in any security in which trust monies may lawfully be invested;
 - (d) raise and borrow money on any terms and in any manner as it thinks fit;

- (e) secure the repayment of money raised or borrowed, or the payment of a debt or liability;
 - (f) appoint agents to transact business on its behalf;
 - (g) enter into any other contract it considers necessary or desirable.
- (3) The Club may only exercise its powers and use its income and assets (including any surplus) for its purposes.

7. Not for profit organisation

- (1) The Club must not distribute any surplus, income or assets directly or indirectly to its members.
- (2) Subrule (1) does not prevent the Club from paying a member:
 - (a) reimbursement for expenses properly incurred by the member; or
 - (b) for goods or services provided by the member:if this is done in good faith on terms no more favourable than if the member was not a member.

PART 3: MEMBERS, DISCIPLINARY PROCEDURES AND GRIEVANCES

Division 1: Membership

8. Minimum number of members

The Club must have at least five members.

9. Who is eligible to be a member?

Any person who supports the purposes of the Club is eligible for membership.

10. Categories of membership

There are the following categories of membership of the Club:

- (a) Full Member;
- (b) Past Player Member;
- (c) Associate Member; and
- (d) Life Member.

11. Application for membership

To apply to become a member of the Club in any category other than Life Member, a person must:

- (a) submit a written application in the form approved by the Committee, with all requested details complete and including a statement that the applicant supports the purposes of the Club and agrees to comply with these Rules;
- (b) lodge the application with the Secretary or other person designated by the Secretary; and
- (c) pay the appropriate annual subscription.

Note :The annual subscription is the fee determined by the Committee under rule 19. It does not include playing and other association fees payable by players to play in a Club team.

12. Consideration of application

- (1) As soon as practicable after a complying application for membership is received which requires the approval of the Committee in accordance with these Rules, the Committee must decide whether to accept or reject the application.
- (2) The Committee must notify the applicant in writing of its decision as soon as practicable after the decision is made.
- (3) If the Committee rejects the application, it must return the money accompanying the application to the applicant.
- (4) No reason need be given for the rejection of an application and there is no right of appeal from a decision to reject an application.

13. New membership

- (1) If an application for membership is approved by the Committee under rule 12 or a person is entitled to be admitted as a member in accordance with these Rules:
 - (a) the Committee resolution to accept the membership (if required) must be recorded in the minutes of the Committee meeting; and
 - (b) the Secretary must, as soon as practicable, enter in the register of members:
 - (i) the name and address of the new member;
 - (ii) the date of becoming a member; and
 - (iii) the category of membership.
- (2) A person becomes a member of the Club and, subject to rule 20(2)1(2), is entitled to exercise his or her rights of membership from the date on which the Committee approves the person's membership.

14. Full Members

- (1) Unless the Committee determines otherwise, a person may only play in a representative team of the Club in any sport, if they are a financial Full Member or Life Member at the time the person is playing on that team.
- (2) A person who is registered with the Club, or has applied for registration, to play in a representative team of the Club in any sport, has submitted a complying application for membership and paid the appropriate annual subscription, must be admitted as a Full Member.
- (3) A Full Member is entitled to vote at general meetings and meetings of each sport section to which the member is affiliated, subject to subrule (4).
- (4) The voting rights of a Full Member under 18 years of age may only be exercised on their behalf by a parent or guardian aged 18 years or over named in the Full Member's membership application, as updated by

notice from the Full Member to the Secretary from time to time (**Full Member Nominee**).

- (5) If more than one Full Member Nominee of a Full Member is present at a general meeting that Full Member's right to vote may only be exercised by the Full Member Nominee nominated as the Full Member's primary Full Member Nominee in the membership application, as updated by notice to the Secretary from the Full Member from time to time. If no primary Full Member Nominee has been nominated by a Full Member, the primary Full Member Nominee for that Full Member is taken to be the Full Member Nominee first listed in the membership application, as updated by notice from the Full Member to the Secretary from time to time.
- (6) The membership of a Full Member ceases at the next end of financial year after the end of the season in which the Full Member last played in a representative team of the Club unless the member is admitted as a Past Player Member or Associate Member before that date.

Note :In principle, only Full Members and Life Members are permitted to play in the Club's representative teams. However, the Committee may pass a resolution for a specific case or make a By-Law allowing for exceptions in specified circumstances.

15. Past Player Members

- (1) The following persons who are over the age of 18 years are eligible to apply for admission as a Past Player Member:
 - (a) a former Full Member; and
 - (b) the Full Member Nominee of a former Full Member.
- (2) A Full Member Nominee is eligible to be a Past Player Member even if the relevant Full Member is or later becomes a Past Player Member.
- (3) An eligible person referred to in subrule (1) who has submitted a complying application for membership to the Secretary and paid the appropriate annual subscription, within 12 months from the end of the season in which the former Full Member or, in the case of an application by a Full Member Nominee, the relevant former Full Member, was last registered to play in a representative team of the Club must be admitted as a Past Player Member.
- (4) An application for membership as a Past Player Member that is submitted after the time stated in subrule (3) requires the approval of the Committee in accordance with rule 12.
- (5) A Past Player Member is entitled to vote at general meetings and meetings of each sport section to which the member is affiliated.

16. Associate Members

- (1) Any natural person over the age of 18 years may apply to be an Associate Member, subject to rule 12.
- (2) Associate Members do not have the right to vote at general meetings and are not affiliated to any sport section.

- (3) An Associate Member who is a Full Member Nominee of a current Full Member is not required to pay annual subscriptions.

Note : Persons such as parents and guardians of junior players, coaches and members of the local community who support the purposes of the Club may be admitted as an Associate Member with the approval of the Committee.

17. Life Members

- (1) Persons who are life members of the Former Clubs at the date of incorporation of the Club shall be admitted as Life Members of the Club, with their consent in any form provided by the Committee.
- (2) Life membership may be awarded to members of the Club in any category whose service to the Club and/or the Former Clubs in any capacity over a period of 10 years or more is worthy of the highest honour based on their achievements, efforts and other conduct, measured against the purposes of the Club and Former Clubs.
- (3) Nominations for life membership must be made in writing by one or more Full Members entitled to vote and submitted to the Secretary. The nomination must provide details of the qualifying services rendered by the nominee and of the nominee's suitability for the honour of life membership.
- (4) The Committee must approve the nomination for submission to a vote of the members at an AGM.
- (5) The nomination, if approved by the Committee, must be considered at the next AGM held more than two months after the nomination is made. Life membership will be awarded to the nominee if the nomination is approved by a majority of three-quarters of the members present and voting at the AGM.
- (6) A Life Member is entitled to vote at general meetings and meetings of each sport section to which the Life Member is affiliated.
- (7) Life Members are not required to pay annual subscriptions and may be granted other membership privileges as determined by the Committee.

Note : Members may be nominated for Life Membership on the basis of any services provided to the Club or Former Clubs including but not limited to playing, coaching, administration, governance and fundraising.

18. Affiliation to sport sections

Full Members, Past Player Members and Life Members will be affiliated to the sport section of each sport they play or have previously played for the Club or a Former Club.

19. Annual subscription and Playing Fees

- (1) The Club may charge an annual subscription to members other than Life Members and Associate Members mentioned in rule 16(3), for each financial year.
- (2) The amount of the annual subscription and the due for payment will be determined by the Committee.

- (3) The Committee may determine:
- (a) different amounts of the annual subscription for categories of membership; and
 - (b) different due dates for payment for categories of membership; and
 - (c) that any new member in a category of membership who joins after the start of a financial year must, for that financial year, pay an annual subscription equal to:
 - (i) the full annual subscription relevant to the category of membership; or
 - (ii) a pro rata annual subscription based on the remaining part of the financial year; or
 - (iii) a fixed amount determined from time to time by the Committee; and

- (4) Members (including Life Members) who play in a representative team of the Club will also be required to pay fees to participate in that team on an annual or seasonal basis, as applicable to the relevant sport (**Playing Fees**).

Note :Playing fees will cover such costs as including sports association affiliation fees, insurance, equipment and team administration.

- (5) Each sport section subcommittee will determine the annual or seasonal amount of the Playing Fee and the due date for payment for the relevant sport before the start of the relevant playing season.
- (6) A member who has not paid Playing Fees by the applicable due date is suspended from playing in the relevant team until the Playing Fees are paid, subject to subrule (8).
- (7) Each sports section subcommittee may determine the basis on which Playing Fees may be reduced for members who do not play all of a relevant team's games during a season.
- (8) The Committee may decide to reduce or waive, or extend the due date for payment of, the annual subscription of a member in cases of financial hardship or other worthy circumstances.
- (9) Each sports section subcommittee may may decide to reduce or waive, or extend the due date for payment of, Playing Fees for the relevant sport of a member in cases of financial hardship or other worthy circumstances.
- (10) The rights (including the right to vote) of a member (including a Life Member) who has not paid the annual subscription and Playing Fees applicable to that member by the due dates applicable to that member are suspended until the annual subscription and Playing Fees are paid.

20. General rights of members

- (1) A member of the Club who is entitled to vote has the right:
- (a) to receive notice of general meetings and of proposed special resolutions in the manner and time prescribed by these Rules;
 - (b) to submit items of business for consideration at a general meeting;

- (c) to attend and be heard at general meetings;
 - (d) to vote at a general meeting;
 - (e) to have access to the minutes of general meetings and other documents of the Club as provided under rule 87; and
 - (f) to inspect the register of members.
- (2) A member is entitled to vote if:
- (a) the member is a Full Member, a Full Member Nominee voting on behalf of a Full Member, Past Player Member or Life Member; and
 - (b) more than 10 business days have passed since he or she (or, in the case of a Full Member Nominee, the relevant Full Member) became a member of the Club; and
 - (c) the member's membership rights are not suspended for any reason.

21. Rights not transferable

The rights of a member are not transferable and end when membership ceases.

22. Ceasing or changing membership

- (1) The membership of a person ceases on resignation, expulsion, or death.
- (2) If a person ceases to be a member or changes to a different category of membership, the Secretary must, as soon as practicable, enter in the register of members the date the person ceased to be a member or changed category of membership.

23. Resigning as a member

- (1) A member may resign by notice in writing given to the Secretary.
- (2) A member is taken to have resigned if:
 - (a) the member has not paid the annual subscription applicable to that member by the due date applicable to that member; or
 - (b) where no annual subscription is payable:
 - (i) the Secretary has made a written request to the member to confirm that he or she wishes to remain a member; and
 - (ii) the member has not, within three months after the Secretary made that request, confirmed in writing that he or she wishes to remain a member.

24. Register of members

- (1) The Secretary must keep and maintain a register of members that includes:
 - (a) for each current member:
 - (i) the member's name;
 - (ii) a current address for notice given by the member, either physical or electronic;
 - (iii) the date of becoming a member;
 - (iv) membership category;
 - (v) any other information determined by the Committee; and

- (b) for each former member, the date of ceasing to be a member.
- (2) Any member may, at a reasonable time and free of charge, inspect the register of members but is not permitted to take a copy of the register or any part of it, without the prior written consent of the Committee.
- (3) Unless the Committee gives prior written consent otherwise (which consent may be subject to conditions and limitations as the Committee considers appropriate), a member must not use information about a member or another person obtained from the register of members to contact or send materials to that member or other person and must not disclose information about a member or another person obtained from the register of members knowing that the information is likely to be used to contact or send materials to that member or other person. This rule applies even if the use or disclosure of the information is directly related to the management or purposes of the Club.

Note: Under section 59 of the Act, access to the personal information of a person recorded in the register of members may be restricted in certain circumstances. Section 58 of the Act provides that it is an offence to make improper use of information about a person obtained from the Register of Members.

Division 2: Disciplinary action

25. Grounds for taking disciplinary action

- (1) Subject to subrule 25(2), the Club may take disciplinary action against a member in accordance with this Division if it is determined that the member:
 - (a) has failed to comply with these Rules; or
 - (b) refuses to support the purposes of the Club; or
 - (c) has engaged in conduct prejudicial to the Club.
- (2) This Division 2 will not apply in relation to any disciplinary action that relates to or occurs within one sport section only, and which falls within the jurisdiction of that individual sport section's own sport governing body's dispute and disciplinary rules, where the relevant sport section subcommittee has determined that that sport governing body's dispute and disciplinary rules are the relevant rules for such disputes.

26. Disciplinary subcommittee

- (1) If the Committee is satisfied that there are sufficient grounds for taking disciplinary action against a member, the Committee must appoint a disciplinary subcommittee to hear the matter and determine what action, if any, to take against the member.
- (2) The members of the disciplinary subcommittee:
 - (a) may be Committee members, members of the Club or anyone else; but
 - (b) must not be biased against, or in favour of, the member concerned.

27. Notice to member

- (1) Before disciplinary action is taken against a member, the Secretary must give written notice to the member:
 - (a) stating that the Club proposes to take disciplinary action against the member; and
 - (b) stating the grounds for the proposed disciplinary action; and
 - (c) specifying the date, place and time of the meeting at which the disciplinary subcommittee intends to consider the disciplinary action (the disciplinary meeting); and
 - (d) advising the member that he or she may do one or both of the following:
 - (i) attend the disciplinary meeting and address the disciplinary subcommittee at that meeting;
 - (ii) give a written statement to the disciplinary subcommittee at any time before the disciplinary meeting; and
 - (e) setting out the member's appeal rights under rule 29.
- (2) The notice must be given no earlier than 28 days, and no later than 14 days, before the disciplinary meeting is held.

28. Decision of disciplinary subcommittee

- (1) At the disciplinary meeting, the disciplinary subcommittee must:
 - (a) give the member an opportunity to be heard; and
 - (b) consider any written statement submitted by the member.
- (2) After complying with subrule (1), the disciplinary subcommittee may:
 - (a) take no further action against the member; or
 - (b) subject to subrule (3):
 - (i) reprimand the member; or
 - (ii) suspend the membership rights of the member for a specified period; or
 - (iii) expel the member from the Club.
- (3) The disciplinary subcommittee may not fine the member.
- (4) The suspension of membership rights or the expulsion of a member by the disciplinary subcommittee under this rule takes effect immediately after the vote is passed.

29. Appeal rights

- (1) A person whose membership rights have been suspended or who has been expelled from the Club may give notice to the effect that he or she wishes to appeal against the suspension or expulsion.
- (2) The notice must be in writing and given:
 - (a) to the disciplinary subcommittee immediately after the vote to suspend or expel the person is taken; or
 - (b) to the Secretary not later than 48 hours after the vote.
- (3) If a person has given notice under subrule (2), a disciplinary appeal meeting must be convened by the Committee as soon as practicable, but in any event not later than 21 days, after the notice is received.

- (4) Notice of the disciplinary appeal meeting must be given to each member of the Club who is entitled to vote as soon as practicable and must:
 - (a) specify the date, time and place of the meeting; and state:
 - (i) the name of the person against whom the disciplinary action has been taken; and
 - (ii) the grounds for taking that action; and
 - (iii) that at the disciplinary appeal meeting the members present must vote on whether the decision to suspend or expel the person should be upheld or revoked.

30. Conduct of disciplinary appeal meeting

- (1) At a disciplinary appeal meeting:
 - (a) no business other than the question of the appeal may be conducted; and
 - (b) the Committee must state the grounds for suspending or expelling the member and the reasons for taking that action; and
 - (c) the person whose membership has been suspended or who has been expelled must be given an opportunity to be heard.
- (2) After complying with subrule (1), the members present and entitled to vote at the meeting must vote by secret ballot on the question of whether the decision to suspend or expel the person should be upheld or revoked.
- (3) A member may not vote by proxy at the meeting.
- (4) The decision is upheld if not less than three quarters of the members voting at the meeting vote in favour of the decision.

Division 3: Grievance procedure

31. Application

- (1) Subject to subrule 31(3), the grievance procedure set out in this Division applies to disputes under these Rules between:
 - (a) a member and another member;
 - (b) a member and the Committee;
 - (c) a member and the Club.
- (2) A member must not initiate a grievance procedure in relation to a matter that is the subject of a disciplinary procedure until the disciplinary procedure has been completed.
- (3) This Division 3 will not apply in relation to any grievance procedure that relates to or occurs within one sport section only, and which falls within the jurisdiction of that individual sport section's own sport governing body's dispute and disciplinary rules, where the relevant sport section subcommittee has determined that that sport governing body's dispute and disciplinary rules are the relevant rules for such disputes.

32. Parties must attempt to resolve the dispute

The parties to a dispute must attempt to resolve the dispute between themselves within 14 days of the dispute coming to the attention of each party.

33. Appointment of mediator

- (1) If the parties to a dispute are unable to resolve the dispute between themselves within the time required by rule 32, the parties must within 10 days:
 - (a) notify the Committee of the dispute; and
 - (b) agree to or request the appointment of a mediator; and
 - (c) attempt in good faith to settle the dispute by mediation.
- (2) The mediator must be:
 - (a) a person chosen by agreement between the parties; or
 - (b) in the absence of agreement:
 - (i) if the dispute is between a member and another member - a person appointed by the Committee; or
 - (ii) if the dispute is between a member and the Committee or the Club - a person appointed or employed by the Dispute Settlement Centre of Victoria.
- (3) A mediator appointed by the Committee may be a member or former member of the Club but in any case must not be a person who: has a personal interest in the dispute; or is biased in favour of or against any party.

34. Mediation process

- (1) The mediator to the dispute, in conducting the mediation, must:
 - (a) give each party every opportunity to be heard; and
 - (b) allow due consideration by all parties of any written statement submitted by any party; and
 - (c) ensure that natural justice is accorded to the parties throughout the mediation process.
- (2) The mediator must not determine the dispute.

35. Failure to resolve dispute by mediation

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

PART 4: GENERAL MEETINGS OF THE CLUB AND SPORT SECTIONS

36. Sport section annual meetings

- (1) The Committee must convene annual meetings of each sport section, each to be held to be held not more than two months and not less than one month before the next AGM.
- (2) The Committee may determine the date, time and place of the sport section annual meeting for each sport section.
- (3) The ordinary business of the sport section annual meeting is as follows:
 - (a) to elect the members of the sport section subcommittee;

- (b) to approve a subcommittee budget for the coming 12 months;
and
- (c) to elect Committee members from the sport section, if there is a vacancy in that year.

37. Annual general meetings

- (1) The Committee must convene an annual general meeting of the Club to be held within five months after the end of each financial year.
- (2) The Committee may determine the date, time and place of the AGM.
- (3) The ordinary business of the AGM is as follows (whether or not set out in the notice of the meeting):
 - (a) to confirm the minutes of the previous AGM and of any special general meeting held since then;
 - (b) to receive and consider:
 - (i) the annual report of the Committee on the activities of the Club during the preceding financial year; and
 - (ii) the financial statements of the Club for the preceding financial year submitted by the Committee in accordance with Part 7 of the Act; and
 - (c) to announce any Committee members elected at sport section annual meetings preceding the AGM.
- (4) The AGM may also conduct any other business of which notice has been given in accordance with these Rules.

38. Special general meetings

- (1) Any general meeting of the Club, other than an AGM or a disciplinary appeal meeting, is a special general meeting.
- (2) The Committee may convene a special general meeting whenever it thinks fit.
- (3) No business other than that set out in the notice under rule 40 may be conducted at the meeting.

Note: General business may be considered at the meeting if it is included as an item for consideration in the notice under rule 40 and the majority of members at the meeting agree.

39. Special general meeting held at request of members

- (1) The Committee must convene a special general meeting if a request to do so is made in accordance with subrule (2) by at least 10% of the total number of members.
- (2) A request for a special general meeting must:
 - (a) be in writing; and
 - (b) state the business to be considered at the meeting and any resolutions to be proposed; and
 - (c) include the names and signatures of the members requesting the meeting; and
 - (d) be given to the Secretary.

- (3) If the Committee does not convene a special general meeting within six weeks after the date on which the request is made, the members making the request (or any of them) may convene the special general meeting.
- (4) A special general meeting convened by members under subrule (3):
 - (a) must be held within three months after the date on which the original request was made; and
 - (b) may only consider the business stated in that request.

40. Notice of general meetings

- (1) The Secretary (or, in the case of a special general meeting convened under rule 39(3), the members convening the meeting) must give to each member of the Club:
 - (a) at least 21 days' notice of a general meeting if a special resolution is to be proposed at the meeting; or
 - (b) at least 14 days' notice of a general meeting in any other case.
- (2) The notice must:
 - (a) specify the date, time and place of the meeting; and
 - (b) indicate the general nature of each item of business to be considered at the meeting; and
 - (c) if a special resolution is to be proposed:
 - (i) state in full the proposed resolution; and
 - (ii) state the intention to propose the resolution as a special resolution.
- (3) This rule does not apply to a disciplinary appeal meeting.

Note: Rule 30(4) sets out the requirements for notice of a disciplinary appeal meeting.

41. No proxy voting

Proxy voting is not permitted at general meetings.

42. Use of technology

- (1) Unless the Committee determines otherwise, the Club must hold general meetings at a physical venue at which members are physically present.
- (2) The Committee may determine that a general meeting may be held:
 - (a) at more than one physical venues, using virtual meeting technology to link the venues; or
 - (b) at one or more physical venues and using virtual meeting technology to link the venues and so that members can attend the meeting without being physically present; or
 - (c) using virtual meeting technology only.
- (3) The virtual meeting technology used for a general meeting must allow members not physically present and members physically present at the meeting to clearly and simultaneously communicate with each other.
- (4) For the purposes of this Part, a member participating in a general meeting without being physically present as permitted under subrule (2)

is taken to be present at the meeting and, if the member votes at the meeting, is taken to have voted in person.

Note: In principle, all general meetings will be held at a single physical venue at which members are physically present.

43. Quorum at general meetings

- (1) No business may be conducted at a general meeting unless a quorum of members is present.
- (2) The quorum for a general meeting is the presence (physically or as allowed under rule 42) of whichever is the lesser of:
 - (a) 10% of the members entitled to vote; or
 - (b) 10 members entitled to vote.
- (3) If a quorum is not present within 30 minutes after the notified commencement time of a general meeting:
 - (a) in the case of a meeting convened by, or at the request of, members under rule 39, the meeting must be dissolved;
 - (b) in any other case, the meeting must be adjourned to a date not more than 21 days after the adjournment; and
 - (c) notice of the date, time and place to which the meeting is adjourned must be given at the meeting and confirmed by notice given to all members as soon as practicable after the meeting
- (4) If a quorum is not present within 30 minutes after the time to which a general meeting has been adjourned under subrule (3)(b), the members present at the meeting (if not fewer than three) may proceed with the business of the meeting as if a quorum were present. If fewer than three members are present, the meeting must be dissolved.

Note: If a meeting convened by, or at the request of, members is dissolved under subrule (3)(a), the business that was to have been considered at the meeting is taken to have been dealt with. If members wish to have the business reconsidered at another special meeting, the members must make a new request under rule 39.

44. Adjournment of general meetings

- (1) The chairperson of a general meeting at which a quorum is present may, with the consent of a majority of members present at the meeting, adjourn the meeting to another time at the same place or at another place.
- (2) Without limiting subrule (1), a meeting may be adjourned:
 - (a) if there is insufficient time to deal with the business at hand; or
 - (b) to give the members more time to consider an item of business.
- (3) No business may be conducted on the resumption of an adjourned meeting other than the business that remained unfinished when the meeting was adjourned.

- (4) Notice of the adjournment of a meeting under this rule is not required unless the meeting is adjourned for 14 days or more, in which case notice of the meeting must be given in accordance with rule 40.

Example: The members may wish to have more time to examine the financial statements submitted by the Committee at an AGM.

45. Voting at general meetings

- (1) On any question arising at a general meeting:
 - (a) subject to subrule (3), each member who is entitled to vote has one vote;
 - (b) members must vote personally; and
 - (c) except in the case of a special resolution, the question must be decided on a majority of votes.
- (2) If votes are divided equally on a question, the chairperson of the meeting has a second or casting vote.
- (3) If the question is whether or not to confirm the minutes of a previous meeting, only members who were present at that meeting may vote.
- (4) This rule does not apply to a vote at a disciplinary appeal meeting conducted under rule 30.

46. Special resolutions

A special resolution is passed if not less than three quarters of the members voting at a general meeting vote in favour of the resolution.

Note: In addition to certain matters specified in the Act, a special resolution is required:

- (a) to remove a Committee member from office ;
- (b) to alter these Rules, including changing the name or any of the purposes of the Club.

47. Determining whether resolution carried

- (1) The chairperson of a general meeting may, on the basis of a show of hands, declare that a resolution has been carried or lost, carried unanimously or carried by a particular majority and an entry to that effect in the minutes of the meeting is conclusive proof of that fact.
- (2) If a poll (where votes are cast in writing) is demanded by either the chairperson or five or more members on any question:
 - (a) the poll must be taken at the meeting in the manner determined by the chairperson of the meeting; and
 - (b) the chairperson must declare the result of the resolution on the basis of the poll.
- (3) A poll demanded on the election of the chairperson or on a question of an adjournment must be taken immediately.
- (4) A poll demanded on any other question must be taken before the close of the meeting at a time determined by the chairperson.

48. Minutes of general meeting

- (1) The Committee must ensure that minutes are taken and kept of each general meeting and sport section annual meeting.

- (2) The minutes must record the attendees of the meeting, the business considered at the meeting, any resolution on which a vote is taken, and the result of the vote.

49. Proceedings of annual sport section meetings

Sport section annual meetings are, to the greatest extent practicable, governed by the rules in these Rules which regulate general meetings.

PART 5: COMMITTEE

Division 1: Powers of Committee

50. Role and powers

- (1) The business of the Club shall be managed by and under the direction of a Committee.
- (2) The Committee may exercise all the powers of the Club except those powers that these Rules or the Act require to be exercised by general meetings of the members of the Club or meetings of sport section affiliates.
- (3) The Committee may:
 - (a) appoint and remove staff;
 - (b) establish subcommittees consisting of Committee members, members or anyone else, with terms of reference the Committee considers appropriate; and
 - (c) make charters, regulations, by-laws, policies and procedures as required or permitted by, or consistent with, these Rules, which in the opinion of the Committee are necessary or desirable for the proper control, administration and management of the Club's finances, affairs, property and subcommittees, or are necessary for the convenience, comfort and well-being of the members, and amend or rescind any such charters, regulations, by-laws, policies and procedures.
- (4) A By-Law made by the Committee may be disallowed by a special resolution in a later general meeting. A resolution made by the Club in general meeting cannot invalidate prior acts of the Committee which would have been valid if that resolution had not been passed or made.

51. Delegation

- (1) The Committee may delegate to a member of the Committee, a subcommittee or staff, any of its powers and functions other than:
 - (a) this power of delegation; or
 - (b) a duty imposed on the Committee by the Act or any other law.
- (2) The delegation must be in writing and may be subject to conditions and limitations as the Committee considers appropriate.
- (3) The Committee may, in writing, revoke a delegation, wholly or in part.

52. Proceedings of subcommittees

Subject to the terms of reference on which a subcommittee is established, the meetings and proceedings of subcommittees (including sport section subcommittees) are, to the greatest extent practicable, governed by the rules of these Rules which regulate the meetings and proceedings of the Committee.

53. Club sports

- (1) With the approval of a general meeting on the recommendation of an absolute majority of the Committee, the Club may participate in any other organised sport (in addition to cricket, football and netball) by establishing and organising representative teams of the Club for that sport.
- (2) An approval given under subrule (1) must include a decision as to the number of Committee members, up to a maximum of two, that may be elected by the sport section of the approved sport under rule 58(1).
- (3) With the approval of a general meeting on the recommendation of an absolute majority of the Committee, the Club may cease to provide representative teams of the Club in any organised sport (including cricket, football and netball).

54. Sport section subcommittees

- (1) The Committee must establish a sport section with a sport section subcommittee for each organised sport played by representative teams of the Club from time to time.
- (2) Each sport section subcommittee has delegated power from the Committee (other than the power of delegation) to manage the day-to-day operations of the relevant sport section, including but not limited to the provisions of Rule 19.
- (3) Each sport section subcommittee:
 - (a) must have a minimum of three subcommittee members holding the positions of president, secretary and treasurer;
 - (b) will have any other powers delegated to it by the Committee (other than the power of delegation);
 - (c) must comply with any terms of reference or directions the Committee considers appropriate;
 - (d) must liaise with and support the Committee; and
 - (e) must report its activities to the Committee, if so requested by the Committee at any time, and to each AGM.
- (4) Each member of the sport section subcommittee must:
 - (a) be a sport section affiliate of the relevant sport section; and
 - (b) meet the eligibility requirements in rule 63 and any terms of reference applicable to the subcommittee.

55. Election of sport section subcommittee members

- (1) The Committee will appoint the initial members of each sport section subcommittee, who will hold office until the end of the next sport section annual meeting after their appointment.
- (2) The members of the sport section subcommittee are to be elected at the sport section annual meeting of the relevant sport section and will hold office from the end of that meeting until the end of the next sport section annual meeting after their election.
- (3) At the first sport section annual meeting after incorporation of the Club and subsequent sport section annual meetings, the chairperson of the meeting must declare all positions on the sport section subcommittee vacant and hold elections for those positions in accordance with this rule.
- (4) Prior to the holding of each sport section annual meeting the subcommittee must call for nominations to fill the positions.
- (5) An eligible sport section affiliate may:
 - (a) nominate himself or herself; or
 - (b) with the affiliate's consent, be nominated by another sport section affiliate of the relevant sport.
- (6) At the sport section annual meeting, separate elections must be held for each of the positions on the sport section subcommittee.
- (7) If there is only one nominee for the position, the chairperson of the meeting must declare the nominee elected to the position.
- (8) If there is more than one nominee for the position, a ballot must be held in the manner determined by the chairperson of the meeting.
- (9) On his or her election as president of the sport section subcommittee, the new president may take over as chairperson of the meeting.
- (10) A nominee for a position who fails to be elected to that position may be nominated for any other position for which an election is yet to be held.
- (11) If a ballot is held, the candidate receiving the highest number of votes must be declared elected.

56. Vacation of office of sport section subcommittee members

- (1) A sport section subcommittee member may resign from the subcommittee by written notice addressed to the subcommittee.
- (2) The Committee may remove a member of a sport section subcommittee from that office and no reason need be given for doing so.
- (3) A person ceases to be a sport section subcommittee member if he or she:
 - (a) is removed under subrule (2); or
 - (b) ceases to be an affiliate of the relevant sport section; or
 - (c) ceases to meet the eligibility requirements in rule 63 or any terms of reference applicable to the subcommittee.

57. Filling casual vacancies on sport section subcommittees

- (1) The Committee may appoint a sport section affiliate of the relevant sport section to fill a position on the sport section subcommittee that:
 - (d) has become vacant; or

- (e) was not filled by election at the last annual sport section meeting.

Division 2: Composition of Committee and duties of members

58. Composition of Committee

- (1) The Committee consists of two sport section affiliates from each of the cricket, football and netball sport sections and such number of other sport section affiliates for any other sport sections as determined under rule 53(2), elected or appointed under rule 66.
- (2) As soon as practicable after each AGM, the Committee must appoint Committee members to the following Committee positions:
 - (a) President;
 - (b) Treasurer;
 - (c) Secretary; and
 - (d) any other Committee positions the Committee may create from time to time.
- (3) No member of the Committee holding the position of President, Treasurer, Secretary, or any other designated role described in subrule 58(2)(d) may concurrently hold the same role on a sports section subcommittee.
- (4) The Committee may remove any Committee member appointed to a position under subrule (2) and may appoint a Committee member to fill a vacancy in a position referred to in subrule (2).

Note: The Committee may only remove a Committee member from a position referred to in subrule (2) but does not have the power to remove a Committee member from office as a Committee member.

59. General duties

- (1) As soon as practicable after being elected or appointed to the Committee, each Committee member must become familiar with these Rules, the Act and any By-Laws.
- (2) The Committee is collectively responsible for ensuring that the Club complies with the Act and that individual members of the Committee comply with these Rules.
- (3) Committee members must exercise their powers and discharge their duties with reasonable care and diligence.
- (4) Committee members must exercise their powers and discharge their duties in good faith in the best interests of the Club, and for a proper purpose.
- (5) Committee members and former Committee members must not make improper use of:
 - (a) their position; or
 - (b) information acquired by virtue of holding their position, so as to gain an advantage for themselves or any other person or to cause detriment to the Club.

- (6) In addition to any duties imposed by these Rules, a Committee member must perform any other duties imposed from time to time by resolution at a general meeting.

Note: See also Division 3 of Part 6 of the Act which sets out the general duties of the office holders of an incorporated association.

60. President and chairperson

- (1) The President is the chairperson for any general meetings and for any Committee meetings.
- (2) If the President is absent, or is unable to preside, the Secretary shall act as chairperson of the meeting.
- (3) If the President and Secretary are both absent, or are unable to preside, the chairperson must be:
 - (a) in the case of a general meeting – a member elected by the other members present; or
 - (b) in the case of a Committee meeting – a member elected by the other Committee members present.

61. Secretary

- (1) The Secretary is the secretary of the Club under the Act and, unless otherwise determined by the Committee, must perform:
 - (a) any duty or function required under the Act to be performed by the secretary of an incorporated association (including having legal responsibility for lodging documents of the Club with the Registrar); and
 - (b) any duty or function imposed on the Secretary under these Rules or by any By-Law.
- (2) Without limiting subrule (1), the Secretary must:
 - (a) maintain the register of members in accordance with rule 24; and
 - (b) keep custody of all books, documents and securities of the Club in accordance with rule 87 (except for records kept by the Treasurer under rule 82(3); and
 - (c) subject to the Act and these Rules, provide members with access to the register of members, the minutes of general meetings and other books and documents.
- (3) The Secretary must give to the Registrar notice of his or her appointment within 14 days after the appointment.

62. Treasurer

- (1) The Treasurer must:
 - (a) oversee the treasurers of each sport section including ensuring that regular and timely reports are received from each sport section detailing:
 - (i) all moneys paid to or received by each sport section; and

- (ii) the income statements and balance sheets of each sport section;
 - (b) ensure that all moneys received by the Club are paid into the bank account of the Club within five working days after receipt; and
 - (c) make any payments authorised by the Committee or by a general meeting of the Club from the Club's funds; and
 - (d) ensure payments are authorised and cheques are signed and electronic funds transferred are approved in writing by at least two Committee members;
 - (e) prepare a budget for the Club for each financial year, for submission to the Committee;
 - (f) ensure that the financial records of the Club are kept in accordance with the Act;
 - (g) coordinate the preparation of the financial statements of the Club and their certification by the Committee prior to their submission to the AGM; and
 - (h) perform any other duty or function imposed on the Treasurer by these Rules or a By-Law.
- (2) The Treasurer must ensure that at least one other Committee member has access to the accounts and financial records of the Club.

Division 3: Election of Committee members and subcommittee members and tenure of office

63. Eligibility to become a Committee member or sport section subcommittee member

- (1) A member is eligible to be elected or appointed as a Committee member or member of a sport section subcommittee if the member:
- (a) is 18 years or over;
 - (b) is entitled to vote at a general meeting;
 - (c) has obtained and maintained a valid Working With Children Check; and
 - (d) consents in writing to being elected or appointed as a Committee member or sport section subcommittee member (as applicable).
- (2) By consenting to being elected or appointed as a Committee member or sport section subcommittee member, a member is taken to have:
- (a) undertaken to comply with the documentary requirements of the Club's Child Safety Policy within seven days of their election or appointment; and
 - (b) committed to perform any duty or function imposed on Committee members or sport section subcommittee members as applicable) by these Rules and any By-Law.

64. Election of Committee members by sport sections

- (1) At the first sport section annual meeting of a sport section, the meeting must elect two sport section affiliates of that sport section to be Committee members.

- (2) At subsequent sport section annual meetings, the meeting must elect sport section affiliates of the sport section to be Committee members to fill any vacancy in the positions of Committee members elected by the sport section.

65. Nominations for election as a Committee member

- (1) Prior to the holding of a sport section annual meeting the Committee must call for nominations of sport section affiliates of the sport section to fill the available positions on the Committee elected by the sport section.
- (2) An eligible sport section affiliate may:
 - (a) nominate himself or herself; or
 - (b) with the affiliate's consent, be nominated by another sport section affiliate of the relevant sport.

66. Sport section elections of Committee members

- (1) At the sport section annual meeting:
 - (a) if there is only one Committee member position available for the sport section and only one nominee for that position, the chairperson of the meeting must declare the nominee elected to the position; and
 - (b) if there are two Committee member positions available for the sport section and only one or two nominees for that position, the chairperson of the meeting must declare the nominee or nominees elected to the positions; and
 - (c) if the number of nominations is greater than the number of Committee positions available for the sport section, a ballot must be held for each position in the manner determined by the chairperson of the meeting.
- (2) If a ballot is held, the candidate receiving the highest number of votes for each position must be declared elected.

67. Term of office

- (1) The Committee members holding office upon incorporation of the Club hold office until the end of the first AGM after incorporation, subject to rule 68.
- (2) Subject to subrules (4) and (5) and rule 68, a Committee member elected under rule 66 holds office for two years starting from the end of the AGM next following the sport section annual meeting at which the Committee member was elected and ending at the end of the next but one AGM.
- (3) A Committee member who has held office for a continuous period of six years or more may only be re-elected or re-appointed by special resolution at a general meeting of the Club.
- (4) A Committee member who ceases to be a sport section affiliate of the sport section by which he or she was elected may continue in office only until the end of the next AGM.

- (5) A general meeting of the Club may by special resolution remove a Committee member from office.
- (6) A Committee member who is the subject of a proposed special resolution under subrule (5) may make representations in writing to the Secretary or President of the Club (not exceeding a reasonable length) and may request that the representations be provided to the members of the Club.
- (7) The Secretary or the President may give a copy of the representations to each member of the Club or, if they are not so given, the member may require that they be read out at the meeting at which the special resolution is to be proposed.

68. Vacation of office

- (1) A Committee member may resign from the Committee by written notice addressed to the Committee.
- (2) A person ceases to be a Committee member if he or she:
 - (a) is removed under rule 67(5) ; or
 - (b) ceases to meet the eligibility requirements in rule 63; or
 - (c) ceases to be a member of the Club; or
 - (d) fails to attend three consecutive Committee meetings (other than special or urgent Committee meetings) without leave of absence under rule 79; or
 - (e) otherwise ceases to be a Committee member by operation of section 78 of the Act.

Note: A Committee member may not hold the office of secretary if they do not reside in Australia.

69. Filling casual vacancies

- (1) The Committee may appoint a member of the Club to fill a position on the Committee that:
 - (a) has become vacant under rule 68; or
 - (b) was not filled by election at the relevant sport section annual meeting before the last AGM.
- (2) To the extent reasonably practicable, casual vacancies must be filled by a sport section affiliate of the sport section to which the vacancy relates.
- (3) Any person appointed under this rule holds office until the end of the next AGM.
- (4) If the position of Secretary becomes vacant, the Committee must appoint a member to the position within 14 days after the vacancy arises.
- (5) The Committee may continue to act despite any vacancy in its membership.

Division 4: Meetings of Committee

70. Meetings of Committee

- (1) The Committee must meet at least four times in each year at the dates, times and places determined by the Committee.

- (2) The date, time and place of the first Committee meeting must be determined by the members of the Committee as soon as practicable after each AGM.
- (3) Special Committee meetings may be convened by the President or by any four members of the Committee.

71. Notice of meetings

- (1) Notice of each Committee meeting must be given to each Committee member no later than five days before the date of the meeting.
- (2) Notice may be given of more than one Committee meeting at the same time.
- (3) The notice must state the date, time and place of the meeting.
- (4) If a special Committee meeting is convened, the notice must include the general nature of the business to be conducted.
- (5) The only business that may be conducted at the meeting is the business for which the meeting is convened.

72. Urgent meetings

- (1) In cases of urgency, a meeting can be held without notice being given in accordance with rule 71 provided that as much notice as practicable is given to each Committee member by the quickest means practicable.
- (2) Any resolution made at an urgent meeting must be passed by an absolute majority of the Committee.
- (3) The only business that may be conducted at an urgent meeting is the business for which the meeting is convened.

73. Procedure and order of business

- (1) The procedure to be followed at a meeting of a Committee must be determined from time to time by the Committee.
- (2) The order of business may be determined by the members present at the meeting.

74. Use of technology

- (1) A Committee member who is not physically present at a Committee meeting may participate in the meeting by the use of technology that allows that Committee member and the Committee members present at the meeting to clearly and simultaneously communicate with each other.
- (2) For the purposes of this Part, a Committee member participating in a Committee meeting as permitted under subrule (1) is taken to be present at the meeting and, if the member votes at the meeting, is taken to have voted in person.

75. Quorum

- (1) No business may be conducted at a Committee meeting unless a quorum is present.

- (2) The quorum for a Committee meeting is the presence (in person or as allowed under rule 74) of a majority of the Committee members holding office.
- (3) If a quorum is not present within 30 minutes after the notified commencement time of a Committee meeting:
 - (a) in the case of a special meeting: the meeting lapses; and
 - (b) in any other case: the meeting must be adjourned to a date no later than 14 days after the adjournment and notice of the time, date and place to which the meeting is adjourned must be given in accordance with rule 71.

76. Voting

- (1) On any question arising at a Committee meeting, each Committee member present at the meeting has one vote.
- (2) A motion is carried if a majority of Committee members present at the meeting vote in favour of the motion.
- (3) Subrule (2) does not apply to any motion or question which is required by these Rules to be passed by an absolute majority or a greater majority of the Committee.
- (4) If votes are divided equally on a question, the chairperson of the meeting has a second or casting vote.
- (5) Voting by proxy is not permitted.

77. Conflict of interest

- (1) A Committee member who has a material personal interest in a matter being considered at a Committee meeting must disclose the nature and extent of that interest to the Committee.
- (2) The member:
 - (a) must not be present while the matter is being considered at the meeting; and
 - (b) must not vote on the matter.
- (3) This rule does not apply to a material personal interest:
 - (a) that exists only because the member belongs to a class of persons for whose benefit the Club is established; or
 - (b) that the member has in common with all, or a substantial proportion of, the members of the Club.

Note: Under section 81(3) of the Act, if there are insufficient Committee members to form a quorum because a member who has a material personal interest is disqualified from voting on a matter, a general meeting may be called to deal with the matter.

78. Minutes of meeting

- (1) The Committee must ensure that minutes are taken and kept of each Committee meeting.
- (2) The minutes must record the following:
 - (a) the names of the members in attendance at the meeting;

- (b) the business considered at the meeting;
 - (c) any resolution on which a vote is taken and the result of the vote;
 - (d) any material personal interest disclosed under rule 77.
- (3) The Secretary is responsible for distributing minutes to all Committee members as soon as reasonably practicable after the meeting.

79. Leave of absence

- (1) The Committee may grant a Committee member leave of absence from Committee meetings for a period not exceeding three months.
- (2) The Committee must not grant leave of absence retrospectively unless it is satisfied that it was not feasible for the Committee member to seek the leave in advance.

PART 6: FINANCIAL MATTERS

80. Source of funds

The funds of the Club may be derived from annual subscriptions, Playing Fees, donations, sponsorships, fund-raising activities, grants, interest and any other sources approved by the Committee.

81. Management of funds

- (1) The Club must open an account or accounts with a financial institution from which all expenditure of the Club is made and into which all of the Club's revenue is deposited.
- (2) Subject to any restrictions imposed by a general meeting of the Club, the Committee may approve expenditure on behalf of the Club or may delegate that power to a sport section subcommittee in respect of the expenditure of the relevant sport section.
- (3) The Committee may authorise the Treasurer or the treasurer of a sports section subcommittee or other persons authorised in writing by the Committee to expend funds on behalf of the Club up to a specified limit without requiring approval from the Committee for each item on which the funds are expended.
- (4) Each sport section subcommittee may approve expenditure on behalf of the Club in respect of funds collected from Playing Fees for the benefit of that sport section, subject to the limit specified in subrule 81(3).
- (5) All spending by the Committee or a sports section subcommittee above the limit specified in subrule 81(3) requires the approval of a supermajority of Committee members.
- (6) All cheques, drafts, electronic fund transfers, bills of exchange, promissory notes and other negotiable instruments must be signed or approved by at least two Committee members or other persons authorised in writing by the Committee.
- (7) All funds of the Club must be deposited into a financial account of the Club no later than five working days after receipt.

- (8) With the approval of the Committee, the Treasurer or the treasurer of a sports section subcommittee may maintain a cash float provided that all money paid from or paid into the float is accurately recorded at the time of the transaction.

82. Financial records

- (1) The Club must keep financial records that:
 - (a) correctly record and explain its transactions, financial position and performance; and
 - (b) enable financial statements to be prepared as required by the Act.
- (2) The Club must retain the financial records for seven years after the transactions covered by the records are completed.
- (3) The Treasurer must keep in his or her custody, or under his or her control:
 - (a) the financial records for the current financial year; and
 - (b) any other financial records as authorised by the Committee.

83. Financial statements

- (1) For each financial year, the Committee must ensure that the requirements under the Act relating to the financial statements of the Club are met.
- (2) Without limiting subrule (1), those requirements include:
 - (a) the preparation of the financial statements;
 - (b) if required, the review or auditing of the financial statements;
 - (c) the certification of the financial statements by the Committee;
 - (d) the submission of the financial statements to the annual general meeting of the Club; and
 - (e) the lodgement with the Registrar of the financial statements and accompanying reports, certificates, statements and fee.

PART 7: GENERAL MATTERS

84. No common seal

The Club will not have a common seal.

85. Registered address

The registered address of the Club is:

- (a) the address determined from time to time by resolution of the Committee; or
- (b) if the Committee has not determined an address to be the registered address, the postal address of the Secretary.

86. Notice requirements

- (1) Any notice required to be given to a member (including a Committee member) under these Rules may be given:
 - (a) by handing the notice to the member personally; or

- (b) by sending it to the member at any of the postal address, physical address or email address recorded for the member on the register of members.
- (2) In addition to the methods of notice referred to in subrule (1), notice of a Committee meeting referred to in rule 72 may be given verbally.
- (3) Any notice required to be given to the Club, the Secretary or the Committee may be given:
 - (a) by handing the notice to a member of the Committee; or
 - (b) by sending the notice by post to the registered address; or
 - (c) by leaving the notice at the registered address; or
 - (d) by email to the email address of the Club or the Secretary.

87. Custody and inspection of books and records

- (1) Members may on request inspect:
 - (a) the register of members; and
 - (b) the minutes of general meetings.

Note: See note under rule 24 for details of access to the register of members.
- (2) Subject to subrules (3) and (4), the Committee may permit members on request to inspect the financial records, books, securities and any other relevant documents of the Club, including minutes of Committee meetings on such terms and for any reasonable fee as the Committee may determine.
- (3) The Committee must refuse to permit a member to inspect records of the Club that relate to confidential, personal, employment, commercial or legal matters or where to do so may be prejudicial to the interests of the Club.
- (4) The Committee may refuse to permit a member to inspect records referred to in subrule (2) for any reason and no reason need be given for doing so.
- (5) The Committee must on request make copies of these Rules available to members and applicants for membership free of charge.
- (6) Subject to subrule (2), a member may make a copy of any of the other records of the Club referred to in this rule and the Club may charge a reasonable fee for provision of a copy of such a record.
- (7) For purposes of this rule:

relevant documents means the records and other documents, however compiled, recorded or stored, that relate to the incorporation and management of the Club and includes the following:

 - (a) its membership records;
 - (b) its financial statements;
 - (c) its financial records; and
 - (d) records and documents relating to transactions, dealings, business or property of the Club.

88. Winding up and cancellation

- (1) The Club may be wound up voluntarily by special resolution.

- (2) In the event of the winding up or the cancellation of the incorporation of the Club, the surplus assets of the Club must not be distributed to any members or former members of the Club.
- (3) Subject to the Act and any court order made under section 133 of the Act, the surplus assets must be given to a body that has similar purposes to the Club and which is not carried on for the profit or gain of its individual members.
- (4) The body to which the surplus assets are to be given must be decided by special resolution.

89. Alteration of Rules

These Rules may only be altered by special resolution of a general meeting of the Club.

Note: An alteration of these Rules does not take effect unless or until it is approved by the Registrar. If these Rules (other than rule 1, 2 or 3) are altered, the Club is taken to have adopted its own rules, not the model rules.