

Stirling Amateur Football and Sporting Club (Inc)



Constitution

**STIRLING AMATEUR FOOTBALL AND SPORTING CLUB (INC)
CONSTITUTION**

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Part 1 – Preliminary

1. NAME

The name of the Club is 'Stirling Amateur Football and Sporting Club (Inc)'.

2. COLOURS

The colours of the Club are red, white and black and such colours are registered with the WA Amateur Football League (WA) Inc.

3. OBJECTS

The objects of the Club are:

- a) To encourage, promote and foster the game of Australian Rules Football or other sports as agreed in the Balcatta, Osborne Park and surrounding districts in every way possible and do such acts, deeds or things necessary and proper for such purposes.
- b) The promotion of social activities between the members of the Club and their friends, and the provision of accommodation with all the usual privileges and advantages of a Club for the purposes aforesaid.
- c) The provision of accommodation for the members and their guests upon the premises of which the Club is a bona fide occupier and not for the purpose of making profits divisible amongst the members or any of them, or in support of any object other than accommodation of the member and their guests.
- d) The affiliation with other kindred sporting associations.

Part 2 – Membership

4. CLASSIFICATION OF MEMBERS

Members shall be classified as follows and each class of member may exercise the privileges of the Club except to the extent in Clause 5 ('Limitation to Classes of Membership').

- a) LIFE member – A person aged 18 years or over who has been elected in a manner provided in Clause 6.
- b) FULL member – A person who has been elected in a manner prescribed in Clause 7.
- c) SOCIAL member – A person who has been elected in a manner prescribed in Clause 7.
- d) JUNIOR member – A person who has been elected in a manner prescribed in Clause 7.
- e) HONORARY member – A person who has been elected in a manner prescribed in Clause 11.

5. LIMITATION TO CLASSES OF MEMBERSHIP

A JUNIOR member or HONORARY member shall not Move, Second or Vote on any motion at a general meeting.

6. LIFE MEMBERS

- a) The Management Committee shall have the power to award any person or persons as a Life Member of the Club, providing 75% majority by secret ballot.
- b) More than one person may be elected in any one year.
- c) Any member after ten (10) years official service or any player who plays two hundred (200) games for the Club may be recommended to become a Life Member.

7. FULL, JUNIOR AND SOCIAL MEMBERS

- a) A candidate for membership shall complete an approved 'Application for Membership' form. In addition, the candidate shall arrange for two full members to sign it as nominator and seconder. Such application shall be handed to the Secretary together with such fees as required.
- b) The Secretary shall ensure shall the application is correct in detail.
- c) The Management Committee shall either accept, defer or reject the application. Should an application for membership be withdrawn or rejected, the fees shall be refunded in full.
- d) All applications shall be posted on the noticeboard of the Club for a period of not less than seven (7) days before acceptance, provided also that an interval of not less than fourteen (14) days shall elapse between nomination and acceptance.

8. REGISTRATION OF MEMBERS

The Club shall keep an up to date register of members in respect of each class and membership. The register must be continually available for inspection at the Club premises.

9. GUESTS

The maximum number of guests per member for the purposes of Section 48(4)(b) of the Liquor Act is three (3).

10. TEMPORARY MEMBERS

A person who is on any day visiting the Club as a member or an official of, or a person assisting a team that is to contest a pre-arranged event in that sport on that day or at the invitation of a member to engage in that sport on that day, may be taken to be a person who is afforded temporary membership on that day.

11. HONORARY MEMBERS

The Management Committee may appoint any persons they deem as Honorary Members of the Club. Such membership shall be valid for one (1) calendar year.

12. ENTRANCE FEES AND SUBSCRIPTION

- a) A Life Member or Honorary Member shall not pay any membership subscription.
- b) The Management Committee shall, from time to time, fix the entrance fee and annual subscription to be paid by Full and Social members.
- c) The Management Committee is empowered to remit or waive any entrance fee or subscription or any part thereof.

13. DUE DATES FOR SUBSCRIPTION

- a) The annual subscription shall become due on the first day of January each year. If a member shall fail to pay the annual subscription by the first day of May in that year, they shall be deemed unfinancial. The Secretary shall notify that member by notice in writing, posted on the address appearing in the Register of Members, the amount owing that is overdue and that the person is liable to be struck off the Register of Members if the amount remains unpaid for seven (7) days after the notice has been posted. Management may direct that the member's name be struck off the Register of Members. Unless the Management Committee directs otherwise, that member shall continue to be liable for subscription or other dues owing when that person is struck off.
- b) Until a person is deemed or declared unfinancial under the preceding subsection, a member shall be deemed financial.
- c) All player subscriptions must be paid by the third official fixture each year unless other satisfactory arrangements are accepted by the Management Committee.

14. MEMBERSHIP RESIGNATION

Any member may submit their resignation in writing to the Secretary. The Management Committee may accept it unconditionally, or accept it subject to the payment of subscriptions or other dues then owing or subject to other conditions as it sees fit.

15. MISCONDUCT OF THE MEMBERS

Should the Management Committee receive a report charging any member with conduct which, in the opinion of the Management Committee, is unacceptable to the general body of members, or is prejudicial to the Club or to any member of the Club or may bring the Club into disrepute or seriously breaches this Constitution or by-law made hereunder or is convicted of any indictable offence, the following procedure shall be followed:-

- a) A special panel of three (3) persons shall be appointed by the Management Committee to hear the charge.
- b) The Management Committee shall formulate the charge in writing and the Secretary shall notify a date seven (7) days at least ahead on which the panel shall hear the charge.
- c) The Management Committee shall appoint a member as advocate to submit the case to the panel.
- d) The advocate and the member charged shall each be entitled to be present throughout the hearing and may state their respective case, may call witnesses (who before giving evidence shall be excluded from the hearing), may cross-examine each others witnesses and may then summarise their respective cases for consideration by the panel.
- e) The panel may either dismiss the charge or may recommend to the Management Committee that the member be expelled, required to resign, suspended or cautioned.
- f) The Management Committee may act in accordance with the recommendation of the panel.
- g) Any member who is suspended or expelled shall not be entitled to a refund of annual subscription or part thereof.

16. OFFICERS OF THE CLUB

The officers of the Club shall be:

- (i) Patrons
- (ii) President
- (iii) Vice President
- (iv) Secretary
- (v) Treasurer
- (vi) Ten (10) Committee Members

17. ELECTION OF PATRONS

Any persons of mature age may be elected as Patron at the Annual General Meeting on nomination, without notice, by the Chairman of the Meeting. Such person shall hold office until the next Annual General Meeting and is eligible for re-election.

Part 3 – General Meetings

18. ELECTION OF PRESIDENT, VICE PRESIDENT, SECRETARY, TREASURER AND COMMITTEE PERSONS

The President, Vice President, Secretary, Treasurer and Committee Persons (with the exception of the Committeeman – Juniors, who shall be appointed from the Junior Committee) shall be elected at the Annual General Meeting in the manner provided by Clause 22. They shall assume office when they first meet as a Management Committee and, subject to Clause 24, shall continue in their office until the first meeting of the Management Committee subsequently elected.

19. ELECTION OF AUDITOR

Any person qualified in that capacity may be elected Auditor at the Annual General Meeting. A retiring auditor shall be eligible for re-election without prior notice of nomination being given. Any other person seeking election as auditor shall forward nomination signed by two (2) LIFE or FULL members as nominator and seconder to the Returning Office by no later than the Annual General Meeting.

20. MEETINGS – ELIGIBILITY TO VOTE: QUORUM

- a) Only LIFE, FULL or SOCIAL Members who are financial within the meaning of Clause 13 shall be entitled to vote at meetings.
- b) Thirty (30) members or 30% of membership, whichever is the lesser, present and entitled to vote under the above sub section shall constitute a quorum.
- c) Any member who is unable to attend may appoint a proxy providing written notice is received by the Secretary at least twenty-four (24) hours prior to the meeting.

21. SPECIAL GENERAL MEETING

- a) A Special General Meeting of the Club may be convened by request in writing by at least thirty (30) members entitled to vote, as defined in Clause 20, stating the purpose for which it is desired and presented to the Secretary.
- b) Special General Meetings may also be convened at the discretion of the Management Committee.
- c) A period of fourteen (14) days notice shall be given to all members in writing of the purpose of the Special General Meeting.
- d) At a Special General Meeting only the business as specified in the notice of the meeting shall be conducted.

22. ANNUAL GENERAL MEETING

- a) The Annual General Meeting shall be held no later than December 31 each year and the following procedures shall be followed.
- b) The Management Committee shall advise members of the proposed date for the Annual General Meeting at least one (1) calendar month prior. This advice shall include the date by which nomination for office bearers, Notices of Motion and other business shall be received by the Secretary.

- c) Nominations for the offices of President, Vice President, Secretary, Treasurer and Committee persons shall be forwarded to reach the Secretary not later than twenty-one (21) days prior to the Annual General Meeting nominated date. A member may nominate for any number of offices. Should there be insufficient nominations received, nominations may be received from the floor at the Annual General Meeting.
- d) Notices of Motion shall be forwarded to reach the Secretary not later than twenty-one (21) days prior to the Annual General Meeting.
- e) The Secretary shall check the name of nominees for each office and ensure that they are qualified as a financial member to nominate.
- f) The Secretary shall, at least fourteen (14) days prior to the Annual General Meeting, give each member a notice of the meeting in the form of a Meeting Agenda, with all nominees and notices of Motion identified.
- g) Should there be only the number of nominees required for any office, the Secretary shall report accordingly in writing to the Chairperson at the Annual General Meeting. The Chairperson shall forthwith declare that person or those persons elected unopposed to that office.
- h) Should there be more nominees for any office than required for that office, the Secretary or a Nominated Returning Officer shall conduct a secret ballot for that office at the Annual General Meeting.
- i) Order of Business at the Annual General Meeting
 - (i) Apologies
 - (ii) Minutes of Previous Annual General Meeting
 - (iii) Minutes of Special Meetings
 - (iv) Business Arising
 - (v) Treasurers Report
 - (vi) Auditors Report
 - (vii) Presidents Report
 - (viii) Directors Report
 - (ix) Election of Office Bearers
 - (x) Notices of Motion
 - (xi) General Business
 - (xii) Closure of Meeting

Part 4 – Committee

23. THE MANAGEMENT COMMITTEE

- a) The Management Committee shall consist of the following officers:
 - (i) President
 - (ii) Vice President
 - (iii) Secretary
 - (iv) Treasurer
 - (v) Ten (10) Directors, of which no more than one (1) may be a playing member of the Club.

These fourteen (14) shall comprise the Executive of the Club.

- b) The Management Committee shall meet at least once every month.
- c) The quorum for the Management Committee shall be six (6).
- d) The offices of any person who is a member of that Management Committee shall become vacant if that person:
 - (i) Resigns from office.
 - (ii) Ceases to be a member of the Club.
 - (iii) Fails, without leave of absence from the Management Committee, to attend three (3) consecutive meetings of the Committee.
- e) The Management Committee may appoint some other member to fill any vacancy on the Committee for the unexpired term of that office.
- f) Where voting on any motion at a Management Committee, Special Meeting or Annual General Meeting is tied, the President shall have a casting vote only.

24. RESPONSIBILITIES OF THE MANAGEMENT COMMITTEE

- a) The Management Committee shall be responsible for all policy matters and approval of an Annual Budget and for that purpose shall do all acts or things as may seem to it to be necessary or expedient for the good and effective conduct of the Club's affairs.

- b) Without limiting the generality of the powers conferred in the preceding sub section or elsewhere in this Constitution, the Management Committee may:
 - (i) Acquire, hold or dispose of by way of purchase, sale, gift, lease, hire sub letting or renting any property real or personal upon such terms as it may think fit.
 - (ii) Open and operate accounts at any bank, building society or financial institution.
 - (iii) Hire, maintain or suspend or dismiss any staff on such terms as it may see fit.
 - (iv) Enter into contracts for the improvement or maintenance of the Club's assets.
 - (v) Appropriate such funds as it shall think fit for the provision of prizes, incentives or social events.
 - (vi) Apply for, hold, renew or surrender a License or Permit (either continuing or occasional) under the Liquor Act.
 - (vii) Fix such honorariums as deemed appropriate.

25. FINANCIAL PROVISIONS

- a) Financial year shall commence on October 1 and end on September 30 of the following calendar year.
- b) All members financial as per Clauses 7, 12 and 13 hereof, shall be deemed to be financial for the purposes of the Annual General Meeting or any Special General Meeting that may be called in the period October 1 to February 28 the following year.
- c) All cheques paid by the Club shall be signed by any two of the following members of the Management Committee: President, Vice President, Treasurer, Secretary or any other member appointed by the Management Committee.
- d) The Management Committee may within the sanction of a resolution passed by member at the Annual General Meeting or in any Special General Meeting called for the purpose, raise monies by bank overdraft or by the issue of debentures or such means as may be approved of at such meeting and if necessary, my secure the payment thereof by any mortgage upon the property of the Club or by such means as the member's resolution shall decide.

- e) The Annual Financial Reports prepared by the Treasurer shall be passed to the Auditor for his report in sufficient time for his presentation at the Annual General Meeting.
- f) The Management Committee may request an Auditor's Report at any time during the financial year prior to the Annual Audit Report.

26. STANDING COMMITTEE

- a) The following Standing Committees may be at the committee discretion be set up, each under the Chairmanship of a Management Committee member. These Committee persons shall direct the activities of their specific area of responsibility.
 - (i) Match Committee
 - (ii) Marketing, Promotion and Sponsorship
 - (iii) Social Committee
 - (iv) House and Bar Management Committee
 - (v) Junior Liaison
 - (vi) Special Duties
- b) The Club President and the Secretary are ex officio members of all committees.

27. MATCH COMMITTEE

- a) Shall be convened by the Management Committee member responsible and shall include the coaches and up to six (6) other members, of whom no more than two (2) shall be playing members. The Match Committee may appoint one of their number to act as Secretary subject to approval from the convenor.
- b) The duties of the Match Committee are:
 - (i) Control and conduct of all football training and matches run by the Club.
 - (ii) Marking of grounds, manning of gates and registration of players.
 - (iii) Appoint necessary officials and recommend to the Management Committee of any honorariums that may need to be paid (Team Managers, Time Keepers, Runners, Trainers, First Aid Attendants, Property Manager and Registrar).
 - (iv) Purchase of all items normally required for the conduct of training and matches, certify the accounts are correct and submit them to the

Management Committee for payment. Seek approval from the Management Committee to purchase items not regularly used by the Club.

- (v) Report all injuries sustained at training or in a match to the Secretary within two (2) hours of receiving such injury. The Management Committee shall be advised by the Secretary of the Match Committee if a claim is lodged for recoup of medical expenses. The Match Committee shall investigate and submit a recommendation to the Management Committee. No consideration for recompense of medical expenses will be entertained unless playing members are financial and belonging to an authorised private medical benefit fund and the St John Ambulance Association (unless the latter is covered in their private medical cover).
- (vi) Visit the sick and injured and submit a report to the Management Committee.
- (vii) Recommend for appointment Captain and Vice Captains of all teams and submit recommendations to the Management Committee for decision.
- (viii) Ensure all permits and clearances have been obtained for persons playing for the Club.
- (ix) Ensure that players seeking clearances from the Club are financial and, before such a clearance is processed, approval is granted by the Management Committee.

28. SELECTION COMMITTEE

The Selection Committee shall consist of the Management Committee person responsible for convening the Match Committee as Chairperson, the coaches of all grades playing for the Club, and one other person appointed by the Management Committee.

29. SOCIAL COMMITTEE

- a) Shall be convened by the Management Committee member responsible and shall include the Secretary and up to six (6) other members of whom no more than three (3) shall be playing members.
- b) The duties of the Social Committee are:
 - (i) Conduct and control of all social functions of the Club.
 - (ii) Conduct of all stalls and raffles at home matches and other locations as approved by the Management Committee.

- (iii) Submit to the Management Committee for approval, prior to March 31 each year, a plan of social functions for the year.

30. HOUSE AND BAR MANAGEMENT COMMITTEE

- a) Shall be convened by the Management Committee member responsible and shall include the Treasurer and up to six (6) other persons.
- b) The duties of the House and Bar Management Committee are:
 - (i) Appoint Club's cleaners and ensure cleaning is carried out.
 - (ii) Arrange the manning and staffing of Club facilities.
 - (iii) Keep a diary of all bookings for use of Club premises.

31. SPECIAL DUTIES

The Management Committee member appointed to this portfolio shall carry out any tasks as required by the Management Committee and assist other committeemen as required.

32. COACHING APPOINTMENTS

Shall be the responsibility of the Management Committee.

33. DUTIES OF OFFICE BEARERS

33.1 President

- a) Shall be elected annually at the Annual General Meeting.
- b) Shall preside over all meetings of the Club, put to vote all motions duly proposed and seconded in accordance with the rules, and declare the result. In case of a ties vote, he/she shall have a casting vote.

33.2 Vice President

- a) Shall be elected annually at the Annual General Meeting.
- b) Shall act in accordance with the President at all times and with like power during the President's absence from the meeting.

33.3 Secretary

- a) Shall be elected annually at the Annual General Meeting.
- b) The powers and duties of the Secretary are:
 - (i) Take all minutes at Management Committee, General, Special and Annual General Meetings.
 - (ii) Read all minutes of previous meetings.
 - (iii) Prepare annual reports and read same at Annual General Meeting.
 - (iv) Keep a complete record of all matches played.
 - (v) Be responsible for the safe custody of the Club's books and records in their possession.
 - (vi) Keep attendance records of all meetings.
 - (vii) Receive and dispatch all correspondence as directed.

33.4 Treasurer

- a) Shall be elected annually at the Annual General Meeting.
- b) The powers and duties of the Treasurer are:
 - (i) Produce a financial report for all Management Committee meetings.
 - (ii) Responsible to produce a bank statement at Management Committee meetings, if required.
 - (iii) Keep detailed account of all monies received and paid.
 - (iv) Prepare detailed financial statements for the Annual General Meeting.
 - (v) Receive all monies and issue receipts on the Club's official receipt forms.
 - (vi) Payment of all accounts, as directed by the Management Committee.
 - (vii) Bank all monies at the nominated bank, building society or financial institution, as soon as possible.

33.5 Committee Members

Shall be elected annually at the Annual General Meeting for a period of one (1) year (with the exception of the Director - Juniors, who is appointed from the Junior Club's committee annually)

Part 5 – General

34. ALTERATION TO THIS CONSTITUTION

- a) This Constitution may only be amended or repealed by a Special or Annual General Meeting. Notice of the Motion stating in detail proposed alterations shall be given as required in either Clause 21 or 22. A motion to alter the Constitution must be carried by three-fourths (75%) majority of the members present entitled to vote.
- b) As soon as is practicable after the making of the proposal for a change to the Constitution or Rules of the Club, the Secretary shall provide to the Director of Liquor Licensing, certified particulars of the change proposed. No effect will be given to the change without the prior approval of the Director of Liquor Licensing.

35. COMMON SEAL

The Management Committee shall provide a Common Seal. The Common Seal shall be kept in the custody of the Secretary and shall be affixed by the President and the Secretary to such documents as the Management Committee shall authorise.

36. WINDING UP THE CLUB

- a) The Club shall have been dissolved if and when a resolution in favour of dissolution shall have been carried out by three-fourths (75%) majority of the members at a Special General Meeting for the purpose of considering such a dissolution.
- b) If, on winding up of the Club, any property of the Club remains after the satisfaction of the debts and liabilities of the Club and the costs, charges and expenses of the winding up, that property shall be distributed:
 - (i) To another association incorporated under the Act; or
 - (ii) For charitable purposes.
- c) Which incorporated association or purposes, as the case requires, shall be determined by resolution of the members when authorising and directing the Committee under Section 33(3) of the Act to prepare a distribution plan for the distribution of the surplus property of the Club.