

Associations Incorporation Act 1981

RULES OF THE SURREY PARK JUNIOR FOOTBALL CLUB INC 1993

Part 1 – Preliminary

1. NAME OF THE CLUB

The name of the incorporated association is the **Surrey Park Junior Football Club Inc** (in these Rules called the “**SPJFC**”).

2. PURPOSES OF THE CLUB

The purposes for which the SPJFC is established are –

- a) to operate a sports club for residents of Surrey Hills and surrounding areas; and
- b) to provide equal opportunity for community participation and recreation for children from a variety of socio-economic and cultural backgrounds and sporting abilities; and
- c) to provide a sense of community spirit and cooperation in the broader Surrey Hills community; and
- d) to pursue the interests of the Surrey Park Junior Football Club.

Note: The above purposes are from the official Statement of Purposes for the SPJFC lodged under the Act at the time of incorporation.

3. DEFINITIONS FOR THESE RULES

In these Rules, unless the contrary intention appears -

"**Act**" means the **Associations Incorporation Act 1981**;

"**annual membership fee**" means the fee established in accordance with rule 9;

"**business day**" means a day other than a Saturday or Sunday or a public holiday appointed under the **Public Holidays Act 1993**;

"**chair**" means the person chairing the meeting in accordance with these Rules;

"**Committee**" means the Committee of the SPJFC elected in accordance with these Rules;

"**Executive Committee**" means the President, Vice President, Treasurer, Secretary and Coaching/Football Operations Manager;

"**financial year**" means the year ending on 30 September;

"**SPJFC**" means the Surrey Park Junior Football Club Inc established under the Act;

"**general meeting**" means an annual general meeting or a special general meeting of the SPJFC (as the case requires);

"**junior member**" has the meaning given in rule 5;

"**life member**" has the meaning given in rule 5;

"**member**" means a member of the SPJFC;

"**parent**" includes –

- a) a step-parent;
- b) an adoptive parent;
- c) a foster parent;
- d) a guardian;
- e) a person who has custody or daily care and control of the child;

"**parent member**" has the meaning given in rule 5;

"**playing life member**" has the meaning given in rule 5;

"**registration**" means the registration of an eligible person as an SPJFC player in the manner and form approved by the Committee;

"**Regulations**" means the regulations made under the Act;

"**relevant documents**" has the same meaning as in the Act;

"**social member**" has the meaning given in rule 5.

"**special resolution**" means a resolution at a special general meeting resulting from a notice given under rule 14(7).

4. HOW THESE RULES CAN BE ALTERED

These Rules and the statement of purposes of the SPJFC must not be altered except in accordance with the Act.

5. MEMBERSHIP OF THE SPJFC

5.1 Categories of Member

The Members shall be, and shall be divided into, the following categories:

Junior Members, who do not have a right to be present or debate or vote at General Meetings;

Parent Members, who shall have the right to be present, debate and vote at General Meetings, including the Annual General Meeting;

Social Members, who shall have the right to be present and to debate at General Meetings, but do not have voting rights at General Meetings (unless also a Parent Member);

Playing Life Member who shall have the right to be present and to debate at General Meetings, but do not have voting rights at General Meetings (unless also a Parent Member);

Life Member who shall have the right to be present and to debate at General Meetings, but do not have voting rights at General Meetings (unless also a Parent Member);s and

Such other category or categories of members as determined by the Committee from time to time in accordance with **rule 5.2**.

5.2 Creation of New Categories of Membership and determination of subscriptions and fees .

- a) The Committee has the right and power from time to time to create new categories of membership with such rights (other than voting rights), privileges and obligations as are determined applicable, even if the effect of creating a new category is to alter rights, privileges or obligations of an existing category of Members. No new category of membership may be granted voting rights without approval of the existing Parent Members by special resolution. The Committee shall advise the Members of the new categories and the associated rights.
- b) The Annual Subscriptions payable to SPJFC by Members or categories of Members, the benefits which apply, the time for, and manner of payment, shall be determined by the Committee from time to time.
- c) Any other fees or levies payable by Members or categories of Members to SPJFC shall be determined by the Committee from time to time or set out in these Rules.

5.3 Application for Membership

- a) **Eligibility:** To be eligible for membership in any category an applicant must be a natural person, must agree to abide by the Rules of the SPJFC and any applicable rules of the Yarra Valley Junior Football League (YJFL) and meet any other criteria set by the Committee from time to time.
- b) A **Junior Member** must also be a person who is:
 - (i) less than 18 years old or a person who is 18 years old but who turned that age only during the relevant calendar year, and
 - (ii) registered as a player with SPJFC in the Yarra Junior Football League(YJFL).

A Junior Member has no voting rights and instead, subject to these Rules, those rights are held by their nominated parent or guardian.

- c) **Parent Member:** A person who is the nominated parent of a junior member can be a parent member of the SPJFC, subject to these Rules. A Parent Member has the voting and other rights set out in these Rules. Each family having Junior Members shall only have one nominated Parent Member at any given time.
- d) **Life Member** A person who has given outstanding service to the SPJFC and who is nominated and elected as a life member by the Committee can be a life member of the SPJFC, subject to these Rules. A Life Member has no voting rights unless the life member is also a Parent Member.
- e) **Playing Life Member** A person whose met the crietria to become a Playing Life Member and is approved by the Committee can be a Playing Life Member, subject to full payment of any fees or levies as fixed by the Committee from time to time and to these Rules. A Playing Life Member has no voting rights unless the Playing Life Member is also a Parent Member.

5.4 Application and Membership

- (i) **Junior Membership** : membership occurs upon acceptance by the Committee of a valid, fully paid or subsidised player registration application comprising a valid nomination for Parent Member. Registration/Junior Membership applications must be in writing in the form set by the Committee from time to time and lodged in accordance with the process laid down by the Committee from time to time together with full payment of the relevant fees and levies, subject to any subsidy or discount allowed by the Committee in any given case.
- (ii) **Parent Members** –the parent nominated in a valid player registration form becomes a Parent Member upon acceptance of that junior membership and payment of fees relating to it and upon acceptance by the Committee of that parent’s nomination, provided always that there is to be only one Parent Member per family and if more than one parent is nominated in registration forms the first nominated in time shall be the member.
- (iii) **Life members** – membership occurs upon election of a nominee for Life Membership by a majority of the Committee. Candidates for Life Membership must be nominated by a member of the Committee. Life membership continues, without fee or levy, in perpetuity unless revoked by the Committee.
- (iv) **Playing Life Members** - membership occurs upon meeting the criteria and also the acceptance by the Committee.
- (v) The Committee may, in its discretion, determine whether to approve or decline any application for membership in any category. If the Committee does not approve an application for membership it shall, as soon as practicable, notify the applicant in writing that his or her application for membership is not approved. The Committee is not required to give reasons for its decision.
- (vi) An applicant may only apply for membership once in any given season.

5.5 Effect of Membership

- a) Members acknowledge and agree that:
 - (i) this Constitution constitutes a contract between each of them and the SPJFC and that they are bound by this Constitution and SPJFC policy and rules;
 - (ii) they shall comply with and observe this Constitution and SPJFC policy and rules;
 - (iii) by submitting to this Constitution and SPJFC policy and rules they are subject to the jurisdiction of the SPJFC and its Committee in matters concerning the SPJFC and its Rules and policies;
 - (iv) this Constitution and SPJFC policy and rules are necessary and reasonable for promoting the purposes of the Club; and
 - (v) they are entitled to all benefits, advantages, privileges and services of their membership as determined by the Committee
 - (vi) they do not own or have any interest in or entitlement to any SPJFC property (real, personal or intellectual) or funds by virtue of their membership;

- (vii) SPJFC is a not-for-profit organisation and in the event of its dissolution its assets and funds will not be distributed among members.
- b) Members may by virtue of membership of the SPJFC and subject to this Constitution:
 - (i) express in writing or otherwise their views and opinions in any meeting in respect of which they are entitled to participate in accordance with this Constitution;
 - (ii) make proposals or submissions to the Committee;
 - (iii) engage and participate in any activity approved, sponsored or recognised by the Centre; and
 - (iv) conduct any activity approved by the Committee.
- c) A right, privilege or obligation of a person by reason of their membership of the SPJFC:
 - (i) is not capable of being transferred or transmitted to another person; and
 - (ii) terminates upon the cessation of membership whether by death, resignation or otherwise.

5.6 Renewal of membership

All junior members must reapply for membership each Season in accordance with the procedure laid down by the Committee from time to time which includes the nomination of a Parent Member. Neither SPJFC nor the Committee is obliged to accept any membership renewal and may accept or reject a membership renewal application as they see fit. If the renewal application is rejected neither the SPJFC nor the Committee is not obliged to give reasons for its/their decisions.

6. MEMBERS' REGISTER

6.1 Register of members

- 1) The Secretary must keep and maintain or cause to be kept and maintained a register of members that includes—
 - a) for each current Member—
 - (i) the member's name;
 - (ii) the address for notice last given for the member;
 - (iii) the date of becoming a member;
 - (iv) an email address and telephone number for the member (if the member is a Parent Member);
 - (v) if the member is a Parent Member the Junior Member or Members whom they represent, and
 - (vi) any other information determined by the Committee.
- 2) Any member may, at a reasonable time and free of charge, inspect the register of members.

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.

- 3) Members shall provide notice of any change of required details to the SPJFC's designated Registration officer within 1 month of such change.

6.2 Inspection of Register

Inspection of the Register will only be available as required by the Act and in accordance with these rules.

6.3 Use of Register

The Register and all member contact and other details provided to the SPJFC may be used by the SPJFC to further the SPJFC's purposes as the Committee considers appropriate.

7. HOW ANNUAL MEMBERSHIP FEES ARE SET AND WHICH MEMBERS MUST PAY THEM

- 1) The annual membership fee for junior members is set by the Committee from time to time and shall be published by the SPJFC when set in such manner as the Committee thinks fit.
- 2) Unless rule 8 (2) applies, Parent Members must pay the annual membership fee for relevant junior members
- 3) Life members are not required to pay an annual membership fee.
- 4) The Committee may determine that any category of member shall pay a special purpose levy at any time and such category of member shall pay such levy as appointed by the Committee.

8. WHEN ANNUAL MEMBERSHIP FEES ARE DUE

- 1) Annual membership fees must be paid on or before the day each year when the commencement of the governing league (currently the YJFL in 2017) season commences.
- 2) However, the Committee may adopt and apply guidelines to enable the club to fully or partially subsidise orderly payment of the annual junior membership fee by parent members where there are special circumstances. However, payment cannot be subsidised or delayed if the parent member is also a Committee Member.

Example: The Committee may develop guidelines for when relevant parent members are suffering severe financial or personal hardship (unless the parent is also a Committee member).

- 3) If payment of an annual membership fee is subsidised or delayed under sub-rule (2), the relevant junior and parent members have the same rights and privileges as if the fee had been paid in accordance with sub-rule (1).

9. WHEN MEMBERSHIP ENDS

- 1) If annual membership fees have been paid by or in relation to a member, the member may resign from the SPJFC by giving 14 days notice in writing to the Secretary of the intention to resign.

- 2) Other than Life Memberships, and excepting when a member resigns, is expelled or becomes ineligible and subject to renewal pursuant to these rules, a member's membership ends when the year ends for which his or her current membership has been accepted.
- 3) For clarity: A Junior Member's membership ends when:
 - a. the member is deregistered by the relevant League or Association or
 - b. is otherwise removed from the list of eligible players kept by those bodies
 - c. he or she is expelled as a member by resolution of the Committee or the YJFL
 - d. the current registration period for which he or she has been registered expires or the on the 30th September, whichever is sooner.
- 4) A Parent Member's membership ends at the same time that the relevant junior member's membership ends.

10. DISCIPLINE, SUSPENSION AND EXPULSION OF MEMBERS

Non-compliance or conduct unbecoming – warning, suspension, expulsion

- 1) (1) Subject to these Rules, if the Executive Committee considers that a member refuses or neglects to comply with these Rules, or is guilty of conduct unbecoming a member or prejudicial to the interests of the SPJFC, the Committee may -
 - a. Issue a written warning to the member; or
 - b. Suspend the member for a specified period; or
 - c. Expel the member.

Natural justice to be given

- 2) Unless there are exceptional circumstances, before determining that a member is guilty of the conduct specified in sub-rule (1), the Executive Committee must give the member:
 - a. full details in writing of the allegations against them; and
 - b. a proper opportunity to be heard, including by giving due consideration to any written statement submitted by the member.

Confirmation of resolution

- 3) A resolution of the Executive Committee under sub-rule (1) has no effect unless -
 - a. the Executive Committee confirms it at a meeting under sub-rule (4); and
 - b. if the member appeals to the SPJFC under this rule, the SPJFC confirms the resolution in accordance with this rule.

Notice to be given

- 4) An Executive Committee meeting to confirm or revoke a resolution under sub-rule (1) must be held no earlier than 14 days and no later than 28 days, after notice is given to the member under sub-rule (5).
- 5) To give notice under sub-rule (4), the Secretary must, as soon as practicable, ensure a written notice is given to the member
 - a. setting out the resolution of the Executive Committee and the grounds for it; and
 - b. stating that the member or his or her representative, may address the Executive Committee at a meeting to be held no earlier than 14 days and no later than 28 days after notice is given to the member; and
 - c. stating the date, place and time of the meeting; and
 - d. telling the member that the member may do one or both of the following -
 - (i) attend the meeting;
 - (ii) give the Executive Committee before the meeting date a written statement seeking the revocation of the resolution;
 - e. telling the member that, if the Executive Committee confirms the resolution at the meeting, the member may no later than 48 hours after the meeting, give the Secretary a notice stating that the member wants to appeal to the SPJFC in the Executive Committee meeting.

Executive Committee meeting

- 6) At a Committee meeting to confirm or revoke a resolution passed under sub-rule (1), the Committee must -
 - a. give the member, or his or her representative, a proper opportunity to be heard; and
 - b. give due consideration to any written statement submitted by the member; and
 - c. determine by resolution whether to confirm or to revoke the resolution.
- 7) If at the Executive Committee meeting, the Executive Committee confirms the resolution, the member may, no later than 48 hours after the meeting, give the Secretary a notice stating that the member wants to appeal to the SPJFC in general meeting.

General meeting

- 8) If the Secretary receives a notice under sub-rule (7), the member must notify the Executive Committee and the Executive Committee must hold a special general meeting of the SPJFC within 21 days of the date when the Secretary received the notice.
- 9) At a special general meeting of the SPJFC convened under sub-rule (8) -
 - a. no business other than the appeal may be conducted; and

- b. the Executive Committee may put to the meeting details of the grounds for the resolution and the reasons for passing it; and
- c. the member, or his or her representative, must be given an opportunity to be heard; and
- d. the members present must vote by secret ballot on whether the resolution should be confirmed or revoked.

Two thirds majority required

- 10) A resolution is confirmed if, at the general meeting, two-thirds or more of the members vote in favour. Otherwise, the resolution is revoked.
- 11) A representative of a member under this rule must not be lawyer.

11. DISPUTES AND HOW THEY ARE TO BE RESOLVED AND MEDIATED

- 1) The grievance procedure in this rule applies to disputes affecting the interests of the SPJFC and which are between -
 - a. a member and another member; or
 - b. a member and the SPJFC.

Parties must meet

- 2) The parties to the dispute must meet and discuss the matter in dispute, and, if possible, resolve it within 14 days of becoming aware of it.

Mediation

- 3) If the parties cannot resolve the dispute at the meeting, or if a party fails to attend, then the parties must meet with a mediator within 10 days.
- 4) The mediator must be -
 - a. a person agreed by the parties; or
 - b. if the parties do not agree -
 - (i) for a dispute between a member and another member - a person appointed by the SPJFC Committee; or
 - (ii) for a dispute between a member and the SPJFC - a mediator appointed or employed by Mediation Services Victoria (Department of Justice).
- 5) The parties must bear their own costs for a mediation.
- 6) A parent member of the SPJFC can be a mediator.
- 7) The mediator cannot be one of the parties to the dispute.
- 8) The parties to the dispute must, in good faith, attempt to settle the dispute by mediation.

- 9) The mediator, in conducting the mediation, must -
 - a. give the parties a proper opportunity to be heard; and
 - b. allow due consideration by all parties of any written statement given by any party; and
 - c. ensure that natural justice is given to the parties during the mediation.
- 10) The mediator must not determine the dispute.
- 11) If the mediation does not resolve the dispute, the parties may seek to resolve it in accordance with the Act or otherwise at law.

PART 3 – ANNUAL GENERAL MEETINGS OF THE SPJFC

12. HOLDING OF ANNUAL GENERAL MEETINGS

- 1) The annual general meeting of the SPJFC must be held between 1 September and 30 September each year. The Committee may decide the date, time and place of the meeting.
- 2) The notice convening the annual general meeting must state that the meeting is an annual general meeting (AGM) and must be circulated at least 14 days before the date of the meeting unless there is proposed a special resolution for determination at the annual general meeting in which case the rules concerning notice of such resolution and the timing of such notice apply.
- 3) Notice may be given by way of email to Parent Members and by posting details of the time date and place of the AGM on the SPJFC website and social media channels at least 14 days prior to the meeting.

13. WHAT IS THE BUSINESS OF ANNUAL GENERAL MEETINGS?

Ordinary business of an AGM

- 1) The ordinary business of the annual general meeting is –
 - a. to confirm the minutes of the previous SPJFC annual general meeting and of any special general meeting held since that meeting; and
 - b. to receive reports and statements from the Committee under section 30(3) of the Act on the –
 - (i) income and expenditure of the SPJFC during the previous financial year; and
 - (ii) the assets and liabilities of the SPJFC at the end of its last financial year; and
 - (iii) mortgages, charges and securities of any description affecting any of the property of the SPJFC at the end of the previous financial year (and the significant transactions if any during the financial year that affected those matters); and
 - c. to elect the officers and committee members of the SPJFC for the coming year.

- 2) The annual general meeting may conduct any special business if notice of the business has been given in accordance with these Rules.

14. HOLDING OF SPECIAL GENERAL MEETINGS

- 1) In addition to the annual general meeting, special general meetings may be held in the same year.
- 2) The Committee may call a special general meeting when it thinks fit upon the giving of at least 3 weeks (21 days) written notice to parent members. Such Notice may be given by way of email and by posting notice of the time, date and place of the meeting on the SPJFC website at least 21 days prior to the meeting.
- 3) The Committee must, if asked in writing by parent members representing at least 10 per cent of all SPJFC parent members, hold a special general meeting.
- 4) The request for a special general meeting must -
 - a. state the objects of the meeting; and
 - b. be signed by the parent members asking for the meeting; and
 - c. be sent to the address of the Secretary.
- 5) If the Committee does not arrange a special general meeting to be held within one month of the date when the request is sent to the Secretary, the parent members making the request may hold a special general meeting themselves no later than 3 months after that date.
- 6) If a special general meeting is held by parent members in accordance with this rule, it must be held in the same manner so far as possible as a meeting held by the Committee. All reasonable expenses incurred in holding the meeting must be refunded by the SPJFC to the persons incurring the expenses.

15. SPECIAL BUSINESS AT SPECIAL GENERAL MEETINGS

All business at a special general meeting and all business at the annual general meeting, except for business conducted under the Rules as ordinary business of the annual general meeting, is special business.

16. ALTERATION OF THESE RULES BY SPECIAL RESOLUTION

These Rules may be altered or amended, including by way of addition of new rules or removal of old rules, by special resolution held and determined at a General Meeting in accordance with these rules.

17. HOW NOTICE OF GENERAL MEETINGS MUST BE GIVEN

- 1) The Secretary –
 - a. at least 14 days;
 - b. or if a special resolution is proposed, at least 21 days,

before the date fixed for a general meeting of the SPJFC, send a notice electronically or by ordinary post to parent members stating the place, date and time of the meeting and the nature of the business for the meeting.

- 2) The Secretary should also attempt to make the notice freely available at any meeting, gathering, function or event at which it is reasonably expected that a majority of parent members will attend.

Example: It may be reasonably expected that a majority of parent members will attend the SPJFC annual awards presentation. However, it may not be reasonably expected that a majority of members would attend some other club functions, such as an auction night.

- 3) No business other than that set out in the notice convening the meeting can be conducted at the meeting.
- 4) A parent member intending to bring any business before a meeting must notify the Secretary in writing, or by fax or e-mail, of that business must include that business in the notice calling the next general meeting.
- 5) Where one or more special resolutions is or are proposed to be decided at a general meeting the notice of the meeting shall set out the proposed motion or motions in full.

18. WHAT IS THE QUORUM AT GENERAL MEETINGS?

- 1) No item of business can be conducted at a general meeting unless a quorum of parent members is present when the meeting considers that item.
- 2) Five parent members present are a quorum for a general meeting. For avoidance of doubt, Committee members are counted in this regard.
- 3) If, within half an hour after the time for the start of a general meeting, a quorum is not present -
 - (i) for a special general meeting held on the request of parent members - the meeting is dissolved; and
 - (ii) for an annual general meeting or a special general meeting called by the Committee - the meeting is adjourned to the same day in the next week at the same time and (unless another place is specified by the Chair at the time of the adjournment or by written notice to parent members given before the day to which the meeting is adjourned) at the same place.
- 4) (4) If at the adjourned meeting a quorum is not present within half an hour of the time for the start of the meeting, the parent members present (not less than three) are a quorum.

19. WHO CHAIRS GENERAL MEETINGS?

- 1) The President or in the President's absence, the Vice-President, must chair each general meeting.

- 2) If the President and the Vice-President are absent from a general meeting or cannot chair, the parent members present at the meeting must select one of the parent members to be Chair.

20. ADJOURNMENT OF GENERAL MEETINGS

- 1) The Chair may, with the agreement of a majority of parent members present, adjourn the meeting from time to time and place to place.
- 2) No business can be conducted at an adjourned meeting other than the unfinished business from the adjourned meeting
- 3) If a meeting is adjourned for 14 days or more, notice of the adjourned meeting must be given in accordance with rule 20.
- 4) Except as provided in sub-rule (3), it is not necessary to give notice of an adjournment or of the business to be conducted at an adjourned meeting

21. REGISTER OF PARENT MEMBERS TO BE AVAILABLE AND COMPLETED BY MEMBERS

- 1) The Secretary must ensure that a Register of parent members is placed in a prominent place at each annual general meeting and at each special general meeting.
- 2) The Secretary must ensure that the Register of parent members contains sufficient space to enable each parent member attending the meeting to list their name and address.
- 3) Parent members must complete the Register before the meeting starts or, if there are special circumstances, before attempting to vote on any question.

22. HOW VOTING OPERATES AT GENERAL MEETINGS

- 1) Subject to sub-rule (5), a parent member can vote at an annual general meeting or a special general meeting of the SPJFC if the parent member has completed a valid entry in time in the Register of parent members.
- 2) A parent member has one vote and one vote only.
- 3) Votes must be given personally at meetings and cannot be given by proxy.
- 4) When there are equal votes on a question, the Chair may exercise a second or casting vote.
- 5) (a) A parent member cannot vote at –
 - (i) an annual general meeting unless all membership fees owing to the SPJFC in relation to relevant junior members have been paid in accordance with rule 10;
or
 - (ii) a special general meeting unless all membership fees owing to the SPJFC in relation to relevant junior members have been paid before the meeting.

(b) Despite paragraph (a), a parent can vote at the relevant meeting if membership fees have been fully subsidised or delayed by the Committee under rule 10.
- 6) A special resolution must be passed by at least 75% of the members present at the general meeting.

23. HOW POLLS ARE TAKEN AT GENERAL MEETINGS

- 1) If a poll at a general meeting is demanded on any question by not less than 3 parent members, it must be taken at that meeting in the manner the Chair directs. The poll is the resolution of the meeting on that question.
- 2) Despite sub-rule (1), any parent member may move at a general meeting that a secret ballot be held on any question. If the motion is seconded by another parent member and passed by a simple majority of parent members, the Chair must hold a secret ballot.
- 3) A poll demanded on the election of a Chair or on an adjournment at a general meeting must be taken immediately and a poll demanded on any other question must be taken before the close of the meeting as the Chair directs.

24. WHEN IS A RESOLUTION CARRIED AT A GENERAL MEETING

If a question at a general meeting of the SPJFC is determined on a show of hands of parent members present and is decided by a majority, save for special resolutions which are to be passed by at least 75% of the parent members present and voting, in accordance with Rule 21(6).

- a) a declaration by the Chair that a resolution is -

- (i) carried; or
- (ii) carried unanimously; or
- (iii) carried by a particular majority; or
- (iv) lost; and

- b) an entry to that effect in the minute book of the SPJFC

is evidence of the number or proportion of the votes on that resolution.

25. MINUTES OF GENERAL MEETING

- 1) The Committee must ensure that minutes are taken and kept of each general meeting.
- 2) The minutes must record the business considered at the meeting, any resolution on which a vote is taken and the result of the vote.
- 3) In addition, the minutes of each annual general meeting must include—
 - (i) the names of the members attending the meeting;
 - (ii) the financial statements submitted to the members in accordance with the Act;
 - (iii) the certificate signed by two committee members certifying that the financial statements give a true and fair view of the financial position and performance of the Association; and
 - (iv) any audited accounts or reviewed accounts and auditor's report or report of a review accompanying the financial statements that are required.

PART 6 – THE SPJFC COMMITTEE OF MANAGEMENT

26. WHAT ARE THE FUNCTIONS AND POWERS OF THE COMMITTEE?

- 1) The SPJFC is managed by the Committee.
- 2) The SPJFC Committee -
 - a. controls and manages the business and operations of the SPJFC; and
 - b. may, subject to these Rules, the Act and the Regulations, exercise all powers and functions of the SPJFC except the powers and functions required by these Rules to be exercised by general meetings; and
 - c. subject to these Rules, the Act and the Regulations, can perform all acts and things the Committee considers essential for the proper management of the SPJFC.
- 3) 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.
- 4) The delegation must be minuted and may be subject to the conditions and limitations the Committee considers appropriate.
- 5) The Committee may, in writing , revoke a delegation wholly or in part.

27. WHO IS ON THE COMMITTEE?

Subject to section 23 of the Act, the SPJFC Committee consists of the officers of the SPJFC who are elected at the annual general meeting each year.

28. WHO ARE THE OFFICE HOLDERS OF THE COMMITTEE?

- 1) The officers of the SPJFC are -
 - a. a President;
 - b. a Secretary;
 - c. a Treasurer;
 - d. no less than five other parent members of the SPJFC elected to hold office on the Committee.
- 2) Rule 28 applies to the election of persons to the offices specified in sub-rule (1).
- 3) Officers hold office until the next annual general meeting after their election and can be re-elected.
- 4) If there is a casual vacancy in an office, the Committee may appoint a Committee member or a parent member to the office and that member may continue in office until the end of the annual general meeting after the date of the appointment.

29. HOW ARE OFFICERS NOMINATED AND ELECTED?

- 1) Nominations of candidates for election as officers of the Committee
 - a. must be made in writing by the candidate; and
 - b. must be delivered in writing to the Secretary at least 7 days before the date fixed for the annual general meeting.
- 2) A candidate must be a Parent Member of the SPJFC and can only be nominated for one office at a time.
- 3) However, a Parent Member cannot stand as a candidate if:
 - a. the member has been found guilty of an indictable offence or, within the last 10 years, any offence involving assault or dishonesty; or
 - b. is an insolvent under administration within the meaning of the Corporations Act; or
 - c. the annual membership fee for a relevant junior member has not been paid in accordance with rule 9 (unless the fees have been subsidised or delayed in accordance with rule 10) or any other fee or levy owed to SPJFC or YJFL in respect of the relevant Junior Member is outstanding.
- 4) If the nominations equal the vacancies to be filled, the persons nominated are elected.
- 5) If the nominations exceed the vacancies to be filled, a ballot must be held.
- 6) The ballot for the election of officers of the Committee must be conducted at the annual general meeting and in the manner the Committee directs.

30. HOW VACANCIES ARISE ON THE COMMITTEE

The office of an officer of the SPJFC, is vacant immediately if the officer —

- a) is found guilty of an indictable offence or any offence involving assault or dishonesty; or
- b) is an insolvent under administration within the meaning of the Corporations Act; or
- c) is no longer a parent member of the SPJFC; or
- d) resigns from office by notice in writing given to the Secretary.

31. WHEN COMMITTEE MEETINGS MUST BE HELD

- 1) The Committee must meet at least 6 times each year at the places and times that the Committee determines.
- 2) Special meetings of the Committee may be called by the President or by any 5 members of the Committee.

32. HOW NOTICE OF COMMITTEE MEETINGS MUST BE GIVEN

- 1) Notice of Committee meetings must be given to each Committee member at least 3 business days before the meeting.

- 2) Notice of any special meeting must be given to Committee members specifying the general nature of the business to be conducted. No other business can be conducted at that meeting.
- 3) Notice must be given in writing and may be by e-mail or by posting the information on the SPJFC website (if the member has these), unless the Committee unanimously adopts another method.

33. WHAT IS THE QUORUM FOR COMMITTEE MEETINGS?

- 1) Any 5 members of the Committee are a quorum for a Committee meeting.
- 2) No business can be conducted unless a quorum is present.
- 3) If within half an hour of the time appointed for the meeting a quorum is not present -
 - (i) for a special meeting - the meeting lapses;
 - (ii) for any other case - the meeting is adjourned to the same place and the same time and day in the following week.
- 4) The Committee may act despite any vacancy on the Committee.

34. WHO CHAIRS COMMITTEE MEETINGS?

At Committee meetings -

- a) the President or in the President's absence, the Secretary, must chair; or
- b) if the President and the Secretary are absent or cannot chair, the members present must select one of them as Chair.

35. HOW VOTING OPERATES AT COMMITTEE MEETINGS

- 1) Questions at a Committee meeting or at a meeting of any sub-Committee of the Committee, must be determined on a show of hands or if a member asks, by a poll taken in the manner the Chair directs.
- 2) Each member present at a Committee meeting or at a meeting of any sub-Committee of the Committee (including the Chair), has one vote. If the votes on any question are equal, the Chair may exercise a second or casting vote.

36. HOW COMMITTEE MEMBERS CAN BE REMOVED

- 1) The SPJFC in general meeting may, by resolution passed by two-thirds of the parent members present at the meeting, remove a Committee member before the member's term ends and appoint another member until the term of the first-mentioned member ends.
- 2) A member who is the subject of a proposed resolution referred to in sub-rule (1) may make written representations to the Secretary or President of the SPJFC (of a reasonable length) and may ask that these be given to the parent members of the SPJFC.
- 3) The Secretary or the President may give a copy of the representations to each parent member of the SPJFC or, if they are not given, the member may require that they be read out at the meeting.

37. COMMITTEE MUST CONSULT TEAM MANAGERS

The Committee or a delegated Committee member or a sub-committee appointed for the purpose, must consult and meet regularly with the team managers of each SPJFC team.

38. SECRETARY TO KEEP MINUTES AND ATTENDANCE DETAILS

(1) The Secretary of the SPJFC must keep or cause to be kept minutes of general meetings and Committee meetings and details of the persons who attend those meetings.

(2) Members other than members of the Committee shall not be entitled to inspect Committee meeting minutes but the Committee may, at its discretion and on a resolution passed by simple majority, agree to allow a member to inspect such minutes if the Committee member so decide.

PART 5 – FINANCIAL AND ADMINISTRATIVE MATTERS

39. SECRETARY

1) The Secretary must perform any duty or function required under the Act to be performed by the secretary of an incorporated association.

Example

Under the Act, the secretary of an incorporated association is responsible for lodging documents of the association with the Registrar.

2) The Secretary must—

- a) maintain the register of members in accordance with these Rules; and
- b) keep custody of the common seal (if any) of the Association and, except for the financial records referred to in rule 70(3), all books, documents and securities of the Association in accordance with rules 72 and 75; 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; and
- d) perform any other duty or function imposed on the Secretary by these Rules.

3) The Secretary must give to the Registrar notice of his or her appointment within 14 days after the appointment.

40. FUNDS AND FINANCIAL REQUIREMENTS

1) The SPJFC may seek and obtain funds from:

- a) membership fees and levies
- b) sale of merchandise, food and drink
- c) fund-raising activities such as raffles, team and club functions
- d) sponsorship and donations
- e) grants and financial assistance from government and other bodies

- f) such other sources as the Committee may from time to time determine.
- 2) The assets and income of the SPJFC must be applied solely to further the purposes of the club. No portion is to be distributed directly or indirectly to members except as bona fide compensation for services rendered or expenses incurred on behalf of the SPJFC.

Note: The purposes of the SPJFC are set out in rule 2.

41. TREASURER

- 1) The Treasurer must—
 - a) receive all moneys paid to or received by SPJFC and issue receipts for those moneys in the name of the Association; and
 - b) ensure that all moneys received are paid into the account of the Association within 5 working days after receipt; and
 - c) make any payments authorised by the Committee or by a general meeting of the Association from the Association's funds; and
- 2) The Treasurer must—
 - a) ensure that the financial records of the Association are kept in accordance with the Act; and
 - b) coordinate the preparation of the financial statements of the Association and their certification by the Committee prior to their submission to the annual general meeting of the Association.
- 3) The Treasurer must ensure that at least one other committee member has access to the accounts and financial records of the Association.
- 4) All payments including cheques, other negotiable instruments and cash payments must be –
 - a) approved by at least two Committee members; and
 - b) signed off by the Treasurer and any other Committee member authorised by the Committee to make those approvals or to give that signature, as the case may be.

42. FINANCIAL RECORDS

- 1) The SPJFC 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 SPJFC must retain the financial records for 5 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.

43. FINANCIAL STATEMENTS

- 1) For each financial year, the Committee must ensure that the requirements under the Act relating to the financial statements of the SPJFC are met. The Committee may delegate this task to the Treasurer
- 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 Association;
 - e) the lodgement with the Registrar of the financial statements and accompanying reports, certificates, statements and fee.

44. HOLDING OF AND FIXING OF THE COMMON SEAL

- 1) The common seal of the SPJFC (if any) must be kept by the Secretary.
- 2) The common seal must not be fixed to documents except with Committee authority.
- 3) The fixing of the common seal must be attested by the signatures of at least two Committee members authorised by the Committee for that purpose.
- 4) SPJFC is not obliged to have or keep a common seal.

45. HOW NOTICES MUST BE GIVEN TO MEMBERS

Without affecting the requirements in rules 12, 14 and 31, any notice required to be given to a member, by on behalf of the SPJFC, under these Rules may be given by –

- a) delivery to the member in person, or
- b) e-mail, if the member has provided an email address ; or
- c) prepaid post addressed to the member at the member's address listed in the Members' Register.

46. WINDING UP AND CANCELLATION

- 1) SPJFC may be wound up voluntarily by special resolution.
- 2) In the event of the winding up or the cancellation of the incorporation of the Association, the surplus assets of SPJFC must not be distributed to any members or former members of the Association.
- 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 SPJFC 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.

47. HOLDING OF AND INSPECTION OF BOOKS AND RECORDS

Except as otherwise provided in these Rules, the Secretary must keep custody or control of all books, documents and securities of the SPJFC.

48. CUSTODY AND INSPECTION OF BOOKS AND RECORDS

- 1) Members may on request inspect free of charge—
 - a) the register of members;
 - b) the minutes of general meetings;
 - c) subject to subrule (2), the financial records, books, securities and any other relevant document of the Association, including minutes of Committee meetings.
- 2) The Committee may refuse to permit a member to inspect records of the Association that relate to confidential, personal, employment, commercial or legal matters or where to do so may be prejudicial to the interests of the Association.
- 3) The Committee must on request make copies of these rules available to members and applicants for membership free of charge.
- 4) Subject to subrule (2), a member may make a copy of any of the other records of the Association referred to in this rule and the Association may charge a reasonable fee for provision of a copy of such a record.
- 5) 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 Association and includes the following—

- a) its membership records;
 - b) its financial statements;
 - c) its financial records;
 - d) records and documents relating to transactions, dealings, business or property of the Association.
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49. SPECIAL AWARDS – PROCESS AND CRITERIA FOR AWARDING PLAYING LIFE MEMBERSHIPS, ADULT LIFE MEMBERSHIPS OR NAMING A PERPETUAL/SPECIAL AWARD (August 2017)

Procedure to be followed in awarding Special Awards

- 1) The Special Awards Committee will consist of 2 executive committee members and an existing Life Member of the SPJFC.
- 2) Any nomination for life membership should be made at least two meetings prior to the Annual General Meeting and made to this sub-committee.
- 3) While the nomination can come from any member, it must be 'sponsored' by a current serving Committee member.
- 4) It will then become the responsibility of that Committee member to present evidence to the Special Awards Committee regarding the nominee that will allow an informed decision by the Special Awards Committee, based on the criteria already set out, as to the worthiness of the nominee for the award.

The reason for placing the responsibility on the 'sponsor' or nominator is to stop the situation arising where little information is provided about a nominee, therefore making it difficult for Committee members to decide on the nomination.

- 5) Once a nomination has been received by the Special Awards Committee, the Secretary shall have responsibility of calling a special meeting of all Special Awards Committee members to decide on the nomination. This should be done in conjunction with the nominator to allow time to gather the relevant information. A second special meeting may be held if necessary.
- 6) While members not on the Special Awards Committee should be encouraged to provide information to such meetings, only the Special Awards Committee should be present at the meeting, unless the Special Awards Committee feels there are special circumstances requiring another person to attend. In such an event, this person should not be present when voting is undertaken.
- 7) At the meeting to decide on the nomination/s the Special Awards Committee shall, in regard to the following criteria, determine if the nomination is worthy. The emphasis in this determination should be heavily on critical appraisal of the level of service to SPJFC required attain the award that they have been nominated. If there is any doubt of such a level being achieved, or lack of information about the nominee that makes such a conclusion impossible, then Special Awards Committee members should consider voting in the negative.
- 8) Criteria for consideration are as follows. There are four areas of service in SPJFC:
 - a) Playing
 - b) Coaching/Managing
 - c) Administration
 - d) General contribution (including fund-raising, supporting and other issues that a Committee may see as relevant)

- 9) Where the nominee is not being put forward for the playing life membership, they must have an outstanding contribution in at least two of these areas and at least some contribution in two of the other three areas or contribution deemed appropriate at the discretion of the Committee. In determining the level of significance, the Committee members should consider this in the light of a very high quality service.
- 10) Once the nominator/sponsor has presented the information and all questions and comments have been made, the Special Awards Committee shall conduct a secret ballot on the worthiness of the nomination with the wider Executive Committee
- 11) There are no restrictions on how many Playing Life Memberships can be awarded in one year
- 12) Should there be more than one nomination for another special award, then each should be considered in turn with a preliminary ballot to be taken (again secret) by the Executive Committee to determine which nomination is to take precedent. This preliminary ballot is NOT a vote of worthiness of the nomination against the criteria, but merely a way of determining which nomination should be the one to be voted upon.
- 13) It is considered appropriate for either the President or Secretary to collect the votes. In the case of the need for a preliminary ballot the President/Secretary should count the votes and announce which nomination will be voted upon.
- 14) In the unusual circumstance where there is a tied preliminary vote or the Executive Committee considers more than one nomination is worthy, the Executive Committee may determine that more life memberships can be awarded. However, this must be only in extremely special circumstances, and no more than two can be awarded in any year.
- 15) Alternatively should the Executive Committee find it has two or more possible life members, it may consider setting a recommendation for the following year's Committee that one of the nominations be forwarded to the following year. Such a recommendation should then be considered by the following Committee separately and prior to any other nominations for that year.
- 16) The responsibility should be on the outgoing Secretary to ensure any such recommendation is received by the incoming Secretary for action.
- 17) The President/Secretary should take the final votes and count them. Life members may only be voted on by a minimum of five Executive Committee Members or their proxies (who need to be Life Members) with a minimum of 85% agreeing with the nomination. Given the importance of the decision Executive Committee Members are not allowed to abstain from voting.
- 18) All Executive and General Committee members should be aware that it is not necessary for a Life Membership to be granted each year.
- 19) The formal conferring of either an Adult Life membership or the Naming of a Perpetual Award shall be done at the first Annual General Meeting convened by the club following the making of a decision by the committee granting life membership.
- 20) The granting of an Adult Life Membership or the Naming of a Perpetual Award for services to the Club should be publicised by the club in any general emails which are sent out to players and parents and in any other way the committee sees fit.

- 21) The awarding of an Adult Life Membership or Naming of a Perpetual Award must be recorded in the Club's official records and on an honour board displayed in the clubrooms.
- 22) The awarding of Playing Life Membership is subject to the criteria outlined below.

Criteria to be used in granting a Playing Life Membership

Specific criteria to be considered in deciding whether to grant a playing life membership include:

- 1) Automatic Life membership is awarded based on the following
 - a) Being a registered player with Surrey Park Junior Football Club for at least 9 consecutive years and played in every season subject to injury and having also paid your registration fees in each of those 7 years
- 2) Other factors which will be relevant to the question of whether life membership should be granted include:
 - a) Making a positive and lasting contribution which have had a positive effect on the Club
 - b) Achievements that have demonstrated the nominee to be an outstanding person with an unreserved commitment to working for the betterment of the club
 - c) Commitment of the individual
 - d) Integrity of the individual
 - e) They will of needed to also play at the top age level of junior football at SPJFC in order to qualify
 - f) Subject to injury the player will of needed to have played in each year the minimum number of games that would of qualified them to play in finals for that given year.
- 3) The awarding of Playing Life Memberships can also be at the discretion of the Executive Committee
- 4) Benefits of the awarding of a Playing Life Membership will be:
 - a) Listing on the clubs website and other official documentation
 - b) Name etched into the Honour Board for Playing Life Members

Criteria to be considered in granting Adult Life Membership

The granting of Life Membership is a great honour and should not be treated lightly.

Granting Life Membership is a balancing exercise. Criteria are provided for guidance, but it is the overall contribution of the nominee that must be evaluated. There is necessarily some subjectivity in the granting of Life Membership.

Life Membership is reserved for those whose contribution goes beyond the ordinary or even the excellent for an extended period of time.

Specific criteria to be considered in deciding whether to grant life membership include:

- 1) To have contributed to the Club to the degree necessary for Life Membership, a nominee will almost necessarily have been involved with the club for a significant time. While there is no 'minimum' period of involvement, a period of 6 years' active involvement is an indicator of a significant commitment. Involvement with Surrey Park Auskick will be taken into account in determining a person's period of "active involvement".
- 2) The nominee should be able to demonstrate a significant contribution to the running of Club over a majority of those years of membership. This may include:
 - a) significant contributions while holding positions on the Committee
 - b) making significant contributions in football related roles such as coach, trainer, runner and team manager
 - c) participating to a much greater extent than the average Member and making an outstanding contribution to the club
- 3) Other factors which will be relevant to the question of whether life membership should be granted include:
 - a) Making a positive and lasting contribution which have had a positive effect on the Club
 - b) Achievements that have demonstrated the nominee to be an outstanding person with an unreserved commitment to working for the betterment of the club
 - c) Commitment of the individual
 - d) Integrity of the individual
- 4) Benefits of the awarding of a Life Membership will be:
 - a) Exemption from all costs associated with social functions organised by the club (this privilege is only extended to the Life Member not their partner or other family members)
 - b) Personal invitations to both the Boys Colts and Girls Youth teams Best and Fairest awards evening
 - c) Listing on the clubs website and other official documentation
 - d) Name etched into the Honour Board for Life Members

Criteria to be considered in Naming a Perpetual Award

The Naming of a Perpetual Award is a great honour and should not be treated lightly.

The Naming of a Perpetual Award is a balancing exercise and criteria is provided below for guidance, but it is the overall contribution of the nominee that must be evaluated.

The Naming of a Perpetual Award is reserved for those whose contribution goes far beyond the ordinary or even the excellent for an extended period of time.

Specific criteria to be considered in deciding whether to Naming of a Perpetual Award include:

- 1) They need to be already be an existing Life Member prior to the consideration for this award
- 2) To have contributed to the Club to the degree necessary to have a Perpetual Award named after them, a nominee will almost necessarily have been involved with the club for a significant time. While there is no 'minimum' period of involvement, a period of 9 years' active involvement is an indicator of a significant commitment. Involvement with Surrey Park Auskick will be taken into account in determining a person's period of "active involvement".
- 3) The nominee should be able to demonstrate a significant contribution to the running of Club over a majority of those years of membership. This may include:
 - a) significant contributions while holding positions on the Committee
 - b) making significant contributions in football related roles such as coach, trainer, runner and team manager
 - c) participating to a much greater extent than the average Member and making an outstanding contribution to the club
- 4) Other factors which will be relevant to the question of whether the Naming of a Perpetual Award should be granted include:
 - a) Making a positive and lasting contribution which have had a positive effect on the Club
 - b) Achievements that have demonstrated the nominee to be an outstanding person with an unreserved commitment to working for the betterment of the club
 - c) Commitment of the individual
 - d) Integrity of the individual