

TABLE OF CONTENTS-CONSTITUTION

PART 1 – PRELIMINARY.....	2
(1)DEFINITIONS	2
(2) OBJECTS AND PURPOSE OF THE CLUB	2
PART 2 – MEMBERSHIP	3
(3) MEMBERSHIP QUALIFICATIONS.....	3
(4) NOMINATION FOR MEMBERSHIP	3
(5) LIFE MEMBERSHIP	3
(6) CESSATION OF MEMBERSHIP.....	3
(7) MEMBERSHIP ENTITLEMENTS NOT TRANSFERABLE.....	3
(8) REGISTER OF MEMBERS	3
(9) FEES AND SUBSCRIPTIONS	3
(10) MEMBERS LIABILITIES	4
(11) DISCIPLINING OF MEMBERS.....	4
PART 3 – THE MANAGEMENT COMMITTEE	4
(12) POWERS OF THE COMMITTEE	4
(13) CONSTITUTION AND MEMBERSHIP	5
(14) ELECTION OF MEMBERS.....	5
(15) VICE PRESIDENTS.....	5
(16) SECRETARY.....	6
(17) TREASURER.....	6
(18) CASUAL VACANCIES	6
(19) REMOVAL OF MEMBER.....	6
(20) MEETINGS AND QUORUM	6
(21) DELEGATION BY COMMITTEE TO SUB-COMMITTEE.....	7
(22) VOTING AND DECISIONS	7
PART 4 – GENERAL MEETINGS.....	8
(23) ANNUAL GENERAL MEETING – HOLDING OF	8
(24) ANNUAL GENERAL MEETING – CALLING OF AND BUSINESS AT.....	8
(25) SPECIAL GENERAL MEETING – CALLING OF	8
(26) PROCEDURE	9
(27) PRESIDING MEMBER.....	9
(28) ADJOURNMENT	9
(29) MAKING DECISIONS.....	9
(30) VOTING.....	10
(31) APPOINTMENT OF PROXIES.....	10
PART 5 – MISCELLANEOUS.....	10
(32) INSURANCE	10
(33) FUNDS – SOURCE	10
(34) FUNDS – MANAGEMENT	10
(35) ALTERATIONS OF RULES.....	11
(36) COMMON SEAL	11
(37) CUSTODY OF BOOKS	11
(38) INSPECTION OF BOOKS	11
(39) SERVICE OF NOTICES	11
SCHEDULE 1(Clause 21).....	11
SUB-COMMITTEES AND AFFILIATIONS OF CAMPBELLTOWN HARLEQUIN RUGBY CLUB.....	11



CONSTITUTION OF **CAMPBELLTOWN** **HARLEQUIN RUGBY CLUB**

PART 1 – PRELIMINARY

(1) DEFINITIONS

In these Rules:

“Full playing member” means any person, not a full time student, playing or intending to play any sport for the Club.

“Junior Playing Member” means any person, currently under 21 years of age, attending School or University, playing or intending to play any sport for the Club:

“Social member” means any person, not being a current full playing member or junior member, who has paid the prescribed membership fees.

“Secretary” means: (a) the person holding office under these rules as secretary of the club: or (b) if no such person holds that office – the public officer of the club;

“Special general Meeting” means a general meeting of the club other than an annual general meeting;

“The Act” means the Associations Incorporation Act, 1984;

“The Regulation” means the Associations Incorporation Regulation 1994;

1. In these Rules: (a) a reference to a function includes a reference to a power, authority and duty; and (b) a reference to the exercise of a function includes, if the function is a duty, a reference to the performance of the duty.
2. The provisions of the Interpretation Act, 1987 apply to and in respect of these Rules in the same manner as those provisions would so apply if these Rules were an instrument made under the Act.

(2) OBJECTS AND PURPOSE OF THE CLUB

- (1) The main objects of the Club are to foster and promote the development of the game of Rugby Union generally and in the Macarthur area and in particular, the Campbelltown Harlequin Rugby Club and to provide all participants with the opportunity to achieve their maximum potential.
- (2) To promote and affiliate other sports which may be considered appropriate by the Management Committee from time to time. In this

- regard, such affiliation will be formalised by the creation of a Sub-Committee as described in Clause 21(Sub Committees)
- (3) These objects may only be changed at an Annual General or Special General Meeting by a majority of two thirds of the members present and entitled to vote.

PART 2 – MEMBERSHIP

(3) MEMBERSHIP QUALIFICATIONS

There are three types of membership to the Club, being a Full Playing member, Junior Playing member and Social Member.

A person is qualified to be a “full playing” member of the Club, if the person completes an Australian Rugby Union Registration form and pays the prescribed annual Club membership fees to the Treasurer, is approved for membership by the Committee of the Club and is not suspended by the Club for any reason.

A person is qualified to be “social” member of the Club, if the person completes the nomination form and lodged with the Secretary and pays the prescribed annual social membership fee to the Treasurer.

(4) NOMINATION FOR MEMBERSHIP

Upon completion of the relevant form, the Secretary and Registrar shall enter the nominee’s name in the register of players or social members.

(5) LIFE MEMBERSHIP

A person(s) may be nominated for life membership at an Annual General Meeting and must be passed by a majority of members present at the Annual General Meeting.

(6) CESSATION OF MEMBERSHIP

A person ceases to be a member of the Club if the person: - dies, resigns membership or is expelled from the club.

(7) MEMBERSHIP ENTITLEMENTS NOT TRANSFERABLE

A right, privilege or obligation, which a person has by reason of being a member of the Club: (a) is not capable of being transferred or transmitted to another person; and (b) terminates on cessation of the person’s membership.

(8) REGISTER OF MEMBERS

The public officer of the Club must establish and maintain a register of members of the Club specifying the name and address of each person who is a member of the Club.

(9) FEES AND SUBSCRIPTIONS

The Annual fees and subscriptions shall be determined by the Management Committee annually, having regard to levies payable to other bodies and the Club’s Annual Budget. Members of the Club, must on admission to membership, pay to the Treasurer the fees as determined by the Management Committee. The Management Committee may approve or determine other fees in additional to the annual fees.

(10) MEMBERS LIABILITIES

The liability of a member of the Club to contribute towards the payment of the debts and liabilities of the Club or the costs, charges and expenses of the winding up of the Club is limited to the amount, if any, unpaid by the member in respect of membership of the club as required by clause 9 (Fees and subscriptions)

(11) DISCIPLINING OF MEMBERS

- (1) A complaint may be made by any member of the Club that some other member of the Club:
 - (a) has persistently refused or neglected to comply with a provision or provisions of these Rules; or
 - (b) has persistently and wilfully acted in a manner prejudicial to the interests of the Club and contrary to the Club's Code of Conduct.
- (2) On receiving such a complaint, the Executive Committee:
 - (a) must cause notice of the complaint be served on the member concerned; and
 - (b) must give the member at least 14 days from the time the notice is served to give notice within which to make submissions to the Committee in connection with the complaint; and
- (3) The Executive Committee may, by resolution, expel or suspend the member from the Club after considering the matter and being satisfied the facts alleged have been proved.
- (4) If the Executive Committee expels or suspends a member, the Secretary must, within 7 days, give written notice to the member of the action taken, of the reasons given and of the right of appeal under this Clause to a general meeting of the Management Committee. The expulsion or suspension does not take effect until such time as the period within which the member is entitled to appeal has expired.
- (5) A member may appeal within 7 days after notice of the resolution is served on the member by lodging notice with the Secretary, a notice to that effect.
- (6) At the hearing of the appeal, no other business shall be transacted other than the appeal matter. The Committee and member must be given the opportunity to state their cases orally or in writing or both. The Committee members present are to vote by secret ballot on the question of whether the original resolution should be confirmed, revoked or varied.

PART 3 – THE MANAGEMENT COMMITTEE

(12) POWERS OF THE COMMITTEE

The Committee is to be called the Management Committee of the Club (referred to as "The Committee") and subject to the Act, the Regulations and these Rules and to any resolution passed by the Club at a general meeting:

- (a) is to control and manage the affairs of the club; and
- (b) may exercise all such functions as may be exercised by the Club other than those functions that are required by these Rules to be exercised by a general meeting of members of the club and
- (c) Has power to perform all such acts and do all such things as appear to the Committee to be necessary or desirable for the proper management of the affairs of the club.

(13) CONSTITUTION AND MEMBERSHIP

Subject in the case of the first members of the Committee to Section 21 of the Act, the general committee is to consist of:

- (a) the office bearers of the club (5)(Executive Members); and
 - (b) at least 3 ordinary members
- each of whom is to be elected at the annual general meeting of the Club under Clause 24.

The structure of the Management Committee, shall be subject to the requirements of the Campbelltown Harlequin Rugby Club Strategic Plan, as may provide from time to time, However, the main office bearers of the Club (Executive Members) are to be:

- (a) the President
- (b) Vice President Administration and Vice President Football
- (c) the Treasurer; and
- (d) the Secretary

Each member of the committee is, subject to these Rules to hold office until the conclusion of the annual general meeting following the date of the member's elections, but is eligible for re-election.

In the event of a casual vacancy occurring in the membership of the Committee, the committee may appoint a member of the Club to fill the vacancy and the member so appointed is to hold office, subject to these Rules, until the conclusion of the annual general meeting next following the date of the appointment.

(14) ELECTION OF MEMBERS

Nominations of candidates for election as Office bearers of the Club or as ordinary members of the Committee:

- (a) must be made in writing, signed by 2 members of the Club and accompanied by the written consent of the candidate (which may be endorsed on the form of the nomination); and
- (b) must be delivered to the secretary of the Club at least 2 days before the date fixed for the holding of the annual general meeting at which the election is to take place.

If insufficient nominations are received to fill all vacancies on the Committee, the candidates nominated are taken to be elected and further nominations are to be received at the annual general meeting.

If insufficient further nominations are received, any vacant positions remaining on the committee are taken to be casual vacancies.

If the number of nominations received is equal to the number of vacancies to be filled, the persons nominated are taken to be elected.

If the number of nominations received exceeds the number of vacancies to be filled, a ballot is to be held.

The ballot for the election of office bearers and ordinary members of the committee is to be conducted at the annual general meeting in such usual and proper manner as the committee may direct.

(15) VICE PRESIDENTS

The Vice-Presidents should co-ordinate the Administrative & Football functions & report upon these matters to the Committee.

(16) SECRETARY

The Secretary of the Club must, as soon as practicable after being appointed as Secretary, lodge notice with the club of his or her address

It is the duty of the Secretary to keep minutes of:

- (a) all appointments of office bearers and members of the committee;
- (b) the names of members of the committee present at a committee meeting or a general meeting; and
- (c) all proceedings at committee meetings and general meetings

Minutes of proceedings at the meeting must be signed by the chairperson of the meeting or by the chairperson of the next succeeding meeting.

(17) TREASURER

It is the duty of the Treasurer of the Club to ensure:

- (a) that all money due to the Club is collected and received and that all payments authorised by the Club are made; and
- (b) that correct books and accounts are kept showing the financial affairs of the Club, including full details of all receipts and expenditure connected with the activities of the Club.

(18) CASUAL VACANCIES

For the purpose of these Rules, a casual vacancy in the office of a member of the Committee occurs if the member:

- (a) dies; or
- (b) ceases to be a member of the Club; or
- (c) becomes an insolvent under the administration of the Corporations Law; or
- (d) resigns office by notice in writing given to the secretary; or
- (e) is removed from office under Clause 19; or
- (f) becomes a mentally incapacitated person; or
- (g) is absent without the consent of the Committee from all meetings of the Committee held during a period of 6 months.

(19) REMOVAL OF MEMBER

The Club, in general meeting, may by resolution remove any member of the Committee from the office of member before the expiration of the member's term of office and may by resolution appoint another person to hold office until the expiration of the term of office of the member so removed.

If a member of the Committee to whom a proposed resolution referred to in Clause (1) relates makes representations in writing to the Secretary or President (not exceeding a reasonable length) and requests that the representations be notified to the members of the Club, the Secretary or the President may send a copy of the representations to each member of the Club or, if the representations are not so sent, the member is entitled to require that the representations be read out at the meeting at which the resolution is considered.

(20) MEETINGS AND QUORUM

- (1) The Management Committee must meet at least 3 times in each period of 12 months at such place and time as the Committee may determine
- (2) Additional meetings of the Management Committee may be convened by the President or by any member of the Committee;
- (3) Oral or written notice of a meeting of the Management Committee must be given by the Secretary to each member of the Committee at least 48

hours (or such other period as may be unanimously agreed on by the members of the Management Committee) before the time appointed for the holding of the meeting;

- (4) Notice of a meeting given under clause (3) must specify the general nature of the business to be transacted at the meeting and no business other than that business is to be transacted at the meeting, except business which the committee members present at the meeting unanimously agree to treat as urgent business.
- (5) Any 3 members of the Committee constitute a quorum for the transaction of the business of a meeting of the Committee.
- (6) No business is to be transacted by the committee unless a quorum is present and if, within half an hour of the time appointed for the meeting, a quorum is not present, the meeting is to stand adjourned to the same place and at the same hour of the same day in the following week.
- (7) If at the adjourned meeting a quorum is not present within half an hour of the time appointed for the meeting, the meeting is to be dissolved.
- (8) At the meeting of the Committee:
 - (a) the President or in the President's absence, one of the Vice Presidents is to preside; or
 - (b) if the President or both Vice Presidents are absent or unwilling to act, such one of the remaining members of the Committee as may be chosen by the members present at the meeting, is to preside.

(21) DELEGATION BY COMMITTEE TO SUB-COMMITTEE

- (1) The Committee may, by instrument in writing, delegate to one or more sub-committees (consisting of such members of the Club as the Committee thinks fit) the exercise of such of the functions of the Committee as are specified in the instrument, other than:
 - (a) this power of delegation; and
 - (b) a function, which is a duty, imposed on the Committee by the Act or by any other law.
- (2) A function the exercise of which has been delegated to a sub Committee under this Clause may, while the delegation remains unrevoked, be exercised from time to time by the sub Committee in accordance with the terms of the delegation.
- (3) A delegation under this Section may be made subject to such conditions or limitations as to the exercise of any function, or as to time or circumstances, as may be specified in the instrument of delegation.
- (4) Despite any delegation under this rule, the Committee may continue to exercise any function delegated.
- (5) Any act or thing done or suffered by a sub Committee acting in the exercise of a delegation under this rule has the same force and effect as it would have if it had been done or suffered by the Committee.
- (6) The committee may, by instrument in writing, revoke wholly or in part any delegation under this Rule.
- (7) A sub-Committee may meet and adjourn, as it thinks proper.
- (8) The number and nature of Sub-Committees may vary from time to time and are listed in Schedule 1 attached.

(22) VOTING AND DECISIONS

- (1) Questions arising at a meeting of the Committee or of any sub-Committee appointed by the Committee are to be determined by a majority of the

votes of members of the Committee or sub-Committee present at the meeting.

- (2) Each member present at a meeting of the Committee or of any sub-Committee appointed by the Committee (including the person presiding at the meeting) is entitled to one vote, but, in the event of an equality of votes on any question, the person presiding may exercise a second or casting vote.
- (3) Subject to Clause 20(5), the Committee may act despite any vacancy on the Committee.
- (4) Any act or thing done or suffered, or purporting to have been done or suffered, by the Committee or by a Sub Committee appointed by the Committee, is valid and effectual despite any defect that may afterwards be discovered in the appointment or qualification of any member of the Committee or sub-Committee.

PART 4 – GENERAL MEETINGS

(23) ANNUAL GENERAL MEETING – HOLDING OF

- (1) With the exception of the first Annual General Meeting of the Club, the Club must, at least once in each calendar year and within the period of 6 months after the expiration of each financial year of the Club, convene an Annual General Meeting of its members.

(24) ANNUAL GENERAL MEETING – CALLING OF AND BUSINESS AT

- (1) The Annual General Meeting of the Club is, subject to the Act and Clause 23, to be convened on such date and at such place and time as the Committee thinks fit.
- (2) In addition to any other business which may be transacted at an Annual General Meeting, the business of an Annual General Meeting is to include the following:
 - (a) the confirmation of Minutes of the last preceding Annual General Meeting and of any Special General Meeting held since that meeting;
 - (b) to receive from the Committee reports on the activities of the Club during the last preceding financial year;
 - (c) to elect office-bearers of the club and ordinary members of the Committee;
 - (d) to receive and consider the statement, which is, required to be submitted to members under Section 26(6) of the Act. (Financial Statements)
- (3) An Annual General Meeting must be specified as such in the notice convening it.

(25) SPECIAL GENERAL MEETING – CALLING OF

- (1) The Committee may, whenever it thinks fit, convene a special general meeting of the Club.
- (2) The Committee must on the requisition in writing of at least 5 per cent of the total number of members, convene a special general meeting of the Club.
- (3) A requisition of members for a special general Meeting:
 - (a) must state the purpose or purposes of the meeting; and
 - (b) must be signed by the members making the requisition; and
 - (c) must be lodged with the Secretary; and

- (d) may consist of several documents in a similar form, each signed by one or more of the members making the requisition.
- (4) If the Committee fails to convene a Special General Meeting to be held within 1 month after that date on which a requisition of members for the meeting is lodged with the Secretary, any one or more of the members who made the requisition may convene a Special General Meeting to be held not later than 3 months after that date.
- (5) A Special General Meeting convened by a member or members as referred to in Clause 4 must be convened, as nearly as is practicable in the same manner as general meetings are convened by the Committee and any members who consequently incurs expense is entitled to be reimbursed by the club for any expense so incurred.

(26) PROCEDURE

- (1) No item of business is to be transacted at a general meeting unless a quorum of members entitled under these rules to vote is present during the time the meeting is considering that item.
- (2) Five members present in person (being members entitled under these rules to vote at a general meeting) constitute a quorum for the transaction of the business of a general meeting.
- (3) If within half an hour after the appointed time for the commencement of a general meeting, a quorum is not present, the meeting:
- (a) if convened on the requisition of members, is to be dissolved; and
- (b) in any other case, is to stand adjourned to the same day in the following week at the same time and (unless another place is specified at the time of the adjournment by the person presiding at the meeting or communicated by written notice to members given before the day to which the meeting is adjourned) at the same place.
- (4) If at the adjourned meeting a quorum is not present within half an hour after the time appointed for the commencement of the meeting, the members present (being at least 3) is to constitute a quorum.

(27) PRESIDING MEMBER

- (1) The President or, in the President's absence, a Vice President, is to preside as Chairperson at each general meeting of the Club.
- (2) If the President and a Vice President are absent or unwilling to act, the members present must elect one of their number to preside as Chairperson at the Meeting.

(28) ADJOURNMENT

- (1) The Chairperson of a general meeting at which a quorum is present may, with the consent of the majority of members present at the meeting, adjourn the meeting from time to time and place to place, but no business is to be transacted at an adjourned meeting other than the business left unfinished at the meeting at which the adjournment took place.

(29) MAKING DECISIONS

- (1) A question arising at a general meeting of the Club is to be determined on a show of hands and, unless before or on the declaration of the show of hands, a poll is demanded, a declaration by the chairperson that a resolution has, on a show of hands, been carried or carried unanimously or carried by a particular majority or lost, or an entry to that effect in the

minute book of the Club, is evidence of the fact without proof of the number or proportion of the votes records in favour of or against that resolution.

- (2) At a general meeting of the Club, a poll may be demanded by the Chairperson or by at least 3 members present in person or by proxy at the meeting.
- (3) If a poll is demanded at a general meeting, the poll must be taken: immediately in the case of a poll which relates to the election of the chairperson of the meeting or to the question of an adjournment; or
 - (a) in any other case, in such manner and at such time before the close of the meeting as the chairperson directsand the resolution of the poll on the matter is taken to be the resolution of the meeting on that matter.

(30) VOTING

- (1) On any question arising at a general meeting of the club, a member has one vote only.
- (2) All votes must be given personally or by proxy but no members may hold more than 5 proxies.
- (3) In the case of an equality of votes on a question at a general meeting, the chairperson of the Meeting is entitled to exercise a second or casting vote.
- (4) A member or proxy is not entitled to vote at any general meeting of the Club, unless all money due and payable by the member or proxy to the Club has been paid, other than the amount of the annual subscription payable in respect of the then current year.

(31) APPOINTMENT OF PROXIES

- (1) Each member is to be entitled to appoint another member as proxy by notice given to the Secretary no later than 24 hours before the time of the meeting in respect of which the proxy is appointed.

PART 5 – MISCELLANEOUS

(32) INSURANCE

- (1) The Club must effect and maintain insurance under Section 44 of the Act.
- (2) In addition to the insurance required under Clause (1), the Club may effect and maintain other insurance.

(33) FUNDS – SOURCE

- (1) The funds of the Club are to be derived from annual subscriptions of members, sponsorship, donations and, subject to any resolution passed by the Club in general meeting, such other sources as the Committee determined.
- (2) All money received by the Club must be deposited as soon as practicable and without deduction to the credit of the Club's bank account.
- (3) The Club must, as soon as practicable after receiving any money, issue an appropriate receipt.

(34) FUNDS – MANAGEMENT

- (1) Subject to any resolution passed by the Club in general meeting, the funds of the Club are to be used in pursuance of the objects of the Club in such manner as the Committee determines.

- (2) All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments must be signed by a minimum of any two members of the Committee, being the Treasurer and one other.

(35) ALTERATIONS OF RULES

The statement of objects and these rules may be altered, rescinded or added to only by a special resolution of the Club.

(36) COMMON SEAL

- (1) The Common Seal of the Club must be kept in the custody of the Public Officer.
- (2) The Common Seal must not be affixed to any instrument, except by the authority of the Committee and the affixing of the Common Seal must be attested by the signatures either of 2 members of the Committee or of 1 member of the Committee and of the Public Officer or Secretary.

(37) CUSTODY OF BOOKS

Except as otherwise provided by these rules, the Public Officer must keep in his or her custody or under his or her control all records, books and other documents relating to the Club.

(38) INSPECTION OF BOOKS

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

(39) SERVICE OF NOTICES

- (1) For the purpose of these rules, a notice may be served by or on behalf of the Club on any member either personally or by sending it by post to the member at the member's address shown in the Register of members.
- (2) If a document is sent to a person by properly addressing, prepaying and posting to the persona letter containing the document, the document is, unless the contrary is proved, taken for the purposes of these rules to have been served on the person at the time at which the letter would have been delivered in the ordinary course of post.

SCHEDULE 1(Clause 21)

SUB-COMMITTEES AND AFFILIATIONS OF THE CAMPBELLTOWN HARLEQUIN RUGBY CLUB

- Campbelltown Harlequin Junior Rugby Club
- Old Jokers Golden Oldies Rugby
- Harlequin Rugby Softball Club
- Appin Harlequin Rugby Club