

# Avoca Beach Rugby Club Constitution

## 1 Definitions

(1) In this constitution:

*the Act* means the *Associations Incorporation Act 2009*.

*Club* means the Avoca Beach Rugby Club, incorporated under the Act

*Committee* means the committee constituted under the constitution.

*Director-General* means the Director-General of the Department of Services, Technology and Administration.

*Rugby* means the forms of rugby union football approved by the International Rugby Board and variants thereof

*ordinary committee member* means a member of the committee who is not an office-bearer of the club.

*Regulation* means the *Associations Incorporation Regulation 2010*.

*secretary* means:

- (a) the person holding office under this constitution 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.

(2) In this constitution:

- (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.

(3) The provisions of the *Interpretation Act 1987* apply to and in respect of this constitution in the same manner as those provisions would so apply if this constitution were an instrument made under the Act.

## 2 Objects

The **objects** of the club are:

- (1) To manage and control Rugby played in Avoca Beach and surrounding districts;
- (2) To develop, encourage and foster rugby in Avoca Beach and surrounding districts;

- (3) To assist generally in the promotion, conduct and propagation of rugby in Avoca Beach and surrounding districts, and to provide or assist in the provision of training, conditioning and teaching facilities for football played in accordance with the rules of rugby;
- (4) To purchase, hire, lease or otherwise acquire, for the objects of the club, any real or personal property and any rights or privileges which the club may think necessary or desirable for the carrying out of its objects or any of them;
- (5) To select, coach, manage and control Rugby teams to represent it from time to time in any match or fixture arranged by it against any other team or teams.

### **3 Membership generally**

- (1) A person is eligible to be a member of the club if:
  - (a) the person is a natural person, and
  - (b) the person has been nominated and approved for membership of the club in accordance with clause 4, 5 or 6.
- (2) The club will have five types of membership
  - (a) ordinary membership;
  - (b) social membership;
  - (c) junior membership;
  - (d) honorary membership; and
  - (e) life membership.

### **4 Ordinary, social and junior membership**

- (1) Nominees for ordinary and social membership must be at least 18 year of age.
- (2) Nominees for junior membership must be under 18 years of age. A junior member who reaches 18 years of age will, subject to other provisions of the constitution, automatically become an ordinary member when they reach that age.
- (3) A nomination of a person for ordinary or social membership of the club:
  - (a) must be made by a member of the club in writing in the form approved by the committee, and
  - (b) must be lodged with the secretary of the club.
- (4) As soon as practicable after receiving a nomination for membership, the secretary must refer the nomination to the committee which is to determine whether to approve or to reject the nomination.
- (5) As soon as practicable after the committee makes that determination, the secretary must:
  - (a) notify the nominee, in writing, that the committee approved or rejected the nomination (whichever is applicable), and
  - (b) if the committee approved the nomination, request the nominee to pay (within the period of 28 days after receipt by the nominee of the notification) the sum

payable under this constitution by a member as entrance fee and annual subscription.

- (6) The secretary, or delegate, must, on payment by the nominee of the amounts referred to in clause 11 within the period referred to in that provision, enter or cause to be entered the nominee's name in the register of members and, on the name being so entered, the nominee becomes a member of the club.
- (7) Ordinary and junior members will, subject to the remaining provisions of the Constitution, be entitled to play rugby on behalf of the club. Social members will, subject to the remaining provisions of the Constitution, not be entitled to play rugby on behalf of the club.
- (8) Junior members do not have the right to vote at any meetings of the club and do not have the right to be elected as officers of the club.

## **5 Honorary membership**

- (1) Honorary membership may be granted by the Committee without the payment of any subscription to any person provided that they have one of the following qualifications:
  - (a) A manager or member of any visiting country, interstate or overseas sporting team for the duration of the visit or any such term.
  - (b) Any member of a Rugby Union Football Club who is visiting the Avoca Beach district for the purpose of playing rugby against the club for the day of such a visit.
  - (c) A distinguished resident or visitor to the Central Coast district.
  - (d) A member of one of the Houses of Parliament of New South Wales or of the Commonwealth of Australia.
  - (e) Patrons of the club.
- (2) Except as otherwise provided, honorary members shall be entitled to exercise all the privileges of ordinary membership apart from the right to vote at any meetings of the club and the right to be elected as officers of the club.
- (3) The Committee shall have the power to cancel the honorary membership of any person at any time and without assigning any reason.

## **6 Life membership**

- (1) The club may from time to time appoint any past or present office bearer of the club, member of the Committee, financial member or any person who has rendered distinguished service to the club to be a life member.
- (2) No member shall be considered for life membership until the nominee has completed ten (10) years of consecutive, active and constructive service, or twelve (12) years in total of broken service has been observed.

- (3) In considering nominations for life membership the Committee must take into account the service rendered by the nominee to the Club, and ensure the service is compatible and comparable with that of the existing life members.
- (4) Notice of nomination for life membership must be made in writing by two members of the club and be given to the Secretary at least three (3) months prior to the annual general meeting at which the nomination will be considered.
- (5) Not more than two (2) new life members shall be nominated at any annual general meeting. If there are more than 2 applications the Committee may decide, at its absolute discretion, which nominations will be allowed to be considered.
- (6) The nomination is to be circulated to all committee members as soon as practicable by the Secretary and also to a committee of existing life members.
- (7) The committee of existing life members will be tasked to consider the nomination and make any recommendations on it back to the Secretary
- (8) The Committee will then consider the life membership application taking into account any recommendations from the existing life members. After considering all comments received both from life members and committee members the Committee will be then decide whether the application for life membership should be tabled at the next annual general meeting.
- (9) Should the Committee decide to table the nomination for life membership at the next annual general meeting, the nominations and the comments of life members should also be tabled and read at the meeting.
- (10) Any decision by the annual general meeting to appoint any life member must be passed by at least a three-quarters majority.
- (11) Every life member admitted in accordance with the Constitution shall be entitled to all the privileges of ordinary membership, and shall be entitled to receive a life member's Badge or Jacket or equivalent recognition of the award

## **7 Cessation of membership**

A person ceases to be a member of the club if the person:

- (a) dies, or
- (b) resigns membership, or
- (c) is expelled from the club, or
- (d) fails to pay the annual membership fee under clause 11 within 1 month after the fee is due.

## **8 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.

## **9 Resignation of membership**

- (1) A member of the club may resign from membership of the club by first giving to the secretary written notice of at least one month (or such other period as the committee may determine) of the member's intention to resign and, on the expiration of the period of notice, the member ceases to be a member.
- (2) If a member of the club ceases to be a member under subclause (1), and in every other case where a member ceases to hold membership, the secretary must make an appropriate entry in the register of members recording the date on which the member ceased to be a member.

## **10 Register of members**

- (1) The public officer of the club must establish and maintain a register of members of the club specifying the name and postal or residential address of each person who is a member of the club together with the date on which the person became a member.
- (2) The register of members must be kept in New South Wales:
  - (a) at the main premises of the club, or
  - (b) if the club has no premises, at the club's official address.
- (3) The register of members must be open for inspection, free of charge, by any member of the club at any reasonable hour.
- (4) A member of the club may obtain a copy of any part of the register on payment of a fee of not more than \$1 for each page copied.
- (5) If a member requests that any information contained on the register about the member (other than the member's name) not be available for inspection, that information must not be made available for inspection.
- (6) A member must not use information about a person obtained from the register to contact or send material to the person, other than for:
  - (a) the purposes of sending the person a newsletter, a notice in respect of a meeting or other event relating to the club or other material relating to the club or rugby generally, or
  - (b) any other purpose necessary to comply with a requirement of the Act or the Regulation.

## **11 Fees and subscriptions**

- (1) A member of the club must, on admission to membership, pay to the club a fee of \$1 or, if some other amount is determined by the committee, that other amount.
- (2) In addition to any amount payable by the member under subclause (1), a member of the club must pay to the club an annual membership fee of \$2 or, if some other amount is determined by the committee, that other amount:

- (a) except as provided by paragraph (b), before 1 April in each calendar year
- (b) if the member becomes a member on or after 1 April in any calendar year—on becoming a member and before 1 April in each succeeding calendar year.

## **12 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 11.

## **13 Resolution of disputes**

- (1) A dispute between a member and another member (in their capacity as members of the club), or a dispute between a member or members and the club may be heard and determined by the committee.
- (2) In hearing such a dispute the committee may hear any evidence as it deems necessary for the proper determination of the dispute.
- (3) The committee may refuse to deal with a dispute if it considers the dispute to be trivial or vexatious in nature.
- (4) After hearing a dispute the committee may refer the dispute to a community justice centre for mediation under the *Community Justice Centres Act 1983*.
- (5) If a dispute is referred to a community justice centre for mediation and the dispute is not resolved by mediation within 3 months of the referral to a community justice centre, the committee may refer the dispute to arbitration.
- (6) The *Commercial Arbitration Act 1984* applies to any such dispute referred to arbitration.
- (7) Disciplinary matters under clause 14 are not disputes within the meaning of this clause.

## **14 Disciplining of members**

- (1) complaint may be made to the committee by any person that a member of the club:
  - (a) has refused or neglected to comply with a provision or provisions of the constitution, or
  - (b) has wilfully acted in a manner prejudicial to the interests of the club; or
  - (c) has breached the law, regulations and codes of the International Rugby Board and its affiliate members, including the Australian Rugby Union, the New South Wales Rugby Union, New South Wales Junior Rugby Union, NSW Country Rugby Union, NSW Country Junior Rugby Union, Central Coast Rugby Union and Central Coast Junior Rugby Union.
- (2) the committee may refuse to deal with a complaint if it considers the complaint to be trivial or vexatious in nature.

- (3) If the committee decides to deal with the complaint, the committee:
  - (a) may immediately suspend the membership of the member until the committee has made a resolution in relation to the complaint,
  - (b) must cause notice of the complaint to be served on the member concerned, and
  - (c) must give the member at least 14 days from the time the notice is served within which to make submissions to the committee in connection with the complaint, (unless the member agrees to make submissions within an earlier time), and
  - (d) must take into consideration any submissions made by the member in connection with the complaint.
  
- (4) The committee may, by resolution, impose a penalty on the member including (but not limited to):
  - (a) a fine;
  - (b) requiring the member to undergo education and training;
  - (c) requiring the member to make an apology in person or in writing;
  - (d) suspending the member from membership; and/or
  - (e) expelling the member from the club; if, after considering the complaint and any submissions made in connection with the complaint, it is satisfied that the facts alleged in the complaint have been proved and the penalty is warranted in the circumstances.
  
- (6) If the committee resolves to impose a penalty will take effect immediately.
  
- (7) In imposing the penalty the committee may resolve to suspend the penalty either:
  - (a) until the expiration of the period within which the member is entitled to appeal against the resolution concerned, or
  - (b) if within that period the member exercises the right of appeal, unless and until the club confirms the resolution under clause 15.

## **15 Right of appeal of disciplined member**

- (1) A member may appeal to the club in general meeting against a resolution of the committee under clause 14, within 7 days after notice of the resolution is served on the member, by lodging with the secretary a written notice to that effect (either in hard copy or digitally).
- (2) The notice must be accompanied by a statement of the grounds on which the member intends to rely for the purposes of the appeal.
- (3) On receipt of a notice from a member under subclause (1), the secretary must notify the committee which is to convene a general meeting of the club to be held within 28 days after the date on which the secretary received the notice.
- (4) At a general meeting of the club convened under subclause (3):
  - (a) no business other than the question of the appeal is to be transacted, and
  - (b) the committee and the member must be given the opportunity to state their respective cases orally or in writing, or both, and

- (c) the members present are to vote by secret ballot on the question of whether the resolution should be confirmed or revoked.

(5) The appeal is to be determined by a simple majority of votes cast by members of the club.

## **16 Powers of the committee**

- (1) Subject to the Act, the Regulation and this constitution and to any resolution passed by the club in general meeting, the committee:
  - (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 this constitution 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 including (but not limited to):
    - (i) appoint coaches and managers of the club's teams;
    - (ii) appoint a selection committee;
    - (iii) appoint its delegate(s) to the Central Coast Rugby Union or to such other Union or Unions to which or with which the Central Coast Rugby Union may from time to time be affiliated or associated.
    - (iv) make such other appointments as may be necessary to carry out the objects of the club.
    - (v) appoint an Auditor.
  - (d) has power to delegate to a Sub-Committee or Committees such matters as it deems fit and from time to time.
  - (e) has power to appoint any agent to carry out such duties as it deems fit.
- (2)(a) A decision of the committee shall not be rescinded unless notice of the motion for rescission signed by the proposer and seconder has been produced in writing and delivered to the Secretary no later than fourteen (14) days before a time appointed for a Special General Meeting or of any subsequent meeting and such motion is carried by a majority of those present at the meeting.
- (b) The Secretary shall notify the Management Committee of such rescission motion no later than seven (7) days prior to the meeting.

## **17 Composition and membership of committee**

- (1) The committee is to consist of the office-bearers of the club, each of whom is to be elected at the annual general meeting of the club under clause 18.
- (2) The office-bearers of the club are as follows:
  - (a) the patron (of which there may be a maximum of 5)
  - (b) president,
  - (c) the vice-president for seniors,
  - (c) the vice-president for juniors,
  - (c) the treasurer,
  - (d) the secretary,

- (e) juniors secretary,
  - (e) juniors registrar,
  - (f) seniors registrar,
  - (e) social secretary,
  - (f) delegate to Central Coast Rugby Union,
  - (g) delegate to Central Coast Junior Rugby,
  - (h) sponsorship co-ordinator.
- (3) A committee member may hold up to 2 offices (other than the president)).
- (4) Each member of the committee is, subject to this constitution, to hold office until the conclusion of the annual general meeting following the date of the member's election, but is eligible for re-election.

## **18 Election of committee members**

- (1) Nominations of candidates for election as office-bearers of the club or as ordinary committee members:
- (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 7 days before the date fixed for the holding of the annual general meeting at which the election is to take place.
- (2) 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.
- (3) If insufficient further nominations are received, any vacant positions remaining on the committee are taken to be casual vacancies.
- (4) If the number of nominations received is equal to the number of vacancies to be filled, the persons nominated are taken to be elected.
- (5) If the number of nominations received exceeds the number of vacancies to be filled, a ballot is to be held.
- (6) The ballot for the election of office-bearers and ordinary committee members of the committee is to be conducted at the annual general meeting in such usual and proper manner as the committee may direct.
- (7) A person nominated as a candidate for election as an office-bearer or as an ordinary committee member of the club must be a member of the club and must have fully paid all memberships fees owed by them to the club prior to nominating.

## **19 Secretary**

- (1) 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.

- (2) It is the duty of the secretary to keep minutes of:
  - (a) all appointments of office-bearers and members of the committee, and
  - (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.
- (3) Minutes of proceedings at a meeting must be signed by the chairperson of the meeting or by the chairperson of the next succeeding meeting.

## **20 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.

## **21 Casual vacancies**

- (1) 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 this constitution, until the conclusion of the annual general meeting next following the date of the appointment.
- (2) 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 administration within the meaning of the *Corporations Act 2001* of the Commonwealth, or
  - (d) resigns office by notice in writing given to the secretary, or
  - (e) is removed from office under clause 22, or
  - (f) becomes a mentally incapacitated person, or
  - (g) is absent without the consent of the committee from 3 consecutive meetings of the committee, or
  - (h) is convicted of an offence involving fraud or dishonesty for which the maximum penalty on conviction is imprisonment for not less than 3 months, or
  - (i) is prohibited from being a director of a company under Part 2D.6 (Disqualification from managing corporations) of the *Corporations Act 2001* of the Commonwealth.

## **22 Removal of committee members**

- (1) 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.

- (2) If a member of the committee to whom a proposed resolution referred to in subclause (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.

### **23 Committee meetings and quorum**

- (1) The committee must meet at least 6 times in each period of 12 months at such place and time as the committee may determine.
- (2) Additional meetings of the committee may be convened by the president or by any member of the committee.
- (3) Oral or written notice of a meeting of the committee (including via digital means) 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 committee) before the time appointed for the holding of the meeting.
- (4) Notice of a meeting given under subclause (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) A quorum of the committee shall constitute half of the committee plus one.
- (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 a meeting of the committee:
  - (a) the president or, in the president's absence, the vice-president is to preside, or
  - (b) if the president and the vice-president 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.

### **24 Delegation by committee to sub-committee**

- (1) The committee may, by instrument in writing, delegate to one or more sub-committees (consisting of such member or 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 clause 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 clause, 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 clause 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 clause.
  - (7) A sub-committee may meet and adjourn as it thinks proper.

## **25 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 23 (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.

## **26 Annual general meetings—holding of**

- (1) The club must hold its first annual general meeting within 18 months after its registration under the Act.
- (2) The club must hold its annual general meetings:

- (a) within 6 months after the close of the club's financial year, or
- (b) within such later time as may be allowed by the Director-General or prescribed by the Regulation.

## **27 Annual general meetings—calling of and business at**

- (1) The annual general meeting of the club is, subject to the Act and to clause 26, 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) to confirm the 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 committee members,
  - (d) to receive and consider any financial statement or report required to be submitted to members under the Act.
- (3) An annual general meeting must be specified as such in the notice convening it.

## **28 Special general meetings—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 one third 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 subclause (4) must be convened as nearly as is practicable in the same manner as general meetings are convened by the committee.

## **29 Notice**

- (1) Except if the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the club, the secretary must, at least 14 days before the date fixed for the holding of the general meeting, give a notice to each member

specifying the place, date and time of the meeting and the nature of the business proposed to be transacted at the meeting.

- (2) If the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the club, the secretary must, at least 21 days before the date fixed for the holding of the general meeting, cause notice to be given to each member specifying, in addition to the matter required under subclause (1), the intention to propose the resolution as a special resolution.
- (3) No business other than that specified in the notice convening a general meeting is to be transacted at the meeting except, in the case of an annual general meeting, business which may be transacted under clause 27.
- (4) A member desiring to bring any business before a general meeting may give notice in writing of that business to the secretary who must include that business in the next notice calling a general meeting given after receipt of the notice from the member.

### **30 Quorum for general meetings**

- (1) No item of business is to be transacted at a general meeting unless a quorum of members entitled under this constitution to vote is present during the time the meeting is considering that item.
- (2) Fifteen members present (being members entitled under this constitution 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) are to constitute a quorum.

### **31 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.

### **32 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.

- (2) If a general meeting is adjourned for 14 days or more, the secretary must give written or oral notice of the adjourned meeting to each member of the club stating the place, date and time of the meeting and the nature of the business to be transacted at the meeting.
- (3) Except as provided in subclauses (1) and (2), notice of an adjournment of a general meeting or of the business to be transacted at an adjourned meeting is not required to be given.

### **33 Making of decisions**

- (1) A question arising at a general meeting of the club is to be determined by either:
  - (a) a show of hands, or
  - (b) if on the motion of the chairperson or if 5 or more members present at the meeting decide that the question should be determined by a written ballot—a written ballot.
- (2) If the question is to be determined by a show of hands, 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 recorded in favour of or against that resolution.
- (3) If the question is to be determined by a written ballot, the ballot is to be conducted in accordance with the directions of the chairperson.

### **34 Special resolutions**

A special resolution may only be passed by the club in accordance with section 39 of the Act.

### **35 Voting**

- (1) On any question arising at a general meeting of the club a member has one vote only.
- (2) 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.
- (3) A member is not entitled to vote at any general meeting of the club unless all money due and payable by the member to the club has been paid.
- (4) A member is not entitled to vote at any general meeting of the club if the member is under 18 years of age.

### **36 Proxy votes not permitted**

Proxy voting must not be undertaken at or in respect of a general meeting.

**Note.** Schedule 1 of the Act provides that an club's constitution is to address whether members of the club are entitled to vote by proxy at general meetings.

### **37 Postal ballots**

- (1) The club may hold a postal ballot to determine any issue or proposal (other than an appeal under clause 15).
- (2) A postal ballot is to be conducted in accordance with Schedule 3 to the Regulation.

### **38 Colours and playing uniform**

- (1) The colours of the club shall be:  
Emerald green, royal blue and yellow gold.
- (2) The club's Playing Uniform shall be:-
  - (a) Jersey: Emerald Green with two Royal Blue Hoops separated by one Yellow Gold Hoop around the chest and on the sleeves which are all four (4) centimetres in width.
  - (b) Shorts: Black.
  - (c) Socks: Emerald Green with a Royal Blue and Yellow Gold Hoop on the body of the hose and on the fold down.
- (3) The committee may approve advertising to be placed on the playing uniform.