

# ***THE GEELONG AMATEUR FOOTBALL AND NETBALL CLUB***

## ***CONSTITUTION***

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**AS RATIFIED BY THE SPECIAL GENERAL MEETING OF THE CLUB  
HELD ON THE 29th OF FEBRUARY, 2000, AT QUEENS PARK CLUBROOMS.**

### **Part I - Name**

- Name 1. The club shall be called **The Geelong Amateur Football And Netball Club Incorporated**

### **Part II - Definitions**

- Definitions 2. These Presents “these presents” shall mean the Constitution and the Regulations and the By-Laws of the Club from time to time in force.
- The Club “The Club” shall mean The Geelong Amateur Football And Netball Club Incorporated
- The General Committee “The General Committee” shall mean the General Committee of the Club which is elected in accordance with these presents.
- Absolute Majority “Absolute Majority” shall mean a majority of three quarters or more of the persons entitled to vote as set out in accordance with these presents.
- Simple Majority “Simple Majority” shall mean a majority composed of more than one half of the persons entitled to vote as set out in accordance with these presents.
- Member “Member” shall mean any person who is admitted to membership of the Club in accordance with these presents.

### **Part III - Object And Powers**

- Objects 3. The objects of the Club shall be -
- (a) To promote, advance, cultivate and foster football played under Australian Rules.
  - (b) To promote and control a football team or teams with any Football & Netball Body, League, Association as the General Committee shall decide.
  - (c) To promote ,advance , cultivate and foster Netball played under Netball Australia.
  - (d) To enhance cordial relations with members of other teams affiliated with members of other sporting bodies.

- Powers 4. The powers of the club through the General Committee shall be -
- (a) Generally to do all things including the acquisition whether by lease, purchase or otherwise of property both real and personal, as may appear to be conducive or coincidental to the to the attainment of the above objects or any one of them.
  - (b) To invest such funds belonging to the Club as might not immediately be required for the furtherance of the aforesaid objects (save and except monies received by The Club for a specific purpose) and in a manner decided by an absolute majority by the General Committee.
  - (c) To borrow money charging the property and assets of The Club where it is deemed to be conducive or essential to the attainment of the above mentioned objects or any one of them provided that liability upon such loans and all costs incurred , or likely to be incurred, in relation to the current market value of the assets of The Club. And provided further that such power shall only be exercised by an absolute majority of The General Committee

- (d) To obtain, distribute and sell club apparel such as jumpers, shirts, windcheaters, caps and other such items as consistent with the above mentioned objects.

#### **Part IV - Club Colors**

##### Club Colors

5. The club colors shall be dark green and pale blue and the design of any club apparel - including jumpers, shirts, caps, windcheaters or like shall be approved by the General Committee.

#### **Part V - Memberships**

##### Prerequisites

6. The general Committee shall in it's absolute discretion have power to admit to membership of The Club any persons upon such terms and subject to such regulations or restrictions as it may from time to time deem advisable in accordance with these presents.

##### Classes Of Membership

7. Any such person so admitted to membership shall either be a senior football member, junior football member, netball member , life member or social member of The Club.

##### Senior Member

8. (a) In each year any member who is of the age of eighteen or over on the 1<sup>st</sup> of April shall be a senior member and -

##### Junior Member

- (b) In each year any member who is under the age of eighteen years on the 1<sup>st</sup> of April shall be a junior member.

##### Netball Member

- (c) Any person so admitted to membership by virtue of payment of the nominated membership subscription to the Geelong Amateur Netball General Committee shall be a Netball Member.

##### Life Member

- (d) (i) Honorary Life Membership may be conferred upon any member of The Club, who in the opinion of The General Committee has rendered special service to The Club, provided that any proposal for life membership shall be nominated by The General Committee to the Annual General Meeting. And confirmed by an absolute majority of the members present at such Annual General Meeting.
- (ii) An Honorary Life Member shall have the same rights and obligations as a senior member of The Club.

##### Social Member

- (e) Any such person admitted to membership by virtue of payment of the nominated membership subscription and acceptance by The General Committee.

##### Subscriptions

9. Subscriptions shall become due on the first day of April in each and every year and shall be payable at such rate or rates and in such a manner as The General Committee may in its absolute discretion, from time to time, determine. The General Committee reserves the right to cancel, suspend or disqualify any membership it may deem appropriate.

##### Financial Members

10. In the case of a member whose subscription remains unpaid by the 1<sup>st</sup> day of June in any year, the Secretary shall notify the person in writing or verbally. Unless that person makes themselves financial on or before the 1<sup>st</sup> of July then the person will be ineligible to represent The Club. The matter of late or part payments will be at the discretion and determination of The Club Secretary. If payment of membership is not received by the nominated date then the said person shall cease to have any rights of membership in accordance with these presents and The General Committee may remove the persons name from the Membership Register of The Club.

Expulsion 11. The General Committee shall have the right to reprimand, suspend or expel any member whose conduct , in the view of The General Committee, is injurious to the character and interests of The Club. By means of an absolute majority resolution provided that notice of the intention to propose such a resolution shall be given to all General Committee Members at least seven days prior to the meeting. And provided further that in the exercise of this power the principles of natural justice shall be observed and the member whose conduct is so impugned shall be given reasonable opportunity of defending himself and meeting the accusations brought against him.

Right Of Appeal 12. Any member so reprimanded, suspended or expelled in accordance with paragraph eleven hereof shall have a right of appeal to a Special General Meeting of The Club convened by such member. Provided that such Special Meeting shall be otherwise convened in accordance with these presents and provided further that such reprimand, suspension or expulsion shall stand unless an absolute majority of Such Special General Meeting decides otherwise.

### **Part VI - General Committee**

Constitution Of The General Committee 13. The General Committee shall consist of The Club President, a number NOT exceeding two Vice - Presidents, including one Senior Vice President, Honorary Secretary, Honorary Treasurer and eight Committee Persons. No member shall hold more than one position on The General Committee.

Power To Co-Opt 14. The General Committee shall have the power to Co-Opt such other member or members as it may from time to time , in its absolute discretion, think fit. Provided that such member shall not have the right to vote at meetings of The General Committee.

Powers 15. Notwithstanding and in addition to the powers set out in these presents The General Committee shall have the following powers and duties -:

- (a) To fill casual vacancies on The General Committee.
- (b) To appoint such officers, delegates, representatives, servants or agents as it deems necessary to attain the objects herein.
- (c) To dismiss such officers, delegates, representatives, servants or agents as it deems necessary.
- (d) To make, repeal, amend and enforce by-laws as it deems necessary for the good conduct of the affairs of The Club and for carrying out the objects herein.
- (e) To appoint such Sub-Committee or Sub-Committees as it deems necessary for the proper running of The Club.
- (f) To appoint an Honorary Assistant Secretary, an Honorary Assistant Treasurer and such other Honorary officers as it deems necessary for the proper execution of the objects herein. And if such office holder or office holders are not already members of The General Committee they may be invited to attend meetings of The General Committee for the purpose of discussing their duty or duties but shall not have the right to vote.
- (g) To take and defend all legal proceedings by or on behalf of The Club and to retain such representation as it deems necessary.
- (h) To keep necessary accounts and books showing the financial affairs of The Club with full details of receipts and disbursements and other particulars usually shown in books of account of a like nature.

- Election 16. At the Annual General Meeting of The Club all positions on The General Committee shall be declared open for election. And an election or elections shall take place to fill those positions in accordance with these presents provided that the holders of such office until the conclusion of such Annual General Meeting save as hereinafter provided.
- Nomination 17. Nominations for all General Committee positions must be proposed in writing by a member and signed by the nominator and the member seconding such motion. And it must be received by the Secretary at least 72 hours prior to the appointed time for the Annual General Meeting.
- Acceptance By Nominee 18. Every nomination shall contain a signed statement by the member nominated in accordance with paragraph seventeen hereof that he is willing to act in the position if elected.
- Election Of President 19. The President of The Club shall be elected by secret preferential ballot at the Annual General Meeting provided that immediately before such election, if the out going President has been nominated for re-election and is in the chair, he shall vacate the chair and a chairman shall be elected from the floor of the meeting by way of a show of hands. And further provided that such chairman shall remain in the chair until the incoming President has been elected at which stage the incoming President shall take office and the chair.
- Election Of Other Committeemen 20. The other General Committee members shall be elected by secret preferential ballot immediately after the election of the President.
- Vacancy Within General Committee 21. The office of a member of the General Committee shall become vacated in the following circumstances - :
- (a) If he ceases to be a member.
  - (b) If he becomes bankrupt or insolvent.
  - (c) If he is found lunatic or becomes unsound of mind.
  - (d) If he submits his resignation in writing to the Secretary
  - (e) If his office is declared vacant by an absolute majority at a Special General Meeting
  - (f) If he absents himself from four consecutive meetings of The General Committee without leave of absence.
- Filling Of Vacancies 22. Where a vacancy occurs within the General Committee the other members of The general the rights Committee may appoint any member of The Club to fill the vacancy and such member shall assume the rights of and shall become, for the purpose of these presents, a member of the General Committee.
- General Committee 23. The General Committee shall meet at such times and in such places as it decides provided that a Special General Meeting may be called at any time by the President or upon requisition signed by two General Committee members or in the event of emergency by the Secretary.
- Quorum 24. Four general Committee members personally present shall form a quorum at any meeting of The General Committee.
- General Committee Decisions. 25. All General Committee decisions shall be made by means of a simple majority except where otherwise required by these presents.
- Minute Book 26. The General Committee shall cause to be kept a minute book showing all proceedings at it's meetings.
- Chairman's Vote 27. The chairman at any meeting of The General Committee shall have a deliberative and casting vote.
- Audit 28. Once in every year the accounts of The Club shall be examined by the Honorary Auditor who shall certify to the correctness of the books of account of The Club.

**Part VI - Annual General Meeting**

- Annual General Meeting 29. An annual General Meeting of the members of The Club shall be held in each year at such date as the General Committee shall decide, but, not being a date earlier than the 1<sup>st</sup> day of September or later than the first day of march the following year.
- Purpose Of Annual General Meeting 30. The purpose of The Annual General Meeting shall be - :
- (a) To receive the Annual Report of The President.
  - (b) To receive the Annual Report of The Treasurer.
  - (c) To elect members of The General Committee
  - (d) To appoint an Honorary Auditor.
  - (e) To elect any Life Members.
  - (f) To transact any ordinary business of The Club in accordance with these presents.
- Notice 31. Notice of The Annual general Meeting shall be posted to each member of The Club by the Secretary at least 14 days before the date of such meeting and such notice shall state - :
- (a) The time , date, and place of the meeting.
  - (b) That nominations for The General Committee members must be received by the Secretary at least seventy-two (72) hours prior to the appointed time for such meeting.
  - (c) That nominations for the appointment of the Honorary Auditor must be received by the Secretary at least seventy-two (72) hours prior to the appointed time for such meeting.
  - (d) That such notices of Motion must be received by the secretary at least seven (7) days prior to the appointed time for such meeting and must be sighted by two members.
- Agenda 32. Prior to the commencement of the Annual General Meeting the Secretary shall make available to all members present at such Annual General Meeting an agenda setting out the business of the meeting , together with all Notices Of Motions received in accordance with paragraph thirty one hereof. Only such business contained in the agenda shall be considered by the meeting unless an absolute majority decides otherwise.
- Nominations Falling Short 33. In the event of insufficient nominations being received by the Secretary in accordance with paragraph seventeen hereof the Chairman shall call for nominations from the floor, provided that each member so nominated shall consent to the nomination.
- Quorum 34. Twenty Senior members shall constitute a quorum at any Annual General Meeting or Special General Meeting.
- Voting 35. Only senior members shall have voting or nomination rights at or in relation to the Annual General Meeting.
- Voting By Proxy 36. Votes may be given either personally or by proxy provided that a proxy shall be appointed in writing under the hand of the appointer and provided further that no person shall act as proxy unless he is a member of The Club and the instrument appointing him shall have been received by the Secretary at least seventy two (72) hours before the time appointed for the Annual General Meeting. A proxy shall be in or to the same effect as the following form - :
- “I hearby appoint ..... my proxy to vote for me at the Annual General Meeting of the members of The Geelong Amateur Football And Netball Club to be held on ..... or at any adjournment thereof.”
- A proxy may contain such limitations on voting as the appointer thinks fit.
- Voting By Show Of Hands 37. Except where otherwise required by these presents, voting at the Annual General Meeting shall be by way of a show of hands and shall be by simple majority, provided that any time a secret ballot may be called for by a simple majority of those present.

- Chairman 38. The President shall preside at the Annual General Meeting provided that in his absence the Meeting shall elect, by simple majority, some other member of the General Committee to preside.
- Special General Meeting 39. A Special General Meeting of The Club shall only be held by direction of The General Committee or on the written request to the Secretary, signed by not less than twenty senior members. And such direction or written request shall set out the purpose or purposes for which such meeting is to be held.
- Time For Meeting 40. Such direction or written request shall be delivered to the Secretary and such Special general Meeting shall take place within one calendar month after the receipt , by the Secretary, of the direction or written request.
- Notice By Secretary 41. The Secretary shall send to every senior member a notice of the time , date, place and object of the Special general Meeting, not less than fourteen (14) days prior to the date of the meeting.
- Quorum 42. If within half an hour from the time appointed for the Special General Meeting a quorum of twenty senior members is not present, the meeting if convened by written request, shall be dissolved. And if convened by direction of the General Committee shall stand adjourned until the same day in the following week and at the same place and time provided further that if such adjourned meeting a quorum is not present it shall be adjourned sine die.
- Business At Meeting 43. At a Special General Meeting only those matters contained in the notice by the Secretary convening the meeting shall be taken into consideration.
- Chairman 44. The President shall preside at any Special General Meeting provided that in his absence the meeting shall elect , by simple majority, some other member of The General Committee to preside.
- Voting 45. Voting at any Special General Meeting shall be way of show of hands by those senior members personally present and shall be by absolute majority, provided that at any time a secret ballot may be called for by a simple majority of those present.

### **Part IX - Life Members**

- Bestowal Of Life Membership 46. Honorary Life Membership may be conferred upon any member of the Club , who in the opinion of The General Committee, has rendered special service to the club. Provided that any proposal for Life Membership shall be nominated by The General Committee to the Annual General Meeting. And confirmed by an absolute majority of the members present at such Annual General Meeting. And provided further that not more than three Honorary Life Members shall be elected in any one year.
- Rights Of Members 47. An Honorary Life member shall have the same rights and obligations as a senior member of the Life club.

### **Part X - General**

- Chairman At Meetings 48. At all meetings of The Club and any Committee or Sub-Committee of The Club, the Chairman shall have a deliberative and casting vote , unless otherwise provided by those present.
- Minutes 49. The Sectary shall cause to be kept minutes of each Annual General Meeting which shall be confirmed at the next Annual General Meeting. The Secretary shall cause to be kept minutes of each Special General Meeting which shall be confirmed at the next Special General meeting or Annual General Meeting which ever is sooner.

- Receipt Of Money 50. All money due or payable to The Club shall be given to and received by The Treasurer or some other person authorised by The General Committee. And shall be paid into the banking account or accounts for the time being of The Club. All bills, levies and accounts incurred and payable by The Club shall be presented to The General Committee for approval and shall be given to The Treasurer for payment if and when approved.
- Cheques Etc.. 51. All cheques drawn on any banking accounts of The Club and all withdrawal forms shall be counter signed by The Treasurer.
- Appointment Trustees 52. The General Committee shall appoint a Trustee or Trustees in whom the assets of The Club shall Of be vested on trust for The Club and it's members.
- Eligibility Of Trustees 53. Any person appointed Trustee shall be a member of The Club and may hold office within The Club.
- Trustees To Be Subject To General Committee 54. The Trustee or Trustees shall at all times be bound by the decisions of The General Committee.
- Actions By And Against Trustees 55. The Trustee or Trustees shall bring all actions on behalf of The Club in respect of The Club property and all actions against The Club in respect of The Club property shall be brought against the Trustee or Trustees.
- Resignation Of Trustees 56. Each Trustee shall continue to be a Trustee until his resignation, death or suspension.
- Clearances 57. Clearances shall be handled in the manner required by the affiliation body from which they are received.
- Club Winding Up / Disbanding Clause 58. In the event that the club or organisation is disbanded , the clubs assets and property , after payments of all debts and liabilities , will not be distributed to members but will be distributed to a fund with objectives similar to those of the club or organisation and / or to a fund which is appropriated exclusively for charitable purposes or which is incorporated under the Associations Incorporation Act 1981.
- Club Negligence Liability Clause 59. In the event that a person or persons should bring any action of negligence or any action of criminal or civil wrong doing against the club , the person or persons bringing the action against the club can only claim a total amount of one dollar in any restitution or negligence claim. In the event that any person or persons should bring any action of negligence or any action or criminal or civil wrong doing against the Executive Committee or any other committee of the club , the club shall be bound by the Associations Incorporation Act 1981 and the clubs Constitution.

### **Part XI - Coaches**

- Applications Called Annually 60. Before the 15<sup>th</sup> of February in each year, written applications for the appointment as Coach for each team promoted by The Club shall be called by public announcement in the local press and other manner as The General Committee decides. Unless the current Senior and / or Reserves Coach has been re-appointed for the following year.
- Appointment General Committee 61. Each Coach shall be appointed by The General Committee from the applications received by The By Secretary provided that any or all of the applications may be rejected by a simple majority without a reason.
- Applications Falling Short 62. In the event of the applications for any or all of the appointments as coach falling short of the requirements of these presents or The General Committee shall appoint the Coach or coaches as it considers necessary.

**Part XII - Sub - Committees**

- Appointment 63. The General Committee may appoint sub-committees and delegate to them such power as it thinks necessary. Any sub-committee may include members who are not members of The General Committee.
- Reports 64. Each Sub-Committee shall report to The General Committee its decision or decisions which shall be subject to confirmation by The General Committee, except in cases where it is given full power to act.
- Vacancies 65. The General Committee may appoint additional members to or fill vacancies on any sub-committee.
- Ex-Officio Members 66. The President, Secretary and Treasurer shall be ex-officio members of every committee and sub-committee unless otherwise provided in these presents.

**Part XIII - Selection Committee**

- Selection Committee 67. The General Committee shall appoint each year, before the first match, a Selection Committee which shall have such powers and duties as The General Committee shall delegate.
- Composition 68. The General Committee shall appoint the members of The Selection Committee provided that it shall at all times contain the following -;
- (a) The Coach or Coaches of all Senior Teams
  - (b) The Captain or Captains of all Senior Teams
  - (c) A Chairman Of Selectors, who shall only have a casting vote.
- Secretary And Treasurer Not Ex-Officio 69. The Secretary and Treasurer shall not be ex-officio members of the Selection Committee.

**Part XIV - Junior Committee**

- Election 70. During the month of February in each year a meeting of The Club shall be held to elect a committee of not less than six, nor more than twelve, members who shall be known as The Junior Committee.
- Notice Of Meeting 71. Notice of such meeting shall be posted by The Secretary to each member of The General Committee, to each member of The Junior Committee of the previous year and to each junior member at least fourteen (14) days before the date of such meeting.
- Chairman 72. The President shall preside at such meeting, provided that in his absence, the meeting shall elect, by simple majority, some other senior member from the floor of the meeting to preside.
- Voting Rights 73. At such meeting all members personally present shall be entitled to vote.
- Nomination By Office Bearer 74. The Junior Committee shall within seven (7) days of its election nominate to the Secretary those whom it wishes from amongst its members to be Chairman, Vice Chairman, Honorary Junior Secretary and Honorary Junior Treasurer provided that The Honorary Junior Secretary may also act as the Honorary Junior Treasurer.
- Confirmation By General Committee 75. At its next meeting The General Committee shall consider and confirm the above mentioned nominations , provided that it shall have the power to reject any nomination, and substitute any other member of The Junior Committee.



Powers 76. The Junior Committee shall have powers as are conferred upon it from time to time by The General Committee.

Ex-Officio Members 77. Notwithstanding anything to the contrary hereinbefore contained, The President, Secretary and Treasurer of The Club shall be ex-officio members of The Junior Committee.

**Part XV - Alterations and Interpretation.**

Alteration 78. The Constitution may be repealed or altered only by a resolution carried by an absolute majority at an Annual General Meeting or a Special General Meeting.

Interpretation 79. The General Committee shall rule on the interpretation of these presents as from time to time is necessary.