



CONSTITUTION OF THE BELEURA JUNIOR FOOTBALL CLUB

1. Name of Club

The name of the Club shall be known as the Beleura Junior Football Club (hereinafter call the club).

2. Definitions

(1) In these rules, unless the contrary intention appears:-

“**Act**” mean **Associations Incorporation Act 1981**;

“**Committee**” means the committee of management of the Association;

“**Financial year**” means the year ending on 30 June;

“**General meeting**” means a general meeting of members convened in accordance with rule

“**member**” means a member of Association;

“**Ordinary member of the committee**” means a member of the committee who is not an officer of the Association under Rule

“**Regulations**” means regulations under the Act;

“**Relevant documents**” has the same meaning as the Act.

“**Association**” meaning **Club being Beleura Junior Football Club**

(2) In these rules, a reference to the Secretary of an Association is a reference –

(a) If a person holds office under these Rules as Secretary of the Association-to that person; and

(b) In any other case, to the public officer of the Association.

3. Alteration of the rules

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

4. Memberships, entry fees and subscription

(1) A person who applies and is approved for membership as provided in these Rules is eligible to be a member of the Association on payment of the entrance fee and annual subscription payable under these rules (within 28 days of Registration)

(2) A person who is not a member of the Association at the time of the incorporation of the Association (or who was a member at that time but has ceased to be a member) must not be admitted to membership unless:-

(a) He or she applies for membership in accordance with sub-rule (3) and

(b) The admission as a member is approved by the committee; an

(c) Agrees with the code of conduct as applicable to the Beleura Junior Football Club.

(3) All new and existing members will be presented and required to sign the code of conduct of the club.

(4) The committee must determine whether to approve or reject the application.

(5) If the committee approves an application for membership, the Secretary must, as soon as practicable-

(a) Request payment within 28 days after receipt of the notification of the sum payable under these rules as the entrance fee and the first year's annual subscription.

(6) The Secretary must, within 28 days after receipt of the amounts referred to in sub-rule (6), enter the applicant's name in the register for members

(7) An applicant for membership becomes a member and is entitled to exercise the rights of membership when his or her name is entered in the register of members. Subsequent to agreement with code of conduct.

- (8) If the committee rejects an application, the committee must, as soon as practicable, notify the applicant in writing that the application has been rejected.
- (9) Committee reserves the right to reject membership application of any prospective applicant on the basis that his/her application may be deemed to have detrimental ramifications to the functioning of the Beleura Junior Football Club or ongoing club activities.
- (10) A right, privilege, or obligation of a person by reason of membership of the Association-
 - (a) Is not capable of being transferred or transmitted to another person; and
 - (b) Terminates upon the cessation of membership whether by death or resignation or otherwise.
- (11) The entrance fee is the relevant amount set out by the committee at an annual meeting prior to registration day.

5. Register of members

- (1) The Secretary must keep and maintain a register of members containing-
 - (a) The name and address of each member; and
 - (b) The date on which each member's name was entered in the register.

6. Ceasing memberships

- (1) A member of the Association who has paid all moneys due and payable by a member to the Association may resign from the Association by giving one month's notice in writing to the Secretary of his or her intentions to resign.
- (2) After the expiry of the period referred to in sub-rule (1)-
 - (a) The member ceases to be a member; and
 - (b) The Secretary must record in the register of members the date on which the members ceased to be a member.

7. Discipline, suspension and expulsion of members

- (1) Subject to these Rules, if the committee is of the opinion that a member has refused or neglected to comply with these rules, or has been guilty of conduct unbecoming a member or prejudicial to the interests of the Association, the committee may by resolution-
 - (a) Suspend that member from membership of the Association for a specified period; or
 - (b) Expel that member from the Association.
- (2) A resolution of the committee under sub rule (1) does not take effect unless-
 - (a) At a meeting held in accordance with sub-rule (3), the committee confirms the resolution.
- (3) A meeting of the committee to confirm or revoke a resolution passed under sub-rule (1) must be held not later than 28 days, after notice has been given to the member in accordance with sub-rule (4).
- (4) For the purpose of giving notice in accordance with sub-rule(3), the Secretary must, as soon as practicable, cause to be given to the member a written notice-
 - (a) Setting out the resolution of the committee and the grounds on which it is based; including, failure to comply with Beleura Junior Football Club Code of Conduct.
 - (b) If the member would like to address the committee a written application must be given to the committee before the date of that meeting a written statement seeking the revocation of the resolution.
- (5) At the meeting of the committee to confirm or revoke a resolution passed under (1).
- (6) At a general meeting of the Association convened under sub rule (5)-
 - (a) No business other than the question of the appeal may be conducted; and
 - (b) The members present must vote by secret ballot on the question whether the resolution should be confirmed or revoked.
- (7) A resolution is confirmed if, at the general meeting, not less than two-thirds of the members vote in person, in favour of the resolution. In any other case, the resolution is revoked.
- (8) Decisions in this matter may be subject to ratifications of a quorum of 4 life members of Beleura Junior Football Club.

8. Disputes and mediation

- (1) The grievance procedure set out in this rule applies to disputes under these rules between-
 - (a) A member and another member; or
 - (b) A member and the Association.
- (2) The parties to the dispute must meet and discuss the matter in dispute, and if possible, resolve the dispute within 14 days after the dispute comes to the attention of all the parties.
- (3) If the parties are unable to resolve the dispute at the meeting, or if a party fails to attend that meeting, then the parties must, within 10 days, hold a meeting in the presence of a mediator.
- (4) The mediator must be-
 - (a) A person chosen by agreement between the parties; or
 - (b) In the absence of agreement-
 - (i) In the case of a dispute between a member and another member, a person appointed by the committee of the Association; or
 - (ii) In the case of a dispute between a member and the Association, a person who is a mediator appointed or employed by the Dispute Settlement Centre of Victoria (Department of Justice), or a life member of Beleura Junior Football Club.
- (5) A member of the Association can be a mediator
- (6) The mediator cannot be a member who is a party to the dispute.
- (7) The parties to the dispute must, in good faith, attempt to settle the dispute by mediation.
- (8) The mediator, in conducting the mediation, must-
 - (a) Give the parties to the mediation process every opportunity to be heard; and
 - (b) Allow due consideration by all parties of any written statement submitted by any party; and
 - (c) Ensure that natural justice is accorded to the parties to the dispute throughout the mediation process.

9. Annual General Meeting

- (1) The committee may determine the date, time and place of the annual general meeting of the Association.
- (2) The notice convening the annual general meeting must specify that the meeting is an annual general meeting.
- (3) The ordinary business of the annual general meeting shall be-
 - (a) To confirm the minutes of the previous annual general meeting and of any general meeting held since that meeting; and
 - (b) to receive from the committee reports upon the transactions of the Association during that last proceeding financial year; and
 - (c) to elect officers of the Association and the ordinary members of the committee; and
 - (d) To receive and consider the statement submitted by the Association in accordance with section 30 (3) of the Act.
- (4) The annual general meeting may conduct any special business of which notice has been given in accordance with these rules.

10. Special General Meetings

- (1) In addition to the annual general meeting, any other general meetings may be held in the same year.
- (2) All general meetings other than the Annual general meeting are special general meetings.
- (3) The committee may, whenever it thinks fit, convene a special general meeting of the Association.
- (4) If, but for this sub-rule, more than 15 months would elapse between annual general meetings, the committee must convene a special general meeting before the expiration of that period.
- (5) The committee must, on the request in writing of members representing not less than 5 per cent of the total number of members convenes a special general meeting of the Association.
- (6) The request for a special general meeting must-
 - (a) state the objects of the meeting; and
 - (b) be signed by the members requesting the meetings; and
 - (c) be sent to the address of the secretary
- (7) If the committee does not cause a special general meeting to be held within one month after the date on which the request is sent to the address of the Secretary, the members making the request, or any of them, may convene a special general meeting to be held not later than 3 months after that date.
- (8) If a special general meeting is convened by members in accordance with this rule, it must be convened in the same manner so far as possible as a meeting convened by the committee and all reasonable expenses incurred in convening the special general meeting must be refunded by the Association to the persons incurring the expenses.

11. Special Business

All business that is conducted at a special general meeting and all business that is conducted at the annual general meeting, except for business conducted under the rules as ordinary business of the annual general meeting, are deemed to be special business.

12. Notice of general meeting

- (1) The Secretary of the Association, at least 14 days, or if a special resolution has been proposed at least 21 days, before the date fixed for holding a general meeting of the Association, must cause to be sent to each member of the Association, a notice stating the place, date and time of the meeting and the nature of the business to be conducted at the meeting.
- (2) A member intending to bring any business before a meeting may notify in writing, or by electronic transmission, the Secretary of that business, who must include that business in the notice calling the next general meeting.

13. Quorum at general meeting

- (1) No item of business may be conducted at a general meeting unless a quorum of members entitled under these rules to vote is present at the time when the meeting is considering that item
- (2) Five members personally present (being members entitled under these Rules to Vote at a general meeting) constitute a quorum for the conduct of the business of a general meeting. In addition, President and Secretary or appointed representative.
- (3) If, within half an hour after the appointed time for the commencement of a general meeting, a quorum is not present-
 - (a) In the case of a meeting convened upon the request of members – the meeting must be dissolved; and
 - (b) In any other case – the meeting shall stand adjourned to the same day in the next week at the same time and (unless another place is specified by the Chairperson at the time of the adjournment or by written notice to members given before the day to which the meeting is adjourned) at the same place.

14. Presiding at general meetings

- (1) The President, or in the President's absence, the Vice President, shall preside as Chairperson at each general meeting of the Association.
- (2) If the President and the Vice President are absent from a general meeting, or are unable to preside, the members present must select one of their numbers to preside as Chairperson.

15. Adjournment of meetings

- (1) The person presiding may, with the consent of a majority of members present at the meeting, adjourn the meeting from time to time and place to place.
- (2) No business may be conducted at an adjourned meeting other than the unfinished business from the meeting that was adjourned.
- (3) If a meeting is adjourned for 14 days or more, notice of the adjourned meeting must be given in accordance with rule 12. (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.

16. Voting at meetings

- (1) Upon any questions arising at a general meeting of the Association, a member has one vote only.
- (2) All votes must be given personally.
- (3) In the case of an equality of voting on a question, the Chairperson of the meeting is entitled to exercise a second or casting vote.
- (4) A member is not entitled to vote at a general meeting unless all moneys due and payable by the member to the Association have been paid, other than the amount of the annual subscription payable in respect of the current financial year.

17. Poll at general meetings

- (1) If at a meeting a poll on any questions is demanded by not less than 3 members, it must be taken at the meeting in such manner as the Chairperson may direct and the resolution of the poll shall be deemed to be resolution of the meeting on that question.
- (2) A poll that is demanded on the election of a Chairperson or on a question of an adjournment must be taken immediately and a poll that is demanded on any other question must be taken at such time before the close of the meeting as the Chairperson may direct.

18. Manner of determine whether resolution carried

If a question arising at a general meeting of the Association is determined on a show of hands-

- (a) A declaration by the Chairperson that a resolution has been-
 - (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 Association – is evidence of that fact, without proof of the number or proportion of the votes recorded in favour of, or against, that resolution.

19. Committee of Management

- (1) The affairs of the Association shall be managed by the committee of management.
- (2) The committee-
 - (a) shall control and manage the business and affairs of the Association; and
 - (b) may, subject to these rules, the Act and the Regulations, exercise all such powers and functions as may be exercised by the Association other than those powers and functions that are required by these Rules to be exercised by general meetings of the members of the Association; and
 - (c) Subject to these Rules, the Act and the Regulations, has power to perform all such acts and things as appear to the committee to be essential for the proper management of the business and affairs of the Association.
- (3) Subject to section 22 of the Act, the committee shall consist of-
 - (a) The officers of the Association; and
 - (b) Two ordinary members- each of whom shall be elected at the annual general meeting of the Association in each year.

20. Office Holders

- (1) The officers of the Association shall be-
 - (a) A President
 - (b) A Vice President or 2
 - (c) Treasurer
 - (d) Secretary; and
 - (e) Junior Development Officer (J.D.O)
- (2) The provision of rule 22, so far as they are applicable and with necessary modification, apply to and in relation to the election of persons to any of the offices referred to in sub-rule (1)
- (3) Each officer of the Association shall hold office until the annual general meeting next after the date of his or her election but is eligible for re-election.
- (4) In the event of a casual vacancy in any office referred to in sub-rule (1), the committee may appoint one of its members to the vacant office and the member appointed may continue in office up to and including the conclusion of the annual general meeting next following the date of the appointment.

21. Ordinary member of committee

- (1) Subject to these rules, each ordinary member of the committee shall hold office until the annual general meeting next after the date of election but is eligible for re-election.
- (2) In the event of a casual vacancy in any office referred to in sub-rule (1), the committee may appoint one of its members to the vacant office and the member appointed may continue in office up to and including the conclusion of the annual general meeting next following the date of the appointment.

22. Election of officers and ordinary committee member

- (1) Nominations of candidates for election as officers of the Association or as ordinary members of the committee must be-
 - (a) Made in writing, signed by two members of the Association and accompanied by the written consent of the candidate (which may be endorsed on the form of nomination);
 - (b) Deliver to the Secretary of the Association not less than 7 days before that date fixed for the holding of the annual general meeting.
- (2) A candidate may only be nominated for one office, or as an ordinary member of the committee, prior to the annual general meeting.
- (3) If insufficient nominations are received to fill all vacancies on the committee, the candidates nominated shall be deemed to be elected and further nominations may be received at the annual general meeting.
- (4) If the number of nominations received is equal to the number of vacancies to be filled, a ballot must be held.
- (5) The ballot for the election of officers and ordinary member of the committee must be conducted at the annual general meeting in such manner as the committee may direct.

23. Vacancies

The office of an officer of the Association, or of an ordinary member of the committee, becomes vacant if the officer or member-

- (a) Ceases to be a member of the Association; or
- (b) Becomes an insolvent under administration within the meaning of the Corporations Law; or
- (c) Resigns from office by notice in writing given to the Secretary.

24. Meetings of the Committee

- (1) The committee must meet at least 3 times in each year at such place and such times as the committee may determine.
- (2) Special meetings may be convened by the president or by any 4 members of the committee.

25. Notice of committee meetings

- (1) The written notice of each committee meeting must be given to each member of the committee at least 2 business days before the date of the meeting.
- (2) Written notice must be given to members of the committee of any special meeting specifying the general nature of the business to be conducted and no other business may be conducted at such a meeting.

26. Quorum for committee meetings

- (1) Any 4 members of the committee constitute a quorum for the conduct of the business of a meeting of the committee.
- (2) No business may 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-
 - (a) In the case of a special meeting – the meeting lapses;
 - (b) In any other case-the meeting shall stand adjourned to the same place and the same time and day in the following week.
- (4) The committee may act notwithstanding any vacancy on the committee.

27. Voting at committee meetings

- (1) Questions arising at a meeting of the committee, or at a meeting of any sub-committee appointed by the committee, shall be determined on a show of hands or, if a member requests, by a poll taken in such manner as the person presiding at the meeting may determine.
- (2) Each member present at the meeting of the committee, or at any other meeting is entitled to one vote and, in the event of equality of votes on any question, the person presiding may exercise a second or casting vote.

28. Removal of committee member

- (1) The association in general meeting may, by resolution, remove any member of the committee before the expiration of the member's term of office and appoint another member in his or her place to hold office until the expiration of the term of the first-mentioned member.
- (2) A member who is the subject of a proposed resolution referred to in sub-rule (1) may make representations in writing to the Secretary or President of the Association (not exceeding a reasonable length) and may request that the representation be provided to the members of the Associations.
- (3) The Secretary or the President may give a copy of the representations to each member of the Association or, if they are not so given, the member may require that they be read out at the meeting.

29. Minutes of the meeting

The Secretary of the association must keep minutes of the resolutions and proceedings of each general meeting, and each committee meeting, together with a record of the names of persons present at the committee meeting.

30. Funds

- (1) The Treasurer of the Association must-
 - (a) Collect and receive all moneys due to the Association and make all payment authorised by the Association; and
 - (b) Keep correct accounts and books showing the financial affairs of the Association with full details of all receipts and expenditure connected with the activities of the Association
- (2) All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments must be signed by at least two members of the committee.
- (3) The funds of the association shall be derived from entrance fees, annual subscription, donations and such other sources as the committee determines.

31. Life Membership

- (1) Life membership will be awarded to members of the club. Upon achievements during their time at the club. The set criteria which is set out and reviewed by a quorum of 4 existing life members on annual basis prior to the AGM.
- (2) Life membership to be presented at the yearly Presentation day.
- (3) Life membership to be ratified by committee prior to Presentation Day

32. Notice to Members

Except for the requirement in rule 12, any notice that is required to be given to a member, by on behalf of the Association, under these Rules may be given by-

- (a) Delivering the notice to the member personally; or
- (b) Sending it by prepaid post addressed to the member at the member's address shown in the register of members; or
- (c) Facsimile transmission, if the member has requested that the notice b given to him or her in this manner; or
- (d) Electronic transmission, if the member has requested that the notice by given to him or her in this manner.

33. Winding Up

In the event of the winding up or the cancellation of the incorporation of the Association, the assets of the Associations will be given back to all members of the Association in a family event.

34. Custody and inspection of books and records

- (1) Except as otherwise provided in these rules, the Secretary and/or Treasurer must keep in his or her custody or under his or her control all books, documents and securities of the Association.

JULY 2009

APPENDIX 1 (REGISTRATION FORM)

APPENDIX 2 (PARENT AND PLAYER CODE OF CONDUCT)

APPENDIX 3 (PLAYER CODE OF CONDUCT)

APPENDIX 4 (COACHES CODE OF CONDUCT)

APPENDIX 5 (OFFICIAL CODE OF CONDUCT)