



CARINGBAH REDBACKS FOOTBALL CLUB INC

Postal Address: PO BOX 165,
Caringbah. NSW 1495
Club House Phone: 9524 4914

Caringbah Redbacks Football Club CONSTITUTION

The Rules of the Club

Adopted at a Special Meeting of Members

..... 2007

RULES OF CARINGBAH REDBACKS FOOTBALL CLUB

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PART 1 – PRELIMINARY

The name of the Association shall be **CARINGBAH REDBACKS FOOTBALL CLUB INCORPORATED** (“the Association”).

The Primary objective of the Association shall be to promote, foster, encourage and participate in the sport of soccer football and the enjoyment thereof, by organising and managing teams.

The Association shall be affiliated with the current governing body.

The Association colours will be red and black, and the emblem a Redback spider.

Rule 1 – Definitions

1. In these rules, except in so far as the context or subject matter otherwise indicates or requires: "Member" means, unless otherwise specified, ordinary members, player members, parent members, life members and player life members.

"Secretary" means:

- (a) the person holding office under these rules as Secretary of the Association; or
- (b) where no such person holds that office - the Public Officer of the Association.

"Special General Meeting" means a General Meeting of the Association other than an Annual General Meeting or Regular General Meeting.

"The Act" means The Associations Incorporation Act, 1984.

"The Regulation" means The Associations Incorporation Regulation, 1985.

2. 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, where a function is a duty, a reference to the performance of the duty.

3. The provisions of the Interpretation Act, 1897, 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.

PART 2 – MEMBERSHIP

Rule 2 – Membership Qualifications

1. A person is qualified to become an ordinary member of the Association if, but only if:

- (a) that person is a natural person who has attained the age of eighteen (18) and who:
 - (i) has applied for membership of the Association as provided by Rule 3: and
 - (ii) has been approved for membership of the Association by the Committee of the Association.
- (b) That person is a member of the former organisation known as North Caringbah Redbacks Junior Soccer Club Incorporated, and indicated in writing his desire to become a member of Caringbah Redbacks Football Club Inc and undertakes to comply with the Rules of the Association.

Rule 3 -Forms of Membership and Requirements

FOUR MAIN FORMS

There shall be four main forms of Membership:

Senior Members
Parent Members
Junior Members
Honorary Life Members

SENIOR MEMBERSHIP

To be a Senior Member, a person must be over the age of 18 years, must have completed an approved membership application or renewal form and must have been approved for senior membership by the Committee, notwithstanding that Junior Members shall automatically become senior members on their 18th birthday.

PARENT MEMBERSHIP

To be a Parent Member, a person must be over the age of 18 years, must be listed as a parent or guardian of a Junior Member on an approved Junior/Family membership application or renewal form and must have been approved for Parent Membership by the Committee. A person who is a Senior Member shall not also be a Parent Member.

JUNIOR MEMBERSHIP

To be a Junior Member, a person must be under the age of 18 years, and have completed by a parent or guardian an approved junior membership application or renewal form and must have been approved for junior membership by the Committee.

HONORARY LIFE MEMBERSHIP

Honorary Life Membership is granted to a person by Special Resolution at a General Meeting on recommendation by the Committee. Any member may propose to the Committee a person for Honorary Life Membership on an application form provided for that form of Membership. On recommending a person for Honorary Life Membership, the Committee should be satisfied that person has provided exemplary service to the Association or has had 20 years active service with good conduct within the Club. An Honorary Life Member may also hold one of the other forms of Membership.

Rule 4 – Application for Membership

1. Application for membership of the Association shall be:
 - (a) made in writing; and
 - (b) lodged with the Secretary of The Association.
2. As soon as practicable after receiving an application for membership, the Secretary shall refer the application to the Committee which shall determine whether to approve or reject the application.
3. Where the Committee determines to approve an application for membership, the Secretary shall, as soon as practicable after that determination, enter the applicant into the register of members. Upon the name being so entered, the applicant becomes a member of the Association.

4. Where the Committee determines to reject an application for membership, the Secretary shall as soon as practicable after that determination, advise the applicant in writing. Any person aggrieved by such decision shall have a right of recourse to the Dispute Resolution Procedure as per Rule 10 Clause 6.

Rule 5 – Cessation of Membership

A person shall cease to be a member of the Association if that person:

- (a) does not make application for renewal; or
- (b) resigns that membership; or
- (c) is expelled from the Association; or
- (d) dies

Rule 6 – Membership Entitlements Not Transferable

A right, privilege, or obligation, which a person has by reason of being a member of the Association:

- (a) is not capable of being transferred to another person; and
- (b) terminates upon cessation of the person's membership.

Rule 7 – Register of Members

- (a) The Public Officer of the Association shall establish and maintain a register of members of the Association specifying the name and address of each person who is a member of the Association, together with the date on which that person became a member.
- (b) The register of members shall be kept at the office of the Association. All access will be subject to the Privacy Act.

Rule 8 – Fees and Subscriptions

- (a) The Committee shall determine annual membership fees and any admission for membership fees. Membership fees are not payable for Honorary Life membership.
- (b) A membership year shall be the calendar year and any annual fees shall be due from 1st January in respect of the same year, on date of registration.
- (c) Association membership fees for players and for parent membership are deemed to be included within the Association registration fees for players and/or others.
- (d) Unless the Committee grants particular approval, a member cannot pay annual membership or registration fees where the member has other existing debts with the Association.
- (e) No player will be registered with the local governing body prior to payment of all registration and match fees.
- (f) If a player is forced out of soccer through illness, injury, moving from the district or any other reason acceptable to the Committee, a pro-rata refund of match fees will be made.

Rule 9 – Member Liabilities

The liability of a member of the Association to contribute towards the payment of the debts and liabilities of the Association or the costs, charges and expenses of the winding up of the Association is limited to the amount, if any, unpaid by the member in respect of membership of the Association as required by Section 8.

Rule 10 – Disciplining of Members and Dispute Resolution Procedure

1. Where the Committee is of the opinion that a member of the Association:
 - (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 interest of the Association; the Committee may, by resolution:
 - (i) expel the member from the Association ; or
 - (ii) suspend the member from membership of the Association for a specified period.
2. Prior to any meeting of the Committee convened to consider a motion for the expulsion or suspension of any member in accordance with Clause 1 the Secretary shall, as soon as practicable, cause a notice in writing to be served on the member:
 - (a) setting out the resolution and the grounds on which it is based;
 - (b) stating that the member may address the Committee at a meeting to be held not **later** than 28 days after service of the notice;
 - (c) stating the date, place and time of that meeting; and
 - (d) informing the member that the member may do either or both of the following:
 - (i) attend and speak at that meeting;
 - (ii) submit to the Committee at or prior to the date of that meeting written representations relating to the proposed resolution and the grounds on which it is based.
 - (iii) the member may have one person in attendance as a support person.
3. At a meeting of the Committee held as referred to in Clause 2, the Committee shall:
 - (a) give to the member an opportunity to make oral representations;
 - (b) give due consideration to any written representations submitted by the member to the Committee at or prior to the meeting; and
 - (c) by resolution determine whether to confirm or to revoke the resolution.
4. Where the Committee confirms a resolution under Clause 3, the Secretary shall, within 7 days after that confirmation, by notice in writing, inform the member of the fact of the member's right of appeal under Rule 11.
5. A resolution confirmed by the Committee under Clause 3 does not take effect:
 - (a) until the expiration of the period within which the member is entitled to appeal against the resolution where the member does not exercise the right of appeal; or
 - (b) where within that period the member exercises the right of appeal, unless and until the Association confirms the resolution pursuant to Rule 11.4.
6. Dispute Resolution Procedure:

- (a) Purpose and Scope:
 - (i) to effectively receive and process any grievance or complaint that is received by the Association from players, parents, coaches, managers, committee members, other clubs, local governing body, or the general public.
 - (ii) this procedure is to be used by the Management Committee to document and process grievances/complaints received on behalf of the Association.
- (b) Responsibility:
 - (i) The Committee has overall responsibility for handling of all grievances/complaints received by the Association and is obligated to make every effort to resolve the problem. This function where appropriate may be delegated to a sub-committee or to a Dispute Co-ordinator appointed by the Committee.
 - (ii) The Dispute Co-ordinator (if appointed) is to receive, document and co-ordinate processing and actioning of the grievance/complaint as well as give acknowledgement in the form of feedback to the person(s) initiating the grievance/complaint.
- (c) Receiving:

A grievance / complaint must be received in writing addressed to the Secretary of the Association, who will refer it to the Committee.
- (d) Actioning:

When the grievance/complaint is received and documented, the Committee or Dispute Coordinator (if appointed) will determine the most appropriate form of action to rectify the situation.
- (e) Unresolved Dispute:

If the dispute/grievance has reached a point where the Committee has made every effort to resolve the situation but the initiator is still unsatisfied and wishes to take the matter further, then it may be referred for mediation to:

 - (i) the local governing body; or
 - (ii) the Community Justice Centre.
- (f) Timeframes:
 - (i) The Secretary upon receipt of a grievance / complaint must forward it to the Committee at its next scheduled meeting, and must acknowledge its receipt to the initiator.
 - (ii) The Committee should make all attempts to settle and finalise all grievances/complaints within 28 days of receiving that complaint.
- (g) Reporting:

The Dispute Co-ordinator (if appointed) will present a period report on all grievances/complaints received at each monthly Committee meeting.

Rule 11 – Right of Appeal

1. A member may appeal in writing to the Association in General Meeting against a resolution of the Committee which is confirmed under Rule 10.4, within 7 days after notice of the resolution is served on the member by lodging with the Secretary a notice to that effect.
2. Upon receipt of a notice from a member under Clause 1, the Secretary shall notify the Committee which shall convene a Special Meeting of the Association to be held within 21 days after the date on which the Secretary received the notice.

3. At a Special Meeting of the Association convened under Clause 2:
 - (a) no business other than the question of appeal shall be transacted;
 - (b) the Committee and the member shall be given the opportunity to state their respective cases orally or in writing, or both; and
 - (c) the members present shall vote by secret ballot on the question of whether the resolution should be confirmed or revoked.
4. If at the Special Meeting the Association passes a special resolution in favour of the confirmation of the resolution, the resolution is confirmed.

PART 3 – THE COMMITTEE

Rule 12 – Powers etc of the Committee

The Committee shall be called the Committee of the Association and, subject to the Act, the Regulation and these rules, and to any resolution passed by the Association in General Meeting:

- (a) Shall control and manage the affairs of the Association;
- (b) May exercise all such functions as may be exercised by the Association other than those functions that are required by these Rules to be exercised by a General Meeting of members of the Association;
- (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 Association; and
- (d) Has power to form such Sub-Committees and appoint persons to serve on such Sub-Committees as may be desirable and appropriate to exercise all its duties and to delegate to such Sub-Committees such powers as the Committee itself may exercise, provided however that any decision of any Sub-Committee so formed shall be subject to review by the Committee at any time without notice by ordinary resolution.

Rule 13 – Constitution and Membership

1. The Executive Committee shall consist of:

- (a) President
- (b) Vice President
- (c) Treasurer
- (d) Secretary
- (e) Registrar
- (f) The General Committee will consist of other members as per Competition Guidelines.

Each Committee member shall be elected at the Annual General Meeting according to Rule 14.

2. Each member of the Committee shall, subject to these Rules, hold office until the conclusion of the Annual General Meeting following the date of the member's election, but is eligible for re-election.

3. In the event of a casual vacancy occurring in the membership of the Committee, the Committee may appoint a member of the Association to fill the vacancy and the member so appointed shall hold office, subject to these Rules until the conclusion of the Annual General Meeting next following the date of appointment.

Rule 14 – Election of Committee

1. Candidates nominated for election to the Committee must be members of the Association, over the age of 21, and their nominations shall be in writing, signed by 2 members of the Association and accompanied by the written consent of the candidate (which may be endorsed on the nomination form); and shall be delivered to the Secretary not less than 7 days prior to the Annual General Meeting at which the election is to take place.

2. The nominees for the position of president must have served as a member of the Committee for a period of not less than 12 months within the last five years.

3. (a) If there is no prior nomination for any position during the specified time, nominations from the floor of the meeting can be called for.
(b) If insufficient further nominations are returned, any vacant positions remaining on the Committee shall be deemed to be casual vacancies and dealt with in accordance with Rule 13.3.

4. If the number of nominations received is equal to the number of vacancies to be filled, the persons nominated shall be deemed to be elected.

5. If the number of nominations received exceed the number of vacancies to be filled, a ballot shall be held.

6. The ballot for the election of office bearers and ordinary members of the Committee shall be conducted at the Annual General Meeting in such usual and proper manner as the Committee may direct.

7. Those committee members vacating positions are eligible to be re-elected into their previous positions provided that they have not held that position for a consecutive period of more than 5 years. Persons from the vacating committee who have been in their position for 5 consecutive years can be elected into a different position on the incoming committee.

8. If a position cannot be filled within 8 weeks of the Annual General Meeting (during which time the new committee is to seek expressions of interest), a person who has completed 5 consecutive years in the now vacant position can be asked to complete one more term at the express wishes of the committee.

The Committee positions that this rule applies to are the following:

- President
- Vice President
- Secretary
- Treasurer

Rule 15 – 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
- (b) Ceases to be a member of the Association
- (c) Becomes an insolvent under administration within the meaning of the Corporations Law
- (d) Resigns office by notice in writing given to the Secretary
- (e) Is removed from office under Rule 16
- (f) Becomes of unsound mind, or a person whose person or estate is liable to be dealt with in any way under the law relating mental health
- (g) Is absent without the consent of the Committee from 3 consecutive Committee meetings

Rule 16 – Removal of Member

1. The Association in a Special Meeting may by resolution remove any member of the Committee (or sub-committee) from the office of member before the expiration of the member's term of office and may by such resolution appoint another person to hold office until the expiration of the term of office of the member so removed.

2. Where a member of the Committee to whom a proposed resolution referred to in Clause 1 of this section 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 Association, the Secretary or President may send a copy of the representations to each member of the Association, or, if they 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.

3. The removal of a member from the office of President or the removal of more than two members from office at the same General Meeting shall require a Special Resolution.

Rule 17 – Meetings and Quorum

1. The Committee shall meet together for the despatch of business and adjourn at such times and places and at such frequencies as the Committee may determine not less than 3 times in each period of 12 months.

2. Additional meetings of the Committee may be convened at any time and without notice by the President; or

3. By any 2 members of the Committee, notice oral or written of which shall be given by the Secretary to each member of the Committee at least 48 hours (or such other period as shall be unanimously agreed upon by the members of the Committee) before the time appointed for the holding of the meeting.

4. Notice of a meeting given under Clause 3 above shall specify the general business to be transacted at the meeting and no business other than that business shall be transacted at the meeting, except business that the Committee members present at the meeting unanimously agree to treat as urgent business.

5. Any 5 members of the Committee constitute a quorum for the transactions of the business of a meeting of the Committee.
6. No business shall 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 stands 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 shall be dissolved.
8. At a meeting of the Committee:
 - (a) The President, or in the President's absence the Vice President, shall preside.
 - (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 shall preside.

Rule 18 – 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 Association as the Committee thinks fit) the exercise of such of the powers and functions of the Committee as the Committee thinks fit, other than:
 - (a) This power of delegation; or
 - (b) A function that is a duty imposed on the Committee by the Act or by any other law.
2. The Committee will form an Executive Committee
 - (a) It shall comprise the President, Vice President, Secretary, Treasurer and Registrar,
 - (b) Shall act as a committee of 5 at all times, if required to attend to any urgent general matters, which cannot be held over until the following Committee meeting.
 - (c) There shall be a Quorum of 4 members.
 - (d) Any member of the Committee may attend and participate in any Executive Committee Meeting, if requested by the Executive Committee.
3. A function the exercise of which has been delegated to a Sub-Committee under this rule may, while the delegation remains unrevoked, be exercised from time to time by the Sub-Committee in accordance with the terms of the delegation.
4. A delegation under this section may be made subject to such limitations or conditions as to the exercise of any function the subject thereof, or as to time and circumstances, as may be specified by the Committee.
5. Notwithstanding any delegation under this rule, the Committee may continue to exercise any function delegated.
6. 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 had it been done or suffered by the Committee.
7. The Committee may revoke wholly or in part any delegation under this rule.

8. A Sub-Committee may meet and adjourn as it thinks proper, and must report any recommendations to the next Committee meeting.

Rule 19 – Voting and Decisions

1. Questions arising at a meeting of the Committee or of any Sub-Committee appointed by the Committee shall 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 any Sub-Committee (including the person presiding at the meeting) is entitled to 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 Rule 17.5 the Committee may act notwithstanding any vacancy on the Committee.

4. Any act or thing done or suffered, or purporting to have been done or suffered by the Committee, is valid and effectual notwithstanding any defect that may afterwards be discovered in the appointment or qualification of any member of the Committee.

PART 4 – GENERAL MEETINGS

Rule 20 – Annual General Meetings – holding of

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

2. The Association shall hold its first Annual General Meeting:

- (a) Within the period of 18 months after its incorporation under the Act; and
- (b) Within the period of 2 months after the expiration of the first financial year of the Association.

3. Clauses 1 and 2 have effect subject to any extension or permission granted by the Commission under Section 26 (3) of the Act.

Rule 21 – Annual General Meeting – Calling of and Business at

1. The Annual General Meeting of the Association shall, subject to Act and to Rule 20, be convened on such date and at such place and time as the Committee thinks fit.

2. In addition to any other business that may be transacted at an Annual General Meeting, the Business of an Annual General Meeting shall be:

- (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 upon the activities of the Association during the last preceding financial year.
- (c) To elect members of the Committee of the Association.

- (d) To receive and consider the Statement, which is required to be submitted to members pursuant to Section 26(6) of the Act.

3. An Annual General Meeting shall be specified as such in notice convening it.

Rule 22 – General Meetings

1. General Meetings of the Association shall take place at such times and such places as the Committee shall from time to time determine.
2. Business at such General Meetings shall include:
 - (a) Confirmation of Minutes of the preceding General Meeting or any special General Meeting held since the previous General Meeting.
 - (b) To receive correspondence not previously dealt with by the Committee.
 - (c) To receive reports from members of the Committee and any Sub-Committees.
 - (d) General Business.

Rule 23 – Special General Meetings – Calling of

1. The Committee may, whenever it thinks fit, convene a Special General Meeting of the Association.
2. The Committee shall, on the requisition in writing of not less than 5% of the total numbers of ordinary members convene a Special General Meeting of the Association.
3. A requisition of members for a Special General Meeting -
 - (a) Shall state the purpose of the Meeting.
 - (b) Shall be signed by the Members making the requisition.
 - (c) Shall 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 shall be convened, as nearly as is practicable in the same manner as General Meetings are convened by the Committee.

Rule 24 – Notice

1. Except where the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the Association, the Secretary shall, at least 14 days before the date fixed for the holding of the general meeting, cause to be sent by pre-paid post, hand delivery or e-mail to each member at that member's address appearing in the register of members or published in the official publication of the Association and or its website, a notice specifying the place, date and time of the meeting and the nature of the business proposed to be transacted at the meeting.

2. Where the nature of the business proposed to be dealt with at a General Meeting requires a special resolution of the Association, the Secretary shall, at least 21 days before the date fixed for the holding of the General Meeting, cause notice to be sent to each member in the manner provided in Rule 27.1, specifying, in addition to the matter required under Clause 1, the intention to propose the resolution as a special resolution.

3. No business other than that specified in the notice convening a Special General Meeting or Annual General Meeting shall be transacted at the meeting, except, in the case of an Annual General Meeting, business which may be transacted pursuant to Rule 22.2.

Rule 25 – Procedure

1. No item of business shall 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. 5 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, if convened upon the requisition of members shall be dissolved and in any other case 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 Club Members present (being not less than 3) shall constitute a quorum.

Rule 26 – Presiding Member

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 Vice President are absent from a General Meeting or unwilling to act, the members present shall elect one of their numbers to preside as chairperson at the meeting.

Rule 27 – 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 shall be transacted at an adjourned meeting other than the business left unfinished at the meeting at which the adjournment took place.

2. Where a General Meeting is adjourned for 14 days or more, the Secretary shall give written or oral notice of the adjourned meeting to each member of the Association 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 Clauses 1 and 2, notice of an adjournment of a General Meeting or of the business to be transacted at an adjourned meeting are not required to be given.

Rule 28 – Making Decisions

1. A question arising at a General Meeting of the Association shall 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, an entry to that effect in the Minute Book of the Association, is evidence of the fact without proof of the number or proportion of the votes recorded in favour of or against that resolution.
2. At a General Meeting of the Association, a poll may be demanded by the chairperson or by not less than 3 members present in person or his proxy.
3. Where the poll is demanded at a General Meeting, the poll shall be taken:
 - (a) 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
 - (b) In any other case, in such manner and at such time before the close of the meeting as the chairperson directs and the resolution of the poll on the matter shall be deemed to be the resolution of the meeting on that matter.

Rule 29 – Special Resolution

A resolution of the Association is a special resolution if:

- (a) It is passed by a majority which comprises not less than three quarters (3/4) of such members of the Association as, being entitled under these rules so to do, vote in person or by proxy at a General Meeting of which not less than 21 days written notice specifying the intention to propose the resolution as a special resolution was given in accordance with these rules; or
- (b) Where it is made to appear to the Commission that it is not possible or practicable for the resolution to be passed in the manner specified in paragraph (a), the resolution is passed in a manner specified by the Commission.

Rule 30 – Voting

1. Upon any question arising at a General Meeting of the Association a member has one vote only.
2. All votes shall be given personally or by proxy.
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 Association unless all money due and payable by the member or proxy to the Association has been paid.

Rule 31 – Appointment of Proxy

1. Each member shall 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.
2. The notice appointing the proxy shall be in writing, signed by the member.

PART 5 – MISCELLANEOUS**Rule 32 - Insurance**

1. The Association shall effect and maintain insurance pursuant to Section 44 of the Act.
2. In addition to the insurance required under Clause 1, the Association may effect and maintain other insurance.

Rule 33 – Funds – Source

1. The funds of the Association shall be derived from entrance fees and annual subscriptions of members, levies on registered players, donations, sponsorships and without limiting in any way, by such other means and sources as the Committee determines.
2. All money received by the Association shall be deposited as soon as practicable and without deduction to the credit of the Association's bank account.
3. The Association shall, as soon as practicable after receiving any money, issue an appropriate receipt.

Rule 34 – Funds – Management

1. Subject to any resolution passed by the Association in General Meeting, the funds of the Association shall be used in pursuance of the objects of the Association in such manner as the Committee determines.
2. All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments shall be signed by any two (2) members of the Committee being members authorised to do so by the Committee.

Rule 35 – Alteration of Objects and Rules

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

Rule 36 – Common Seal

1. The Common Seal of the Association shall be kept in the custody of the Public Officer.
2. The Common Seal shall not be affixed to any instrument except by the authority of the Committee and the affixing of the Common Seal shall be attested by the signatures either of 2

members of the Committee or have 1 member of the Committee and of the Public Officer or Secretary.

Rule 37 – Custody of Books

Except as otherwise provided by the Rules, the Public Officer shall keep in his or her custody or under his or her control all records, books and other documents relating to the Association.

Rule 38 – Inspection of Books

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

Rule 39 – Service of Notices

1. For the purpose of this Constitution, a notice may be served by or on behalf of the Association 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. This shall include the serving of Notices of Meetings under Rule 23 which may be served personally or by post in lieu of other specified means of distribution.
2. If a document is sent to a person by properly addressing, prepaying and posting to the person a letter containing the document, the document is, unless the contrary is proved, taken for the purposes of this Constitution to have been served on the person at the time at which the letter would have been delivered in the ordinary course of post.
3. Where members share the same address a notice for all members, if sent to one of the members at that address, shall be deemed to have been sent to all members resident at that address, notwithstanding that a member at that address may request the Secretary in writing to send them such notices individually.
4. A general notice placed in the Club Newsletter or on the Club's Internet website is considered to have been provided to members on the day it is placed on the website or the day the Newsletter is available for collection at its normal initial place of distribution, whichever is the earlier.

Rule 40 – Payment etc of Members

A member of the Executive Committee shall not be appointed to any salaried office of the Association and no remuneration or other benefit shall be given by the Association to any member of the Executive Committee except:

- (a) Repayment of out-of-pocket expenses.
- (b) Interest at a rate not exceeding interest at the rate for the time being which is or would be charged by the Association's Bankers for money lent to the Association.
- (c) Reasonable and proper rent for premises let to the Association.

Rule 41 – Surplus Property

Upon the winding up or dissolution of the Association the surplus property is to be distributed to an organisation having like objects to the Association and located within the Sutherland Shire Local Government Area. The determination of the organisations nominated to receive the surplus property shall be determined by the members of the Association by Special Resolution.

Rule 42 – Income and Property

The income and property of the Association shall be used only for promotion of the objects of the Association and shall not be paid or transferred to members by way of dividend, bonus or profit.

Rule 43 – Indemnity

1. If any prosecution, action or suit at law is commenced against any member of the Committee or of a Standing Sub-Committee or any other officer, servant or agent of the Association for anything done by them in the proper discharge of their duties such person or persons shall be indemnified by the Association for all damage, costs and expenses which may be incidental to, or result from such prosecution, action or suit at law and the Association shall be empowered to apply the property and funds of the Association for such purposes.

2. No member of the Committee or of a Standing Sub-Committee or other officer of the Association shall be liable for the acts, receipts, neglects or defaults of any other member of the Committee or Standing Sub-Committee or other officer or for joining in any receipt or other act for the sake of conformity or for any loss or expense happening to the Association through the insufficiency or deficiency of title of any property acquired by order of the Committee for or on behalf of the Association in or upon which any money of the Association shall be invested or for any loss or damage arising from bankruptcy, insolvency or tortuous act of any person with whom any other loss, damage or misfortune whatever which shall happen in the execution of the duties of his or her respective office or in relation thereto, unless the same shall happen through his own act or wilful default.

Rule 44 – Code of Conduct

The Code of Conduct shall be binding on all Members of the Association. All Members must comply with the terms of the Code of Conduct.

APPENDIX 1

APPOINTMENT OF PROXY

I,

.....

(full name)

of

.....

(address)

being a member of Caringbah Redbacks Football Club Incorporated hereby appoint the Chairperson *or

.....

(full name of proxy if not Chairperson)

of

.....

(address of proxy if not Chairperson)

also being a member of Caringbah Redbacks Football Club Incorporated entitled to vote, as my proxy to vote for me on my behalf at the Annual/Special *General Meeting of the Club to be held on the

.....day of 20

and at any adjournment of that Meeting.

* My proxy is authorised to vote at their discretion on any matters at the Meeting.

* My proxy is authorised to vote as directed in favour of / against * the following resolution(s):

.....
.....

* In addition to the above directions my proxy is authorised to vote at their discretion on any other matters at the Meeting.

.....
Signature of member appointing proxy

.....
Date

NOTE: * delete as appropriate