



## **CONSTITUTION OF THE GERALDTON CROQUET CLUB INCORPORATED AMENDED 19.12.2015**

This Constitution shall come into force on the date of adoption as herein provided by the Certificate on the last page.

### **1 NAME**

The name of the club is The Geraldton Croquet Club Incorporated.

### **2 OBJECTS OF THE CLUB**

- 2.1 To widely promote interest in the sport of croquet for the enjoyment of the wider community with the view to increasing and maintaining a strong club membership.
- 2.2 To encourage members to participate in local, state or any other competitions where possible.
- 2.3 To maintain the club venue in accordance with the City of Greater Geraldton's lease requirements and also provide suitable facilities for our club activities.
- 2.4 To encourage and provide for the development of playing skills and knowledge of the games of croquet at all levels.
- 2.5 To affiliate with Croquetwest and conduct play and competitions in accordance with the official rules of the games.

### **3 POWERS OF THE CLUB**

The club shall have the following powers;

- 3.1 To open and operate bank accounts.
- 3.2 To purchase, take on lease, or on exchange, hire, or otherwise acquire and maintain any real or personal property and any rights and privileges in relation thereto.
- 3.3 To erect and improve, repair or demolish and rebuild buildings and other structures within the rules of our lease.
- 3.4 To sell, exchange, lease, mortgage, hire, dispose of, turn to account or otherwise deal with, all or any part of the real and personal property of the club.

- 3.5 To borrow or raise or secure the payment of moneys in such a manner as the club sees fit, charging all or any of the property, real and personal of the club, and to redeem or pay off any existing or future security.
- 3.6 To invest and deal with the money of the club, not immediately required for the purposes of the club, in such manner as may be determined from time to time.
- 3.7 To amalgamate, co-operate, affiliate and enter into reciprocal arrangements with any other club having objects wholly or in part similar to those of the club.
- 3.8 To appoint, employ and pay officers, servants and agents and to dismiss or suspend any officers, servants or agents.
- 3.9 To do all such things as are incidental or conducive to the attainment of the objects of the club.
- 3.10 To accept or decline donations and gifts in accordance with the objects of the club.

#### **4 INCOME**

The income and property of the club shall be applied solely to the promotion of its objects and no part thereof shall be paid or transferred directly or indirectly by way of dividend, bonus, or otherwise by way of pecuniary profit to members, provided that remuneration may be paid in good faith to officers, servants and agents of the club or other persons, in return for services actually rendered to the club.

#### **5 MEMBERSHIP**

Membership of the club is open to any person who wishes to further the interests of the club.

##### **5.1 Categories of membership**

- 5.1.1 Financial members with voting rights and all club privileges.
- 5.1.2 Junior members – as per Croquetwest ruling, with voting rights and all club privileges.
- 5.1.3 Associate members affiliated through other clubs – club day playing privileges, no voting rights and not entitled to enter intraclub events.

5.2 Persons wishing to join the club are to complete the new member application form and pay the required membership fee due at that time.

##### **5.3 Register of members**

- 5.3.1 A register of member and record of office holders with their names and postal or residential addresses is kept by the secretary.
- 5.3.2 The Secretary/Treasurer must cause the name of a deceased person or person(s) who ceases to be a member under Rule 8 to be deleted from the register of members referred to in sub rule 5.3.1

## **6 SUBSCRIPTIONS AND FEES**

- 6.3 The financial year shall be from September 1<sup>st</sup> to August 31<sup>st</sup>.
- 6.2 Subscriptions shall be reviewed annually at a General Meeting and fall due on the 1<sup>st</sup> of September each year and shall be payable by 21<sup>st</sup> of October each year. Any member joining part way through the year shall pay a pro-rata subscription for the balance of the year. Fees shall be considered overdue if not paid by 21<sup>st</sup> October.
- 6.3 Any member may resign from the club at any time but no portion of the subscription shall be refundable.
- 6.4 All other fees shall also be reviewed when deemed necessary at a General Meeting.
- 6.5 Visitors shall pay an amount to be determined from time to time.
- 6.6 The rights and privileges of any member of the club shall not in any way be transferrable to any other person on their behalf or by operation of law.

## **7 TERMINATION OF MEMBERSHIP**

- 7.1 Membership of the club may be terminated upon –
  - 7.1.1 receipt by the Secretary or another committee member of a notice in writing of his/ her resignation from the club. Such person remains liable to pay the club the amount of any subscription due and payable by that person to the club but unpaid at the date of termination:- or
  - 7.1.2 non payment by a member of his/her subscription within three months of the date fixed by the committee for subscriptions to be paid, unless the committee decides otherwise :- or
  - 7.1.3 expulsion of a member in accordance with Rule 8.

## **8 SUSPENSIONS OR EXPULSIONS OF MEMBERS OF THE CLUB**

- 8.1 If the committee considers that a member should be suspended or expelled from membership because his or her conduct is detrimental to the interests of the club, the committee must communicate either orally or in writing, to the member-
  - 8.1.1 notice of proposed suspension or expulsion, and of the time, date, and place of the committee meeting at which the question of that suspension or expulsion will be decided; and
  - 8.1.2 the particulars of that conductnot less than 21 days before the date of that committee meeting referred to in paragraph 8.1.1
- 8.2 At the committee meeting referred to in a notice communicated under sub-rule (8.1), the committee may, having afforded the member concerned a reasonable opportunity to be heard by or make representations in writing to, the committee, suspend or expel or decline to suspend or expel that member, communicate that decision in writing to the member.

- 8.3 Subject to sub rule 8.5 a member has his or her membership suspended or ceases to be a member 14 days after the day on which the decision to suspend or expel a member is communicated to him or her under sub rule (8.2)
- 8.4 A member who is suspended or expelled under sub rule (8.2) must, if he/she wishes to appeal against suspension or expulsion, give notice to the Secretary of his or her intention to do so within the period of 14 days referred to in the sub rule (8.3)
- 8.5 When notice is given under sub rule (8.3)-
- 8.5.1 the club in a general meeting, must either confirm or set aside the decision of the committee to suspend or expel the member, after having afforded the member who gave that notice a reasonable opportunity to be heard by, or to make representations in writing to, the club in a general meeting, and
  - 8.5.2 the member who gave the club notice is not suspended or does not cease to be a member unless the decision of the committee to suspend or expel him or her is confirmed under this sub rule.

## **9 ANNUAL GENERAL MEETING**

The Annual General Meeting of the club shall be held within four (4) months of the end of the financial year – after the audit of the books.

- 9.1 The committee of management shall be authorized to commission an audit each year. The audited statement of receipts and payment, together with a financial statement showing assets and liabilities of the club, shall be presented at the Annual General meeting.
- 9.2 Notice of the Annual General Meeting will be given at least 27 days prior to the meeting. The AGM Agenda and reports will be circulated and placed on the notice board 7 days prior to the meeting date.

## **10 ELECTIONS**

- 10.1 No member of the committee of management shall occupy the same position for more than four years consecutively, but may be elected or appointed to that position again after standing down one year, with the exception that when no nominations for the position are received, the incumbent officer may be re-elected.
- 10.2 At the Annual General Meeting of the club, a quorum of not less than one quarter of the financial members shall be required.
- 10.3 Membership on the management committee would be for a 2 year term.
- 10.4 The President/Treasurer and the Vice President/Secretary two year terms shall be alternated as would the Captains positions. The positions of general members shall also be two year terms, as detailed in the By-Laws. Should any member not complete their term, a replacement appointed at a general meeting would complete the term of the outgoing member.

## **11 ELECTION OF OFFICERS**

- 11.1 Appropriate positions of the club will be declared vacant at the Annual General Meeting and shall be filled by election using a secret ballot.
- 11.2 Nomination proposals shall be opened and on display at least 21 days prior to the AGM, with nominations closing 7 days prior to the meeting.
- 11.3 Candidates must signify assent for their nomination.
- 11.4 Only financial members of the club shall be able to vote or participate in the management of the club.
- 11.5 Proxy voting will be allowed for the election of persons to club positions. Members submitting proxy votes must appoint their nominee in writing preferably on the standard form, and proxies are to be registered before the meeting begins.
- 11.6 In the event of a tie, nominees may speak for their nomination then a revote will be taken.  
If still no resolution, then the Chairperson / Returning Officer has a casting vote.
- 11.7 If only one nomination is received by the closing date for nominations that person is to be declared duly elected.
- 11.8 Nominations from the floor may be accepted if no written nominations are received prior to the meeting.

## **12 CLUB OFFICERS**

Officers of the club shall be :-

- 12.1 President
- 12.2 Vice President
- 12.3 Secretary
- 12.4 Treasurer
- 12.5 A Captain for each code
- 12.6 House Captain
- 12.7 Publicity Officer
- 12.8 Club Coach
- 12.9 Coordinator – Greens and Grounds
- 12.10 Annual Club Tournament Manager
- 12.11 Handicappers for each code
- 12.12 Sport Promotion Officer
- 12.13 Fundraising Coordinator

### **13 THE CLUB SHALL BE ADMINISTERED BY A COMMITTEE OF MANAGEMENT**

- 13.1 President
- 13.2 Vice-President
- 13.3 Secretary
- 13.4 Treasurer
- 13.5 The Captains for each code.
- 13.6 Club Member 1
- 13.7 Club Member 2
- 13.8 Club Member 3

13.9 If more than one office is held by a member, the committee of management shall appoint another member to the committee.

### **14 MANAGEMENT AND GENERAL MEETINGS**

- 14.1 Management committee meetings to be held monthly as required, but at least every two out of three months.
- 14.2 Quorum for management committee meetings would be half committee membership plus one.
- 14.3 Members may attend management committee meetings, but are not entitled to a vote, but may be invited to speak.
- 14.4 General meetings – financial member meetings to be held every three months.
- 14.5 Quorum for general meetings shall not be less than 25% of membership.
- 14.6 An extraordinary meeting may be requested by at least five (5) members at any time for a specific reason.
- 14.7 Vacancies caused by resignation or the death of a committee member shall be filled by the committee, with the appointment ratified at the next general meeting.
- 14.8 NOTICE OF MOTION  
Any member wishing to rescind or amend a resolution carried at a general meeting or wishing to introduce a new matter, shall submit to the secretary a written notice of motion detailing the specific matter, proposed and seconded, for display on the club notice board for at least two weeks prior to a General meeting. Refer to Rule 22.
- 14.9 PROXY VOTING – GENERAL MEETINGS  
A member ( in this case the “appointing member”) may appoint in writing another member to be the proxy of the appointing member and to attend, and vote on behalf of the appointing member at any general meeting.  
Use of the standard Proxy Voting form should be used for that process.
- 14.10 If, in any general meeting, the vote is equal, the motion is lost.

## 15 ROLES OF EXECUTIVE OFFICERS

- 15.1 The President must, subject to this rule, preside at all general meetings and committee meetings.
- 15.1.1 In the event of the absence of the President, the vice President would then chair the meeting.
- 15.1.2 If both the President and vice President are absent, then a member may be elected by the other members present at the meeting to chair that meeting.
- 15.2 The Vice President shall chair meetings in the absence of the President, and represent the club when the President is unable to do so.
- 15.3 The Secretary must :-
- 15.3.1 coordinate the correspondence of the club
- 15.3.2 keep full and correct minutes of the proceedings and decisions of the committee and general meetings.
- 15.3.3 Comply on behalf of the club with :-
- a. the current Act with respect to the register of members of the club as referred to in Rule 5.3
  - b. comply with the current Act by maintaining in an up to date condition, the rules of the club, and on request of a member, must make available those rules for inspection by a member who may wish to make a copy, but will have no right to remove rules for that purpose.
  - c. comply with the Act by maintaining a record of :-
    - i. names and contact details of officers and committee members of the club.
    - ii. names and contact details of persons appointed as trustees of the club.
- 15.3.4 Unless resolved otherwise at a general meeting, have custody of all the books, documents, records and registers of the club, other than those which should be held by the Treasurer.
- 15.4 The Treasurer must:-
- 15.4.1 be responsible for all moneys paid to or received on behalf of the club and must issue receipts for those moneys in the name of the club.
- 15.4.2 pay moneys into accounts as decided by the committee or general meeting.
- 15.4.3 make payments of funds as agreed by the committee or general meeting. Cheques or internet banking are to be authorized by two of those authorized to do so i.e., President, Secretary and Treasurer. Receipts must be obtained for all payments.
- 15.4.4 Comply on behalf of the club with the current Act with respect to the current accounting records of the club by –
- a Keeping accounting records correctly and explain financial transactions and financial position of the club.
  - b Up to date records to be available at all meetings of the club
  - c Keeping accounting records in such a manner as will enable true and fair accounts of the club to be conveniently and properly audited
  - d Submitting to members at each AGM of the club, accounts of the club showing the financial position of the club at the end of the immediately preceding financial year.
- 15.4.5 Whenever directed by the chairperson, submit to the committee a report balance sheet or financial statement in accordance with the request

- 15.4.6 Unless members resolve otherwise at a general meeting , have custody of all securities, books and documents of a financial nature and accounting records of the club, including those in paragraphs 15.4.4 and 15.4.5.
- 15.4.7 Keep petty cash records. Petty cash allowances would be decided from time to time at a committee meeting. Petty cash records will be submitted to the auditor for audit.
- 15.4.8 No member shall involve the club in liability of costs or debts without prior approval of the committee of management. All proposed purchases in excess of an amount to be determined from time to time, shall be made after competitive prices have been obtained in writing and approval for purchase has been given by the committee.
- 15.4.9 Any expenditure considered major shall be ratified by a general meeting.

**16** An inventory of the Club's property shall be taken annually.

**17** The insurance of the club's property and Public Liability shall be reviewed at least once a year.

**18** A Patron may be appointed at any time.

**19** The club may appoint a delegate and a deputy delegate to represent the club at any Croquetwest meetings. The state association must be notified in writing of such appointments. Termination of appointment may be by either party.

## **20 ALTERATION OF THE CONSTITUTION**

No alteration to the constitution shall be made except by a special resolution as defined by the Association Incorporation Act.

Voting is to be by financial members, voting at a general meeting, the notice of which shall be set out in detail:- the proposed repeal of, or amendment, or new provision. Any such amendment shall be subject to ministerial approval required under the current Associations Incorporation Act

## **21 COMMON SEAL**

The persons authorized to use the common seal of the club shall be the President and Secretary or Vice President and Secretary, as the case may be, and such seal shall not be affixed to any document except by order of the committee of management, and such document shall be countersigned by the said persons so using the common seal of the club.

The common seal of the club shall be kept in possession of the secretary of the club.

## **22 BY – LAWS**

The Club may create by-laws from time to time to govern the running of the club.

Such by-laws may be altered by a majority vote at any general meeting, after written notice of motion, signed by a proposer, has been given to the secretary and the matter placed on the agenda for that general meeting. Refer to Rule 14.8

## **23 DISSOLUTION CLAUSE**

If upon the winding up of the club there remains after satisfaction of all its debts and liabilities any property whatsoever, the same shall not be paid or distributed amongst the member or former members, but shall be given or transferred:

- (1) to another club incorporated under the Act which has similar objectives; or
- (2) for charitable purposes which club or purposes, as the case requires, shall be determined by a resolution of members.



