



**BALGOWNIE JUNIOR FOOTBALL CLUB
INCORPORATED**

CONSTITUTION

As adopted 30 October 2017

ABN 91 822 455 631

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Part 1 Preliminary

1 Definitions

(1) In this constitution:

BJFC means Balgownie Junior Football Club Incorporated.

Office Bearers means the Executive Committee of BJFC.

ordinary Committee member means a member of the Committee who is not an office-bearer of BJFC.

Secretary means:

- (a) the person holding office under this constitution as Secretary of BJFC, or
- (b) if no person holds that office - the public officer of BJFC.

the Act means the *Associations Incorporation Act 2009*.

the Club means Balgownie Junior Football Club Incorporated.

the Regulation means the *Associations Incorporation Regulation 2016*.

(2) In this constitution:

- (a) a reference to a function includes a reference to a power, authority and duty, and
- (b) a reference to the exercise of a function includes, if the function is a duty, a reference to the performance of the duty.

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

Objects of the Club

The objects of the Club shall be to foster and develop the game of Football within the Balgownie boundaries and neighbouring districts by organising and managing teams under the control of Football South Coast.

Affiliation

The Club shall be affiliated with Football South Coast.

Club Colours

The Club colours shall be black & white shirts, black shorts and black & white hooped socks. The "away strip" comprises a red shirt, black shorts and black & white hooped socks.

Part 2 Membership

2 Membership generally

- (1) A person is eligible to be a member of BJFC if:
 - (a) the person is a natural person, and
 - (b) the person has applied and been approved for membership of BJFC in accordance with clause 3.
- (2) A person is taken to be a member of BJFC if:
 - (a) the person is a natural person, and
 - (i) the person was a Committee member at the time of adoption of this Constitution; or
 - (ii) the person was a Life Member at the time of adoption of this Constitution.

3 Application for membership

- (1) An application by a person for membership of BJFC:
 - (a) must be made in writing (including by email or other electronic means, if the Committee so determines) in the form determined by the Committee, and
 - (b) must be lodged (including by electronic means, if the Committee so determines) with the Secretary of BJFC.
- (2) As soon as practicable after receiving an application for membership, the Secretary must refer the application to the Committee, which is to determine whether to approve or to reject the application.
- (3) As soon as practicable after the Committee makes that determination, the Secretary must:
 - (a) notify the applicant in writing (including by email or other electronic means, if the Committee so determines) that the Committee approved or rejected the application (whichever is applicable), and
 - (b) if the Committee approved the application, request the applicant to pay (within the period of 28 days after receipt by the applicant of the notification) the annual subscription fee payable under this constitution.
- (4) The Secretary must, on payment by the applicant of the amounts referred to in subclause (3) (b) within the period referred to in that provision, enter or cause to be entered the applicant's name in the register of members and, on the name being so entered, the applicant becomes a member of BJFC.

4 Cessation of membership

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

- (a) dies, or
- (b) resigns membership, or
- (c) is expelled from BJFC, or
- (d) fails to pay the annual membership fee under clause 8 (2) within 3 months after the fee is due.

5 Membership entitlements not transferable

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

- (a) is not capable of being transferred or transmitted to another person, and
- (b) terminates on cessation of the person's membership.

6 Resignation of membership

- (1) A member of BJFC may resign from membership of BJFC by first giving to the Secretary written notice of at least 1 month (or any other period that the Committee may determine) of the member's intention to resign and, on the expiration of the period of notice, the member ceases to be a member.
- (2) If a member of BJFC ceases to be a member under subclause (1), and in every other case where a member ceases to hold membership, the Secretary must make an appropriate entry in the register of members recording the date on which the member ceased to be a member.
- (3) If a member of BJFC ceases to be a member, the member is not entitled to a refund of any membership fees paid.

7 Register of members

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

8 Fees and subscriptions

- (1) A member of BJFC, except those members as set out in clause 8(2), must pay to BJFC an annual membership fee:
 - (a) before the first day of the financial year of BJFC in each calendar year; or
 - (b) if the member becomes a member on or after the first day of the financial year of BJFC in any calendar year - on becoming a member and before the first day of the financial year of BJFC in each succeeding financial year.
- (2) Life members are not required to pay the annual membership fee.
- (3) The Committee will determine the annual membership fee.

9 Members' liabilities

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

10 Resolution of disputes

The Executive Committee will deal with all disputes and make rulings.

11 Disciplining of members

- (1) A complaint may be made to the Executive Committee by any person that a member of BJFC:
 - (a) has refused or neglected to comply with a provision or provisions of this constitution, or
 - (b) has wilfully acted in a manner prejudicial to the interests of BJFC.
- (2) The Executive Committee may refuse to deal with a complaint if it considers the complaint to be trivial or vexatious in nature.
- (3) If the Executive Committee decides to deal with the complaint, the Executive Committee:
 - (a) must cause notice of the complaint to be served on the member concerned, and
 - (b) must give the member at least 14 days from the time the notice is served within which to make submissions to the Executive Committee in connection with the complaint, and
 - (c) must take into consideration any submissions made by the member in connection with the complaint.
- (4) The Executive Committee may, by resolution, expel the member from BJFC or suspend the member from membership of BJFC if, after considering the complaint and any submissions made in connection with the complaint, it is satisfied that the facts alleged in the complaint have been proved and the expulsion or suspension is warranted in the circumstances.
- (5) If the Executive Committee expels or suspends a member, the Secretary must, within 7 days after the action is taken, cause written notice to be given to the

member of the action taken, of the reasons given by the Committee for having taken that action and of the member's right of appeal under clause 12.

- (6) The expulsion or suspension does not take effect:
 - (a) until the expiration of the period within which the member is entitled to appeal against the resolution concerned, or
 - (b) if within that period the member exercises the right of appeal, unless and until BJFC confirms the resolution under clause 12,whichever is the later.
- (7) The Executive Committee may invite other Committee members participate in the disciplinary process.

12 Right of appeal of disciplined member

- (1) A member may appeal to BJFC in general meeting against a resolution of the Committee under clause 11, within 7 days after notice of the resolution is served on the member, by lodging with the Secretary a notice to that effect.
- (2) The notice may, but need not, be accompanied by a statement of the grounds on which the member intends to rely for the purposes of the appeal.
- (3) On receipt of a notice from a member under subclause (1), the Secretary must notify the Committee, which is to convene a general meeting of BJFC to be held within 28 days after the date on which the Secretary received the notice.
- (4) At a general meeting of BJFC convened under subclause (3):
 - (a) no business other than the question of the appeal is to be transacted, and
 - (b) the Committee and the member must be given the opportunity to state their respective cases orally or in writing, or both, and
 - (c) the members present are to vote by secret ballot on the question of whether the resolution should be confirmed or revoked.
- (5) The appeal is to be determined by a simple majority of votes cast by members of BJFC.

Part 3 The Committee

13 Powers of the Committee

- (1) Subject to the Act, the Regulation, this constitution and any resolution passed by BJFC in general meeting, the Committee:
 - (a) is to control and manage the affairs of BJFC, and
 - (b) may exercise all the functions that may be exercised by BJFC, other than those functions that are required by this constitution to be exercised by a general meeting of members of BJFC, and
 - (c) has power to perform all the acts and do all things that appear to the Committee to be necessary or desirable for the proper management of the affairs of BJFC.
- (2) The Executive Committee are empowered to deal with all matters of urgency in the interests of the Club. They shall report their actions to the next General Meeting.

14 Composition and membership of Committee

- (1) The Committee is to consist of:
 - (a) the Executive Committee of BJFC, and
 - (b) the other Committee members,each of whom is to be elected at the Annual General Meeting of BJFC under clause 15.
- (2) The Committee members shall include:
 - (a) Executive Committee;
 - (b) Registrar;
 - (c) Member Protection Information Officer (MPIO);
 - (d) Assistant Secretary;
 - (e) Assistant Treasurer;
 - (f) Gear Steward;
 - (g) Funding and Sponsorships Co-ordinator;
 - (h) Technical Director;
 - (i) Referee's Co-ordinator;
 - (j) Results Secretary;
 - (k) Roster Co-coordinator;
 - (l) Canteen Co-ordinator; and
 - (m) Merchandise Co-ordinator.

The duties of these positions are set out in Schedule 1 (with the exception of the Secretary and Treasurer which are set out in Articles 16 and 17).

- (3) The Executive Committee of BJFC includes the following positions:
 - (a) President,
 - (b) Secretary ,
 - (c) Treasurer,
 - (d) Vice-President.
- (4) A Committee member may hold up to 2 offices (other than both the offices of President and Vice-President).
- (5) There is no maximum number of consecutive terms for which a Committee member may hold office.
- (6) Each member of the Committee is, subject to this constitution, to hold office until immediately before the election of Committee members at the Annual General Meeting next following the date of the member's election, and is eligible for re-election.

15 Election of Committee members

- 1) Nominations of candidates for election as office-bearers of BJFC or as ordinary Committee members will be called at the annual general meeting.
- (2) For any member to nominate a person to become a committee member, that nominator will have to have attended at least four (4) general meetings throughout the current year.
- (3) If insufficient nominations are received to fill all vacancies on the Committee, any vacant positions remaining on the Committee are taken to be casual vacancies.
- (4) The ballot for the election of office-bearers and ordinary Committee members of the Committee is to be conducted at the annual general meeting in any usual and proper manner that the Committee directs.
- (5) A person nominated as a candidate for election as an office-bearer or as an ordinary Committee member of BJFC must be a member of BJFC.

16 Secretary

- (1) The Secretary of BJFC must, as soon as practicable after being appointed as Secretary, lodge notice with BJFC of his or her address.
- (2) It is the duty of the Secretary to keep minutes (whether in written or electronic form) of:
 - (a) all appointments of office-bearers and members of the Committee, and
 - (b) the names of members of the Committee present at a Committee meeting or a general meeting, and
 - (c) all proceedings at Committee meetings and general meetings.
- (3) Minutes of proceedings at a meeting must be signed by the chairperson of the meeting or by the chairperson of the next succeeding meeting.
- (4) The signature of the chairperson may be transmitted by electronic means for the purposes of subclause (3).

- (5) The Secretary shall also:
- (a) be the Public Officer of the Club.
 - (b) attend to the general business of the Club.
 - (c) manage the Club stationery.
 - (d) prepare meeting agendas.
 - (e) record any action taken by the Executive Committee between meetings.
 - (f) attend to correspondence.
 - (g) prepare the Annual Report.
 - (h) undertake any other duties found necessary in the carrying out of the above functions.
 - (i) In the absence of the Assistant Secretary, record all business transacted in the official minute book.
 - (j) be an ex-officio member of all committees.

17 Treasurer

It is the duty of the Treasurer of BJFC to ensure:

- (a) that all money due to BJFC is collected and received and that all payments authorised by BJFC are made;
- (b) have charge of the Bank records;
- (c) that correct books and accounts are kept showing the financial affairs of BJFC, including full details of all receipts and expenditure connected with the activities of BJFC;
- (d) present a summary of the financial position to each General Meeting;
- (e) prepare an Audited Financial Statement for each year;
- (f) be an ex-officio member of all committees;
- (g) make payment to the referees;
- (h) in the absence of the Gear Steward, shall be responsible for the storing and safeguarding of the Club's equipment and the property and shall keep a record of same.

18 Casual vacancies

- (1) In the event of a casual vacancy occurring in the membership of the Committee, the Committee may appoint a member of BJFC to fill the vacancy and the member so appointed is to hold office, subject to this constitution, until the annual general meeting next following the date of the appointment.
- (2) A casual vacancy in the office of a member of the Committee occurs if the member:
 - (a) dies, or
 - (b) ceases to be a member of BJFC, or
 - (c) is or becomes an insolvent under administration within the meaning of the Corporations Act 2001 of the Commonwealth, or

- (d) resigns office by notice in writing given to the Secretary, or
- (e) is removed from office under clause 19, or
- (f) becomes a mentally incapacitated person, or
- (g) is convicted of an offence involving fraud or dishonesty for which the maximum penalty on conviction is imprisonment for not less than 3 months, or
- (h) is prohibited from being a director of a company under Part 2D.6 (Disqualification from managing corporations) of the Corporations Act 2001 of the Commonwealth.

19 Removal of Committee members

- (1) BJFC in general meeting may by resolution remove any member of the Committee from the office of the member before the expiration of the member's term of office and may by resolution appoint another person to hold office until the expiration of the term of office of the member so removed.
- (2) If a member of the Committee to whom a proposed resolution referred to in subclause (1) relates makes representations in writing to the Secretary or President (not exceeding a reasonable length) and requests that the representations be notified to the members of BJFC, the Secretary or the President may send a copy of the representations to each member of BJFC or, if the representations are not so sent, the member is entitled to require that the representations be read out at the meeting at which the resolution is considered.

20 Committee meetings and quorum

- (1) The Committee may meet separately outside of a general meeting.
- (2) Meetings of the Committee may be convened by the President or by any member of the Committee.
- (3) Oral or written notice of a meeting of the Committee must be given by the Secretary to each member of the Committee at least 48 hours (or any other period that may be unanimously agreed on by the members of the Committee) before the time appointed for the holding of the meeting.
- (4) Notice of a meeting given under subclause (3) must specify the general nature of the business to be transacted at the meeting and no business other than that business is to be transacted at the meeting, except business which the Committee members present at the meeting unanimously agree to treat as urgent business.
- (5) Any 8 members of the Committee, including at least 3 Executive Committee members, constitute a quorum for the transaction of the business of a meeting of the Committee.
- (6) No business is to be transacted by the Committee unless a quorum is present and if, within half an hour of the time appointed for the meeting, a quorum is not present, the meeting is to stand adjourned to the same place and at the same hour of the same day in the following week.
- (7) If at the adjourned meeting a quorum is not present within half an hour of the time appointed for the meeting, the meeting is to be dissolved.
- (8) At a meeting of the Committee:

- (a) the President or, in the President's absence, the Vice-President is to preside, or
- (b) if the President and the Vice-President are absent or unwilling to act, one of the remaining members of the Committee chosen by the members present at the meeting is to preside.

21 Appointment of Members as Committee members to constitute quorum

- (1) If at any time the number of Committee members is less than the number required to constitute a quorum for a Committee meeting, the existing Committee members may appoint a sufficient number of members of BJFC as Committee members to enable the quorum to be constituted.
- (2) A member of the Committee so appointed is to hold office, subject to this constitution, until the annual general meeting next following the date of the appointment.
- (3) This clause does not apply to the filling of a casual vacancy to which clause 18 applies.

22 Use of technology at Committee meetings

- (1) A Committee meeting may be held at 2 or more venues using any technology approved by the Committee that gives each of the Committee's members a reasonable opportunity to participate.
- (2) A Committee member who participates in a Committee meeting using that technology is taken to be present at the meeting and, if the member votes at the meeting, is taken to have voted in person.

23 Delegation by Committee to sub-Committee

- (1) The Committee may, by instrument in writing, delegate to one or more sub-Committees (consisting of the member or members of BJFC that the Committee thinks fit) the exercise of any of the functions of the Committee that are specified in the instrument, other than:
 - (a) this power of delegation, and
 - (b) a function which is a duty imposed on the Committee by the Act or by any other law.
- (2) A function the exercise of which has been delegated to a sub-Committee under this clause may, while the delegation remains unrevoked, be exercised from time to time by the sub-Committee in accordance with the terms of the delegation.
- (3) A delegation under this clause may be made subject to any conditions or limitations as to the exercise of any function, or as to time or circumstances, that may be specified in the instrument of delegation.
- (4) Despite any delegation under this clause, the Committee may continue to exercise any function delegated.
- (5) Any act or thing done or suffered by a sub-Committee acting in the exercise of a delegation under this clause has the same force and effect as it would have if it had been done or suffered by the Committee.

- (6) The Committee may, by instrument in writing, revoke wholly or in part any delegation under this clause.
- (7) A sub-Committee may meet and adjourn as it thinks proper.

24 Voting and decisions

- (1) Questions arising at a meeting of the Committee or of any sub-Committee appointed by the Committee are to be determined by a majority of the votes of members of the Committee or sub-Committee present at the meeting.
- (2) Each member present at a meeting of the Committee or of any sub-Committee appointed by the Committee (including the person presiding at the meeting) is entitled to one vote but, in the event of an equality of votes on any question, the person presiding may exercise a second or casting vote.
- (3) Subject to clause 20(5), the Committee may act despite any vacancy on the Committee.
- (4) Any act or thing done or suffered, or purporting to have been done or suffered, by the Committee or by a sub-Committee appointed by the Committee, is valid and effectual despite any defect that may afterwards be discovered in the appointment or qualification of any member of the Committee or sub-Committee.

Part 4 General meetings

25 General Meetings

- (1) General Meetings shall be held as required after the Annual General Meeting and at fortnightly intervals from the start to the completion of the current playing season and as required up to the next AGM.
- (2) General Meetings shall be held on a regular night to be decided each year at the AGM or subsequent General Meeting.
- (3) All members and invited guests may attend a General Meeting. The President may approve a non-member attending a meeting.
- (4) Should any Committee member absent themselves from three consecutive General Meetings, the Secretary shall report this to the Chairman, who shall consider further action.
- (5) The order of business at a General Meeting shall be:
 - i) Apologies
 - ii) Confirmation of the minutes of the previous General Meeting
 - iii) Business arising out of the previous meeting
 - iv) Committee Reports:
 - Treasurer
 - Registrar
 - Gear Steward
 - Merchandise
 - MPIO
 - Canteen Co-ordinator
 - Sub-Committees
 - Delegates to Football South Coast
 - v) Agenda Items
 - vi) Correspondence
 - vii) General Business
- (6) A member shall be permitted to request a matter be considered at a general meeting only if they meet the requirements of clause 28(4).

26 Annual general meetings

- (1) BJFC must hold its annual general meeting:
 - (a) within 6 months after the close of BJFC's financial year, or
 - (b) within any later time that may be allowed or prescribed under section 37(2)(b) of the Act.
- (2) The annual general meeting of BJFC is, subject to the Act and to clause 26(1), to be convened on the date and at the place and time that the Committee thinks fit.

- (3) In addition to any other business which may be transacted at an annual general meeting, the business of an annual general meeting is to include the following:
 - (a) to confirm the minutes of the last preceding annual general meeting and of any special general meeting held since that meeting,
 - (b) to receive from the Committee reports on the activities of BJFC during the last preceding financial year,
 - (c) to elect office-bearers of BJFC and ordinary Committee members,
 - (d) to receive and consider any financial statement or report required to be submitted to members under the Act,
 - (e) appoint an auditor.
- (4) An annual general meeting must be specified as that type of meeting in the notice convening it.

27 Special General Meetings

- (1) The Committee may, whenever it thinks fit, convene a special general meeting of BJFC.
- (2) The Committee must, on the requisition of at least 10 members, convene a special general meeting of BJFC.
- (3) A requisition of members for a special general meeting:
 - (a) must be in writing, and
 - (b) must state the purpose or purposes of the meeting, and
 - (c) must be signed by the members making the requisition, and
 - (d) must be lodged with the Secretary, and
 - (e) 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 the date on which a requisition of members for the meeting is lodged with the Secretary, any one or more of the members who made the requisition may convene a special general meeting to be held not later than 3 months after that date.
- (5) A special general meeting convened by a member or members as referred to in subclause (4) must be convened as nearly as is practicable in the same manner as general meetings are convened by the Committee.
- (6) For the purposes of subclause (3):
 - (a) a requisition may be in electronic form, and
 - (b) a signature may be transmitted, and a requisition may be lodged, by electronic means.

28 Notice for General Meeting

- (1) Except if the nature of the business proposed to be dealt with at a general meeting requires a special resolution of BJFC, the Secretary must, at least 2 days before the date fixed for the holding of the general meeting, give a notice to each member specifying the place, date and time of the meeting and the nature of the business proposed to be transacted at the meeting.
- (2) If the nature of the business proposed to be dealt with at a general meeting requires a special resolution of BJFC, the Secretary must, at least 21 days before the date fixed for the holding of the general meeting, cause notice to be given to each member specifying, in addition to the matter required under subclause (1), the intention to propose the resolution as a special resolution.
- (3) No business other than that specified in the notice convening a general meeting is to be transacted at the meeting except, in the case of an annual general meeting, business which may be transacted under clause 26(3).
- (4) A member desiring to bring any business before a general meeting must have attended at least four (4) general meetings in the immediate 12 months preceding the meeting in question. The member may give notice in writing of that business to the Secretary who, if the attendance criteria is met, must include that business in the next notice calling a general meeting given after receipt of the notice from the member.

29 Quorum for general meetings

- (1) No item of business is to be transacted at a general meeting unless a quorum of members entitled under this constitution to vote is present during the time the meeting is considering that item.
- (2) Eight members present, including at least 2 of the Executive Committee (being members entitled under this constitution to vote at a general meeting) constitute a quorum for the transaction of the business of a general meeting.
- (3) If within half an hour after the appointed time for the commencement of a general meeting a quorum is not present, the meeting:
 - (a) if convened on the requisition of members - is to be dissolved, and
 - (b) in any other case - is to stand adjourned to the same day in the following week at the same time and (unless another place is specified at the time of the adjournment by the person presiding at the meeting or communicated by written notice to members given before the day to which the meeting is adjourned) at the same place.
- (4) If at the adjourned meeting a quorum is not present within half an hour after the time appointed for the commencement of the meeting, the meeting will be abandoned.

30 Presiding member

- (1) The President or, in the President's absence, the Vice-President, is to preside as chairperson at each general meeting of BJFC.
- (2) If the President and the Vice-President are absent or unwilling to act, the members present must elect one of their number to preside as chairperson at the meeting.

31 Adjournment

- (1) The chairperson of a general meeting at which a quorum is present may, with the consent of the majority of members present at the meeting, adjourn the meeting from time to time and place to place, but no business is to be transacted at an adjourned meeting other than the business left unfinished at the meeting at which the adjournment took place.
- (2) If a general meeting is adjourned for 14 days or more, the Secretary must give written or oral notice of the adjourned meeting to each member of BJFC stating the place, date and time of the meeting and the nature of the business to be transacted at the meeting.
- (3) Except as provided in subclauses (1) and (2), notice of an adjournment of a general meeting or of the business to be transacted at an adjourned meeting is not required to be given.

32 Making of decisions

- (1) A question arising at a general meeting of BJFC is to be determined by:
 - (a) a show of hands or, if the meeting is one to which clause 37 applies, any appropriate corresponding method that the Committee may determine, or
 - (b) if on the motion of the chairperson or if 5 or more members present at the meeting decide that the question should be determined by a written ballot.
- (2) If the question is to be determined by a show of hands, a declaration by the chairperson that a resolution has, on a show of hands, been carried or carried unanimously or carried by a particular majority or lost, or an entry to that effect in the minute book of BJFC, is evidence of the fact without proof of the number or proportion of the votes recorded in favour of or against that resolution.
- (3) Subclause (2) applies to a method determined by the Committee under subclause (1) (a) in the same way as it applies to a show of hands.
- (4) If the question is to be determined by a written ballot, the ballot is to be conducted in accordance with the directions of the chairperson.

33 Special resolutions

A special resolution may only be passed by BJFC if it supported by at least three-quarters of the votes cast by members who are entitled to vote (in accordance with section 39 of the Act).

34 Voting

- (1) On any question arising at a general meeting of BJFC a member has one vote only.
- (2) In the case of an equality of votes on a question at a general meeting, the chairperson of the meeting is entitled to exercise a second or casting vote.
- (3) A member is not entitled to vote at any general meeting of BJFC unless all money due and payable by the member to BJFC has been paid, and they have attended at least four (4) meetings in the preceding 12 months.
- (4) A member is not entitled to vote at any general meeting of BJFC if the member is under 18 years of age.

35 Proxy votes not permitted

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

36 Postal or electronic ballots

- (1) BJFC may hold a postal or electronic ballot (as the Committee determines) to determine any issue or proposal (other than an appeal under clause 12).
- (2) A postal or electronic ballot is to be conducted in accordance with Schedule 3 to the Regulation.

37 Use of technology at general meetings

- (1) A general meeting may be held at 2 or more venues using any technology approved by the Committee that gives each of BJFC's members a reasonable opportunity to participate.
- (2) A member of BJFC who participates in a general meeting using that technology is taken to be present at the meeting and, if the member votes at the meeting, is taken to have voted in person.

Part 5 Miscellaneous

38 Insurance

BJFC may effect and maintain insurance.

39 Funds - source

- (1) The funds of BJFC are to be derived from player registration fees, annual subscription fees, sponsorship, referral programs, donations and, subject to any resolution passed by BJFC in general meeting, any other sources that the Committee determines.
- (2) All money received by BJFC must be deposited as soon as practicable and without deduction to the credit of BJFC's bank or other authorised deposit-taking institution account.
- (3) BJFC must, as soon as practicable after receiving any money, issue an appropriate receipt.

40 Funds - management

- (1) Subject to any resolution passed by BJFC in general meeting, the funds of BJFC are to be used solely in pursuance of the objects of BJFC in the manner that the Committee determines.
- (2) All payments must be approved by 2 authorised signatories.
- (3) The authorised signatories include: President, Secretary, Treasurer, Assistant Treasurer and Vice President.
- (4) For any expenditure over \$500, three quotations must be obtained and presented to a general meeting for adoption. The cheapest quote may not necessarily have to be accepted. The Executive Committee may in extenuating circumstances, after consultation, override this rule i.e. for the Club to remain operational, an urgent payment for an account or for items required before a meeting can be convened.

41 BJFC is non-profit

Subject to the Act and the Regulation, BJFC must apply its funds and assets solely in pursuance of the objects of BJFC and must not conduct its affairs so as to provide a pecuniary gain for any of its members.

42 Distribution of property on winding up of BJFC

- (1) Subject to the Act and the Regulations, in a winding up of BJFC, any surplus property of BJFC is to be transferred to another organisation with similar objects and which is not carried on for the profit or gain of its individual members.
- (2) In this clause, a reference to the surplus property of BJFC is a reference to that property of BJFC remaining after satisfaction of the debts and liabilities of BJFC and the costs, charges and expenses of the winding up of BJFC.

43 Change of name, objects and constitution

- (1) An application for registration of a change in BJFC's name, objects or constitution in accordance with section 10 of the Act is to be made by the public officer or a Committee member (subject to relevant member approval).
- (2) Any member of the Club shall have the right to apply for an amendment to this constitution. Any such application shall be made in writing to the Secretary.
- (3) Submissions to amend this constitution shall be heard at a General Meeting and shall be varied only by a special resolution as per clause 33.
- (4) Amendments to this constitution shall become effective at the time they are approved.

44 Custody of books etc

Except as otherwise provided by this constitution, all records, books and other documents relating to BJFC must be kept in New South Wales:

- (a) at the main premises of BJFC, in the custody of the public officer or a member of BJFC (as the Committee determines), or
- (b) if BJFC has no premises, at BJFC's official address, in the custody of the public officer.

45 Inspection of books etc

- (1) The following documents must be open to inspection, free of charge, by a member of BJFC at any reasonable hour:
 - (a) records, books and other financial documents of BJFC,
 - (b) this constitution,
 - (c) minutes of all Committee meetings and general meetings of BJFC.
- (2) A member of BJFC may obtain a copy of any of the documents referred to in subclause (1) on payment of a fee of not more than \$5 for each page copied.
- (3) Despite subclauses (1) and (2), the Committee may refuse to permit a member of BJFC to inspect or obtain a copy of records of BJFC that relate to confidential, personal, employment, commercial or legal matters or where to do so may be prejudicial to the interests of BJFC.

46 Service of notices

- (1) For the purpose of this constitution, a notice may be served on or given to a person:
 - (a) by delivering it to the person personally, or
 - (b) by sending it by pre-paid post to the address of the person, or
 - (c) by sending it by facsimile transmission or some other form of electronic transmission to an address specified by the person for giving or serving the notice.
- (2) For the purpose of this constitution, a notice is taken, unless the contrary is proved, to have been given or served:

- (a) in the case of a notice given or served personally, on the date on which it is received by the addressee, and
- (b) in the case of a notice sent by pre-paid post, on the date when it would have been delivered in the ordinary course of post, and
- (c) in the case of a notice sent by facsimile transmission or some other form of electronic transmission, on the date it was sent or, if the machine from which the transmission was sent produces a report indicating that the notice was sent on a later date, on that date.

47 Financial year

The financial year of BJFC is each 12 month period commencing on 1 October and ending on 30 September.

48 Coaches and Managers

- (1) Nominations for team coaches and managers will be accepted anytime and appointments shall be made prior to the date by which team official details are to be provided to FSC.
- (2) If no nominations are forthcoming for a coach for a team then that team's players may have their registration fee refunded and they shall be de-registered as players and as a team. The process of de-registration shall commence after the team player's parents are notified, unless a coach is appointed prior to the date by which team official details are to be provided to FSC.
- (3) Duties of the Coach
 - (a) training of the team and match day oversight;
 - (b) the development of a player's skills;
 - (c) promoting positive attitudes to sport and sportsmanship.
- (4) Duties of the Manager
 - (a) Assist the coach on game day;
 - (b) Communicate with the team's parents and players details of match times training cancellations and other matters;
 - (c) be the communication point between the Club and the team;
 - (d) Custodian of team ID sheet;
 - (e) Fill in team sheet;
 - (f) Custodian of the team gear;
 - (g) arrange ground marshall(s) for home games.
- (5) Code of Conduct
 - (a) All coaches /managers will be asked to read the Code of Conduct and sign a document that they have read and will abide by the Code of Conduct, at the start of the season.
 - (b) Any coach/manager who is brought before the Football South Coast Disciplinary Judiciary for any offence contrary to the Football South Coast Constitution or the Code of Conduct will also be accountable for his /her actions to BJFC.

- (c) Any offence that the Football South Coast Judiciary finds to be proven for which a penalty is imposed will be enforced by BJFC. If any further conduct is deemed inappropriate, that coach/manager will be asked to relinquish his/her duties and a new coach/manager will be appointed by the club. The said coach/manager will not be permitted to hold a coaching/managing position for the following year.

49 Reimbursement to Committee members

- (1) The President, Secretary, Treasurer and Canteen Co-ordinator shall each be paid an amount of \$250 (Two hundred and fifty dollars) each at the AGM of the concluding season when they have completed their duties for the previous twelve months. This is to cover the costs incurred from Internet connection, phone calls made, transport costs and time spent on Club duties. If this position is shared, with more than one person carrying out the duties of the position then the money will be split accordingly. However, for the money to be paid, the person must have been elected to the position at the previous AGM and not have resigned their duties at any stage.
- (2) The Registrar is to be reimbursed the telephone rental cost on their home telephone account for the billing period relating to the three (3) months after registration commences ie. for the period 1st January to 31st March.

50 Auditor

An Auditor, who need not necessarily be connected with the Club, shall be appointed at the Annual General Meeting each year or at a subsequent General Meeting.

51 Life members

- (1) A member to be elected to Life Membership of the Club shall have not less than 10 years of service, and to have done outstanding work for the Club.
- (2) All nominations for Life Membership to be in writing at least fourteen (14) days prior to the Annual General Meeting.
- (3) Three senior members are to be elected to examine the member's qualifications and to report to the Club.

52 Team Make-up and Grading of Players

- (1) Each player must be registered with BJFC in the first instance in the appropriate age group. Where an age group is properly and adequately constituted, surplus players may be permitted to play in a Club team in a higher age group subject to the approval of the Executive Committee members shall include .
- (2) No competition (graded) player can be permitted to play in a higher age ~~upgraded~~ whilst a player in a higher age group is available, without the express permission of the Executive Committee.
- (3) Schedule 2 sets out the guidelines for forming MiniRoos and competition teams. These guidelines may be changed with the approval of a general meeting.

53 Club Trophies and Awards

Schedule 3 sets out the Club trophies and awards. Changes to Schedule 3 may be approved at a general meeting.

54 Refund of Registration Fees

Registration fees will only be refunded to a player up to the registration cut-off point as determined by Football South Coast. The refund will be equal to BJFC's proportion of the registration fee less 25% of that an amount as an administration fee.

Schedule 1 Duties of Committee Members

A. President

The President shall:

- be Chairman at all meetings, and shall conduct such meetings in accordance with the constitution of the Club, and in the event of a deadlock, shall have a vote at all meetings.
- be an ex-officio member on all committees.

B. Vice-President

The Vice President shall:

- In the absence of the President at any meeting, be the Chairman of the meeting and exercise the same powers and privileges as the President
- be responsible for the co-ordination of ground marshals for the season.

C. Registrar

The Registrar shall:

- Register all players, in the first instance, in the age group appropriate to his/her age.
 - Satisfy himself as to the proof of age of players.
 - Maintain a register of players in appropriate age groups showing date of birth, address of residence.
 - Provide player identification, in a form approved by Football South Coast, to each manager prior to the commencement of the first round for the season.
 - Obtain coach and manager identification in the form approved by Football South Coast, and provide to the coach and manager of each team.
- Submit to a meeting, a list of registered players in appropriate age groups.

D. Gear Steward

The Gear Steward shall:

- have charge of Club equipment and arrange storage of same.
- issue same, as required, to Managers etc, in accordance with Club policy for the year, or as decided at subsequent General Meeting.
- keep a record of equipment on hand and on issue and submit an inventory of equipment issued, by round 4 of the competition.
- report regularly on the condition and quality of Club equipment.
- ensure sufficient playing shirts, bibs and training gear

F. Assistant Secretary

The Assistant Secretary shall:

- generally assist and be prepared to take over the duties of the Honorary Secretary if required.

G. Assistant Treasurer

The Assistant Treasurer shall:

- generally assist and be prepared to take over the duties of the Honorary Treasurer if required.

H. Results Secretary

The Results Secretary shall:

- arrange for the team sheets to be at the ground.
- provide completed team sheets to FSC in the timeframe determined by FSC.

I. Member Protection Information Officer (MPIO)

The MPIO shall:

- Provide information about a person's rights, responsibilities and options to an individual making a complaint or raising a concern

J. Referee's Co-ordinator

The Referee's Co-ordinator shall:

- Provide support to the referees allocated to the Club
- Allocate a referee and assistant referees (where required) to competition games
- Prepare the referees pay sheet

K. Canteen Co-ordinator

The Canteen Co-ordinator shall:

- Determine the food and drink stocked at the canteen, appropriate pricing levels and replenish stocks as required
- Maintain a separate bank account for the canteen
- Provide financial statement on the account twice per year

L. Merchandise Co-ordinator

The Merchandise Co-ordinator shall:

- Be responsible for taking, and filling, orders for club merchandise;
- Maintain a stock of playing shorts and socks;
- Maintain a small stock of general merchandise;

M. Technical Director

The Technical Director shall:

- Be the official leader of the Technical and Grading Committee (TGC)
- Guide the TGC in developing a framework which will improve the skills of coaches and players ability alike
- be responsible for bringing TGC proposals and report issues to the Executive Committee as required and when requested.

N. Roster Co-ordinator

The Roster Co-ordinator shall:

- Prepare a volunteer roster for the canteen
- Advise coaches and managers of their teams canteen duty

O. Sponsorship & Funding Co-ordinator

The Sponsorship & Funding Co-ordinator shall:

- Submit funding applications;
- Seek sponsorships.

Schedule 2 Team Make-up and Grading of Players

Players

To be registered at BJFC, children must be at least 5 (five) years of age as of the last day of February of that calendar year.

MiniRoos

- All Mini Roos players should play in the age group that they turn that calendar year (between 1 Jan and 31 Dec) i.e. if a player turns 6 he/she must play in U6, if a player turns 7, he/she must play in U7, if a player turns 8, he/she must play in U8 and if a player turns 9, he/she must play U9. The Executive Committee will consider Out of Age Applications outside of this Guideline. Approval will be subject to the number of players within the requested age group and the natural age playing group.
- BJFC may assess MiniRoos players for suitability for advanced teams in set out in the Football South Coast Grouping Policy at the time. BJFC may also choose to conduct grouping of teams participating in the in-house competitions (if any).
- The following table sets out the preferred and maximum number of players in MiniRoos teams:

	Preferred	Maximum
Under 6 / Under 7	5	6
Under 8 / Under 9	9	10
Under 10 / Under 11	11	12

Competition

Competition teams shall be graded under the following guidelines:

- Only REGISTERED players may participate in grading.
- ALL players MUST be present at any grading sessions held for their age group. Any player not present at grading due to illness or injury who does not notify the Club shall be selected in a side where a vacancy exists.
- The Executive Committee shall form a Grading Committee to conduct the grading process. The Grading Committee shall be made up of club coaches and persons selected by the Executive Committee that are deemed competent to complete the grading.
- No Grading Committee member shall be involved in grading an age group where they have a child participating, unless that parent was a registered coach of the team in the previous year.
- Teams shall be graded on the ability of all available players on a yearly basis.
- Teams shall be announced at the conclusion of, or as soon as possible after grading.
- Any disputes directly related to team selections will only be considered by the Executive Committee if supplied in writing.
- No transfers will be granted after teams are graded.

9. Team nominations for divisions in FSC competitions shall be decided by the Executive Committee in consultation with the coach and shall be final. Any player withdrawing from a side after team nominations have been submitted will not be granted a transfer.
10. Players who register after grading shall be placed, in the first instance, in the lower team in their respective age group.
11. Where an age group cannot field a team, any player who wishes to play in a higher age group shall be considered of equal standing and normal grading rules apply. However, if a team is nominated and subsequently is withdrawn, players who wish to play in a higher age shall be eligible for the lower graded team only, subject to Football South Coast approval.
12. Graded teams shall have a MAXIMUM of 14 players. Any variation to team numbers shall be at the discretion of the Executive Committee and shall be final.
13. Coaches wishing to re-grade players after team selections have been completed, shall apply to the Executive Committee in writing. These re-grades must be approved by the Football South Coast and be completed by the date set by the Football South Coast.

14. Graded teams shall be made up in accordance with the following table:

No. of Teams in age group	No. of Players in age group	No. of players in Team			
		1st Division	2nd Division	3rd Division	4th Division
2	23	11	12		
	24	12	12		
	25	12	13		
	26	13	13		
	27	13	14		
	28	14	14		
3	34	11	11	12	
	35	11	12	12	
	36	12	12	12	
	37	12	12	13	
	38	12	13	13	
	39	13	13	13	
	40	13	13	14	
	41	13	14	14	
42	14	14	14		
4	45	11	11	11	12
	46	11	11	12	12
	47	11	12	12	12
	48	12	12	12	12
	49	12	12	12	13
	50	12	12	13	13
	51	12	13	13	13
	52	13	13	13	13
	53	13	13	13	14
	54	13	13	14	14
	55	13	14	14	14
56	14	14	14	14	

All players in a squad up to and including under 18 are of equal standing and must be given an equal share of games during the season, provided they attend adequate training sessions.

Schedule 3 Club Trophies and Awards

A. Perpetual Trophies

The following perpetual trophies will be awarded each year:

- i) The John Vlietstra Trophy - Awarded to the best performed 1st Division team in the competition
- ii) The Ray Denmead Trophy - Awarded to the best performed 2nd Division team in the competition.
- iii) The Tony Morolla Trophy - Awarded to the best performed 3rd Division team in the competition.
- iv) The Tony Frigo Trophy - Awarded to the best performed 4th Division team in the competition.
- v) The Gala Trophies' Award – Awarded to the best performed 5th Division team in the competition.
- vi) The Committee's Choice Award – Awarded to any team at the discretion of the Committee.
- vii) The Green Frog Trophy - Awarded to the overall yearly best performed team that did not gain an award.
- viii) The Andy Scott Memorial - Awarded to the team with the best goal difference.
- ix) The Phil Lidden Encouragement Trophy – Awarded to an U6 side as an encouragement award for effort throughout the season.
- x) The David Drain Trophy - Awarded to an U7 side as an encouragement award for effort throughout the season.
- xi) The Jim Digby Trophy - Awarded to an U8 side as an encouragement award for effort throughout the season.
- xii) The Brian Marden Encouragement Trophy - Awarded to an U9 side as an encouragement award for effort throughout the season.
- xiii) The David Green Encouragement Trophy - Awarded to an U10 side as an encouragement award for effort throughout the season.
- xiv) The BJFC President's Encouragement Trophy - Awarded to an U11 side as an encouragement award for effort throughout the season.
- xv) The IMB Bank League Champions Award – Awarded to each team that is declared League Champion in the competition
- xvi) The IMB Bank Grand Final Champions Award – Awarded to each team that is a Grand Final Champion in the competition

Best-performed team in their division should be a team who has attained the highest position. If two or more teams finish in the same position (i.e. 1st) it should be according to the best average of competition points versus games played.

Club trophies are to remain in the club house at all times.

B. Club Awards

A. The following achievement will be awarded each year either by a trophy or other appropriate award.

- i) 5 year membership award where such shall be for:
 - a) five consecutive years
 - b) a total of five years in the case of a player who interrupts consecutive years by playing as a member of a FSC Representative Team or for any reason considered by the Executive Committee to be acceptable.
 - c) each case shall be decided on its individual merits at the discretion of the Executive Committee.
- ii) 10 year membership award shall be for:
 - a) ten consecutive years
 - b) a total of ten years in the case of a player who interrupts consecutive years by playing as a member of a FSC Representative Team or for any other reason considered by the Executive Committee to be valid.
 - c) each case shall be decided on its individual merits at the discretion of the Executive Committee.
- iii) Club members selected for State or Australian representation.
- iv) Awards will be provided by the Club for the winners and runners up of the Gary Upton Memorial Event sponsored by the Club.
- v) Long Service Award shall be for:
 - a) A player who plays continuously for the Club from U6 to U18 and for thirteen or more consecutive years
 - b) a total of thirteen years in the case of a player who interrupts consecutive years by playing as a member of a Football South Coast Representative Team or for any other reason considered by the Executive Committee to be valid.
 - c) each case shall be decided on its individual merits at the discretion of the Executive Committee.

The Award shall be named the Ian "Bluey" Drain Long Service Award.

B. Acceptance of an additional Club award can be decided by the General Meeting.

C. Any player who plays 75% or more of the season's games with a team outside his/her regular team shall be entitled to receive that team's awards.

C. Club Memento

A suitable Club memento will be awarded to each registered player. To qualify for this award, a player must have played a minimum of three games for the Club.

No award shall be given to any player or team for performance such as:

- i) Best and fairest player
- ii) Best player
- iii) Most improved player
- iv) Most improved team

Variations to this under special circumstances are at the discretion of the Executive Committee.