

HARRINGTON PARK SOCCER CLUB INC



RULES AND BY-LAWS 2011

***NEW SOUTH WALES
ASSOCIATIONS INCORPORATION ACT, 1994
OBJECT AND RULES
OF
HARRINGTON UNITED FOOTBALL CLUB Inc.***

Contents

SECTION	PAGE
PART I - PRELIMINARY	
1. Interpretation	4
PART II - STATEMENT OF OBJECTS	
2. Statement of Objects	4
PART III - MEMBERSHIP	
3. Membership Qualifications	5
4. Nominations For Membership	5
5. Cessation of Membership	6
6. Membership entitlements not transferable	6
7. Resignation of membership	6
8. Register of members.	6
9. Fees, subscriptions, etc.	6
10. Members Liabilities	7
11. Disciplining of Members	7
12. Right of Appeal of disciplined member	7
PART IV - COMMITTEE	
13. Powers etc., of the Committee	7
14. Constitution and Membership	8
15. Election of Committee	8
16. Secretary	8
17. Treasurer	9
18. Casual Vacancies	9
19. Removal of a Member	9
20. Meetings and quorum	9
21. Delegation by Committee to Sub-committee	10
22. Voting Decisions	10
PART V - GENERAL MEETINGS	
23. Annual General Meetings - holding of	11
24. Annual General Meetings - calling of and business at	11
25. Special general meetings - calling of.	11
26. Regular general meetings	12
27. Notice	12
28. Procedure	12
29. Presiding Member	13
30. Adjournment	13
SECTION	PAGE
31. Making decisions	13
32. Special Resolution	13
33. Voting	14

34. Appointment of proxies 14

PART VI - MISCELLANEOUS

35. Membership of Association 14
36. Insurance 14
37. Funds - source 14
38. Funds - management 14
39. Alteration of object and rules 14
40. Common seal 14
41. Custody of books etc. 15
42. Inspection of books 15
43. Service of Notices 15
44. Surplus property 15

Appendix 1 - rule 4 (1) (a) 16

HARRINGTON UNITED FOOTBALL CLUB INC

PART I - PRELIMINARY

Preliminary

The club shall do all such things necessary to implement and enforce any decision of the Macarthur District Soccer Football Association (MDSFA) relating to any player, official, person or Club who is a member of or affiliated with the MDSFA or seek to be a member of or be affiliated with the MDSFA. The Club shall abide by the Rules and By-laws of the Macarthur District Soccer Football Association.

Interpretation:

1. (1) In these rules, except in so far as the context or subject matter otherwise indicates or requires -

"Ordinary member" means any person over the age of eighteen (18) years who has been admitted to the club in accordance with these rules.

"Junior member" means any person who has not attained the age of eighteen (18) who is currently registered to play soccer for the Club.

"Life member" means those persons who have been admitted to life membership of the Club in accordance with these rules.

"Club" means the Harrington United Football Club Inc.

"Committee" means the governing body of the Club.

"Secretary" means:

(a) the person holding office under these rules as secretary of the Club; or

(b) where no such person holds that office - the Public officer of the Club.

"Public Officer" means the person who is for the time being the Public Officer of the club under this act in ordinary circumstances the Secretary.

"Special General Meeting" means a general meeting of the Club other than an annual general meeting or regular general meeting;

"Regular General Meeting" means such regular general meeting of the Club not being a special general meeting or Annual general meeting.

"the Act" means the Association's Incorporation Act, 2009.

"the regulation" means the Association Incorporation Regulation, 2010

(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, 1987, 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 II - STATEMENT OF OBJECTS

2. The statement of objects of the incorporated body are to promote and foster the sport of soccer in the Harrington Park/Narellan area.

PART III - MEMBERSHIP

Membership Qualifications:

3. (a) A person is qualified to be an ordinary member of the Club if, but only if –
 - (a) the person is a person referred to in section 15 (1) (a), (b) or (c) of the act and has not ceased to be a member of the Club at any time after incorporation of the Club under the act; or
 - (b) the person is a natural person who has attained the age of eighteen (18) years and -
 - (i) has been nominated for membership of the club as provided by rule 4; and
 - (ii) has been approved for membership of the Club by the committee of the Club.
- (b) A person is qualified to be a junior member of the Club if but only if the person is a natural person who has not attained the age of eighteen (18) years and is currently registered to play soccer for the Club or is appointed as a coach or manager by the Club.
- (c) A life member shall be any member who shall be elected as such by a two-thirds majority of those present at any annual general meeting of the Club and shall thereafter be entitled to all privileges (including entitlement to vote and take part in the management of the Club) as an ordinary member of the Club without paying the annual subscription or any special payment for such Life Membership; Provided that no member shall be elected a Life Member unless he has been a member for a continuous period of not less than eight years and has rendered exceptional service to the Club. Not more than two (2) Life Members shall be elected in any one financial year. Each nomination being put to a separate vote, must attain a two-thirds majority to be elected. Nominations for Life Membership with proposers and seconders remarks will only be accepted up to 28 days before the Annual General Meeting. In the event of there being more than two nominations for Life Membership the committee will select the two (2) to be proposed for election by the members at the Annual General Meeting.
- (d) All players, coaches and managers registered with or appointed by the club or members of the committee of the club shall be either ordinary member or life members of the Club if they have attained the age of eighteen (18) years or junior members if they have not attained the age of eighteen (18) years.
- (e) No junior member shall be entitled to nominate any person for membership, stand for or be elected for any position on the committee of the Club or nominate any other person to stand for the committee of the Club or to vote in any election or any ballot of the Club of the election of members of the committee of the Club or to vote at any meeting of Club.

Nominations For Membership

4. (1) A nomination of a person for membership of the Club-
 - (a) shall be made by a member of the Club in writing in the form set out in appendix 1 to these rules; and
 - (b) shall be lodged with the secretary of the Club.
- (2) As soon as practicable after receiving a nomination for membership, the secretary shall refer the nomination to the committee which shall determine whether to approve or to reject the nomination.
- (3) Where the committee determines to approve a nomination for membership, the secretary shall, as soon as practicable after that determination, notify the nominee of that approval and request the nominee to pay within the period of 28 days after receipt by the nominee of the notification the sum payable under these rules by a member as entrance fee and annual subscription.
- (4) The secretary shall, on payment by the nominee of the amounts referred to in clause (3) within the period referred to in that clause, enter the nominee's name in the register of members and, upon the name being so entered, the nominee becomes a member of the Club.

Cessation of membership.

5. A person ceases to be a member of the Club if the person -
 - (a) dies;
 - (b) resigns that membership; or

- (c) is expelled from the Club; or
- (d) in the case of a junior member, ceases to be a registered player for the Club.

Membership entitlements not transferable.

- 6. A right, privilege or obligation which a person has by reason of being an ordinary member of the Club.
 - (a) is not capable of being transferred or transmitted to another person; and
 - (b) terminates upon cessation of the person's membership.

Resignation of membership

- 7. (1) An ordinary member of the Club is not entitled to resign that membership except in accordance with this rule.
- (2) An ordinary member of the Club who has paid all amounts payable by the ordinary member to the Club in respect of the ordinary member's membership may resign from membership of the Club by first giving notice (being not less than 1 month or not less than such other period as the committee may determine) in writing to the secretary of the member's intention to resign and, upon the expiration of the period of notice, the member ceases to be an ordinary member.
- (3) Where an ordinary member of the Club ceases to be a member pursuant to clause (2), and in every other case where an ordinary member ceases to hold membership, the secretary shall make an appropriate entry in the register of members recording the date on which the member ceased to be an ordinary member.

Register of members

- 8. (1) The public officer of the Club shall establish and maintain a register of members of the Club specifying the name and address of each person who is a member of the Club, together with the date on which the person became a member.
- (2) The register of members shall be kept at the principal place of administration of the Club and shall be open for inspection, free of charge, by any member of the Club at any reasonable hour.

Fees, subscriptions, etc.

- 9. (1) An ordinary member of the Club shall, upon admission to membership, pay to the Club a fee of \$1.00 or, where some other amount is determined by the committee, of that other amount.
- (2) No joining fee or annual membership fee shall be payable by a junior member. Provided however that the committee of the Club may charge any junior a playing fee which shall be determined from time to time by the committee.
- (3) In addition to any amount payable by the member under clause (1) an ordinary member of the Club shall pay to the Club an annual subscription fee of \$1.00 or where some other amount is determined by the committee, of that amount:
 - (a) except as provided by paragraph (b), before the 1st April in each calendar year; or
 - (b) where the member becomes a member of the Club on or after the 1st of April 1987, upon becoming a member and thereafter before the 1st April in each succeeding calendar year.

Member's Liabilities.

10. The liability of a member of the Club to contribute towards the payment of the debts and liabilities of the Club or the costs, charges and expenses of the winding up of the Club is limited to the amount, if any, unpaid by the member in respect of membership of the Club as required by Rule 9.

Disciplining of Members.

11. If any member shall willfully refuse or neglect to comply with the provisions of the rules of the Club or shall be guilty of any conduct of which in the opinion of the committee is unbecoming of a member or prejudicial to the interests of the Club the committee shall have the power to reprimand and/or fine and/or suspend and/or expel such member from the Club. Provided that at least fourteen (14) days before the meeting of the committee at which the resolution to reprimand and/or fine and/or suspend or expel such member or any combination thereof is put the member shall have had notice in writing of such meeting and of what is alleged against him and that he shall at such meeting and before the passing of such resolution have had an opportunity of giving orally or in writing any explanation or defence he may think fit and provided further that no member shall be expelled from the Club unless the resolution for his expulsion is passed by a majority of two-thirds of those committee members present and voting.

Right of appeal of disciplined member.

12. (1) A member may appeal to the Club in general meeting against a resolution of the committee which is passed under rule 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) Upon receipt of a notice from a member under clause (1), the secretary shall notify the committee which shall convene a general meeting of the Club to be held within 21 days after the date on which the secretary received the notice.
- (3) At a general meeting of the Club convened under clause (2):
 - (a) no business other than the question of the appeal shall be transacted;
 - (b) the committee and the member shall be given the opportunity to state their respective case orally or in writing, or both; and
 - (c) the members present shall vote on the question of whether the resolution should be confirmed, revoked or varied.
 - (d) voting shall be conducted on a show of hands unless the meeting resolves by ordinary majority to conduct a secret ballot.

PART IV - COMMITTEE

Powers, etc., of the Committee.

13. The Committee shall be called the management committee of the Club and, subject to the act, the regulation and these rules and to any resolution passed by the Club in general meeting -
 - (a) shall control and manage the affairs of the Club;
 - (b) may exercise all such functions as may be exercised by the Club other than those functions that are required by these rules to be exercised by a general meeting of members of the Club; and
 - (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 Club.
 - (d) may from time to time make, alter or repeal all such by-laws as it may deem necessary or expedient for the proper conduct and management of the Club.

Constitution and Membership.

14. (1) Subject in the case of the first members of the committee to section 21 of the act, the

committee shall consist of -

- (a) President
 - (b) Secretary
 - (c) Senior Vice President
 - (d) Junior Vice President
 - (e) Treasurer
 - (f) Merchandise Officer
 - (g) Registrar
 - (h) Equipment Officer
 - (i) Canteen Manager
 - (j) Publicity Officer
 - (k) Grounds Officer
 - (l) Event and fundraising co-ordinator
 - (m) Club Coach/Education Officer
 - (n) Child Protection/Sports Rage Officer and Injury Management
 - (o) Website Administrator and Publicity Officer
 - (p) Sponsorship Manager
- (2) The Executive of the Association shall be the President, Secretary, Senior Vice President, Junior Vice President, Registrar, Assistant Secretary and Treasurer.
 - (3) Each Member of the Committee shall, subject to these rules, unless otherwise stated, hold office until the conclusion of the Annual General Meeting following the date of the members election, but is eligible for re-election.
 - (4) In the event of a casual vacancy occurring in the membership of the committee, the committee may appoint a member of the Club to fill the vacancy and the member so appointed shall hold office until the conclusion of the Annual General Meeting next following the date of the appointment.

Election of Committee

15. (1) Nominations of candidates for election as members of the Committee shall be made at the time nominations are called for during the course of the Annual General Meeting provided such nomination is moved by two members of the Club and the candidate either orally if he is in attendance at the meeting or in writing if he not be in attendance at the meeting indicates his consent to nomination.
- (2) 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.
- (3) If the number of nominations received exceeds the number of vacancies to be filled, a ballot shall be held.
- (4) 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.
- (5) If insufficient nominations are received the persons nominated shall be deemed elected and any vacant positions remaining on the committee shall be deemed to be casual vacancies.

Secretary.

16. (1) The secretary of the Club shall, as soon as practicable after being appointed as Secretary, lodge notice with the Club his or her address.
- (2) It is the duty of the Secretary to keep minutes of -
 - (a) all appointments of members of the committee;

- (b) the names of members of the committee present at a committee meeting or general meeting; and
 - (c) all proceedings at committee meetings and general meetings.
- (3) Minutes of proceedings at a meeting shall be signed by the chairperson of the meeting or by the chairperson of the next succeeding meeting.

Treasurer.

17. It is the duty of the Treasurer of the Club to ensure that;
- (a) all money due to the Club is collected and received and that all payments authorised by the Club are made;
 - (b) correct books and accounts are kept showing the financial affairs of the Club including full details of all receipts and expenditure connected with activities of the Club.

Casual Vacancies.

18. 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 Club;
 - (a) becomes an insolvent under administration within the meaning of the Companies (New South Wales) Code;
 - (b) resigns office by notice in writing given to the Secretary;
 - (c) is removed from office under rule 19;
 - (d) becomes of unsound mind or a person whose person or estate is liable to be dealt with in any way under the law relating to mental health; or
 - (e) is absent without the consent of the committee from three (3) consecutive committee meetings.

Removal of a Member.

19. (1) The Club in special general meeting may by resolution remove any member of the committee from the office of 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 members so removed
- (2) Where a member of the committee to whom a proposed resolution referred to in clause (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 the Club, the Secretary or the President may send a copy of the representations to each member of the Club or, if they are not sent, the member is entitled to require that the representations be read out at the meeting at which the resolution is considered.

Meetings and quorum.

20. (1) The committee shall meet together for the despatch of business and adjourn at such times and such places and at such frequency as the committee may determine.
- (2) Additional meetings of the committee may be convened by the president provided 24 hours notice is given to all committee members.

OR

- (3) By any two members of the committee, notice of which shall be given by the secretary to each member of the *committee at least 48 hours (or such other period as may 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) shall specify the general nature of the business to be transacted at the meeting and no business other than that business shall be transacted at the meeting, except business which the committee members present at the meeting unanimously agree to treat as urgent business.
- (5) Any five (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 senior vice-president shall preside; or
 - (b) if the president and the senior 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.
- (9) If a motion is put at a committee meeting only the committee members may vote.

Delegation by Committee to Sub-committee.

21. (1) The committee may delegate to one or more sub-committees (consisting of such member or members of the Club as the committee thinks fit) the exercise of such of the powers and functions of the committee as the committee think fit.
- (2) 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.
- (3) A delegation under this section may be made subject to such conditions or limitations as to the exercise of any function the subject thereof, or as to time or circumstances, as may be specified by the committee.
- (4) Notwithstanding any delegation under this rule, the committee may continue to exercise any function delegated
- (5) Any act of 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 if it had been done or suffered by the committee.
- (6) The committee may revoke wholly or in part any delegation under this rule.
- (7) A sub-committee may meet and adjourn as it thinks proper.

Voting Decisions.

22. (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 the 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 rule 20(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 or by a subcommittee appointed 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 or sub-committee.

PART V - GENERAL MEETINGS

Annual General Meetings - holding of.

23. (1) With the exception of the first annual general meeting of the Club, the Club shall, at least once in each calendar year and within the period of 6 months after the expiration of each financial year of the Club, convene an Annual General Meeting of its members.
- (2) The Club 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 Club.
- (3) Clauses (1) and (2) have effect subject to any extension or permission granted by the Commission under section 26(3) of the act.

Annual General Meetings - calling of and business at.

24. (1) The annual general meeting of the Club shall, subject to the act and to rule 23, be convened on such date and at such place and time as the committee thinks fit.
- (2) In addition to any other business which 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 Club during the last preceding financial year.
 - (c) to elect office-bearers of the Club and ordinary members of the committee; and
 - (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 the notice convening it.

Special general meetings - calling of.

25. (1) The committee may, whenever it thinks fit, convene a special general meeting of the Club.
- (2) The committee shall, on the requisition in writing of not less than five (5) per cent of the total number of members, convene a special general meeting of the Club.
- (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 the date on which the 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 and any member who thereby incurs expense is entitled to be reimbursed by the Club for any expense so incurred.

Regular general meetings.

26. (1) Regular general meetings of the club shall take place during the months of February to September inclusive, at a time and place as determined by the Annual General Meeting or Special General Meeting or such other times and at such place as the committee shall from time to time determine.
- (2) Business at such regular general meeting shall include:
 - (a) confirmation of minutes of preceding Regular General meetings or any special general meeting held since the previous Regular General Meeting.
 - (b) 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.

Notice.

27. (1) Except where the nature of the business proposed to be dealt with at a special general meeting or annual general meeting requires a special resolution of the Club, the secretary shall, at least fourteen (14) days before the date fixed for the holding of the Special General Meeting or Annual General Meeting, cause to be published in a newspaper of general circulation throughout the Harrington Park District in the public notices section, a notice specifying the name of the Club, the date, time, place and nature of such meeting PROVIDED that in lieu of notice as provided by ordinary resolution resolve that notice of such Special General Meeting or Annual General Meeting shall be given by the secretary at least fourteen (14) days before the date fixed for the holding of such meeting cause to be sent by pre-paid post to each member entitled to vote at such meetings, 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 Club, the secretary, 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 clause (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 24 (2).
- (4) A member desiring to bring any business before a regular general meeting may give notice in writing of that business to the secretary prior to the commencement of the meeting

Procedure.

28. (1) No items 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) Five (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 shall stand adjourned to the same day in the following week at the same time and (unless another place is specified at the time of 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 members present (being not less than 3) shall constitute a quorum.

Presiding Member.

29. (1) The president or, in the president's absence, the senior vice-president, shall preside as chairperson at each general meeting of the Club.
- (2) If the president and the senior vice-president are absent from a general meeting or unwilling to act, the members present shall elect one of their number to preside as chairperson at the meeting.

Adjournment.

30. (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 Club 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 clause (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.

Making decisions.

31. (1) A question arising at a general meeting of the Club 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, or an entry to that effect in the minute book of the Club, 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 Club, a poll may be demanded by the chairperson or by not less than 3 members present in person at the meeting.
- (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
 - (a) 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.

Special resolution.

32. A resolution of the Club is a special resolution if –
- (a) it is passed by a majority which comprises not less than three quarters of such members of the Club as, being entitled under these rules so to do, vote in person at a general meeting of which not less than 21 day's 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.

Voting.

33. (1) Upon any questions arising at a general meeting of the Club a member has one vote only.
(2) On any question arising at any meeting of the Club a members has one vote only
(3) All votes shall be given personally.
(4) 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.
(5) A member is not entitled to vote at any general meeting of the Club unless all money due and payable by the member to the Club has been paid, other than the amount of the annual subscription in respect of the then current year.

Appointment of proxies.

34. (1) No member shall attend or vote at any meeting of the Club or of any committee of the Club or vote at any election of the Club as a proxy of another person.

PART VI - MISCELLANEOUS

Membership of Association

35. The Club shall do all such things necessary to implement and enforce any decision of the Macarthur District Soccer Football Association Incorporated relating to any player, official, person or club who is a member of the Club or seeks to be a member of the Club.

Insurance.

36. (1) The Club shall effect and maintain insurance pursuant to section 44 of the act.
(2) In addition to the insurance required under clause (1), the Club may effect and maintain other insurance.

Funds - source.

37. (1) The funds of the Club shall be derived from entrance fees and annual subscriptions of members, donations and, subject to any resolution passed by the Club in general meeting, such other sources as the committee determines.
(2) All money received by the Club shall be deposited as soon as practicable and without deduction to the credit of the Club's bank account.
(3) The Club shall, as soon as practicable after receiving any money, issue an appropriate receipt.

Funds - management.

38. (1) Subject to any resolution passed by the Club in general meeting, the funds of the Club shall be used in pursuance of the objects of the Club 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 2 members of the committee of the Club, being President, Secretary or Treasurer, being members authorised to do so by the committee.

Alteration of objects and rules.

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

Common seal.

40. (1) The common seal of the Club 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 affixing of the common seal shall be attested by the signatures either of 2 members of the committee or 1 member of the committee and of the Public officer or Secretary.

Custody of books, etc.

41. Except as otherwise provided by these 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 Club.

Inspection of books, etc.

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

Service of notices.

43. (1) For the purpose of these rules, a notice may be served by or on behalf of the Club upon any member either personally or by sending it by post to the member at the members address shown in the register of members.
(2) Where a document is sent to a person by properly addressing, prepaying and posting to the person a letter containing the document, the document shall, unless the contrary is proved, be deemed for the purpose of these rules to have been served on the person at the time at which the letter would have been delivered in the ordinary course of post.

Surplus property.

44. (1) In the winding up of the Club the surplus property of the Club shall subject to any trust affecting that property or any part of it vest in the Macarthur District Soccer Football Association or its successor or in the event of the Macarthur District Soccer Football Association or its successor ceasing to exist another organisation determined by the Club by Special Resolution which has objects substantially similar to the Club and is not carried on for the object of trading or securing, procuring gain for its members, or failing such special resolution as nominated by the Corporate Affairs Commission

Appendix 1
Rule 4 (1) (a)

APPLICATION FOR MEMBERSHIP OF CLUB:

TO: Harrington Park Soccer Club Incorporated
(incorporated under the Associations Incorporation Act, 1984)

I
(full name of applicant)

of.....
(address)

..... hereby apply to become a
(occupation)

member of the above named incorporated Club. In the event of my admission as a member. I agree to be bound by the rules of the Club for the time being in force.

.....
(signature of applicant)

Date

I a member of the Club,
(Full name)
nominate the applicant, who is personally known to me, for membership of the Club.

.....
(signature of proposer)

Date

I a member of the Club,
(Full name)
second the nomination of the applicant, who is personally known to me for membership of the Club.

.....
(signature of seconder)

Date

HARRINGTON PARK SOCCER CLUB INCORPORATED

BY-LAWS

INTRODUCTION:

These By-laws have been formulated to cover any matters which the Rules of Incorporation of this Club do not cover.

CLUB COLOURS:

1. The Club colours will be Emerald Green Shirts , Navy shorts and Navy socks.
2. An away strip is to be Navy Blue Shirt with Green trimming, Navy Blue Shorts and Navy Blue Socks

ALTERATIONS AND ADDITIONS TO THESE BY-LAWS:

2. Alterations and additions to these by-laws may only be made at an Annual General Meeting or Special General Meeting. Changes to these By-laws shall be received with 28 days clear notice prior to the Annual General Meeting to the Secretary of this Club, and 14 days notice shall be given to members in the prescribed manner as set out in RULE 27 (1) of Incorporation or as set out in RULE 13 (d) of Incorporation.

ADMINISTRATION:

3. The Club's year shall be from the 1st November to the 31st October and all Officers shall remain in office until the ensuing Annual General Meeting.
4. The Annual General Meeting will be held before the 15th December each year.
5. Rules of conduct of teams will be framed by the Management Committee.

OFFICERS' DUTIES: Note that some of the Treasurer's and Secretary's duties are set out in the Rules of Incorporation.

6. PRESIDENT:

- (a) Chair all meetings (when present) See rule 20 (8) and 29 (1 & 2) of incorporation.
- (a) Ensure that meetings are held according to the Rules of Incorporation and By-laws.
- (b) Conduct the meetings in order of agenda and in accordance with the rules of debate.
- (c) Assist all committees and Officers where necessary in the performance of their duties.
- (d) The President shall require all committee members to present written or verbal reports to all meetings. If any committee member is to be absent from a meeting and holds books of the Club they are to be given to another committee member for presentation at the meeting.
- (f) Prepare a written or verbal report for presentation at all Meetings
- (g) Prepare a written report for presentation to the Annual General Meeting.
- (h) In association with the Secretary prepare the Annual Report of the Club for presentation at the Annual General Meeting.
- (i) The President has the right to attend any committee meetings.
- (j) Assist the Social Secretary organise and co-ordinate sponsorship deals on be-half of the Club.

7. VICE-PRESIDENT:

- (a) In the absence of the President the Vice-President shall assume the same responsibilities set out in (6) of the By-laws.
- (b) Shall be the Clubs grading co-ordinator.
- (c) Prepare a written or verbal report for presentation at all General Meetings.
- (d) Shall be responsible for all arrangements for pre-season trial games and gala days as the committee decides.
- (e) Assist the President and Social Secretary as required.

8. SECRETARY:

In addition to those duties contained with in the Rules of Incorporation of the Club shall:-

- (a) Administer the affairs of the Club as directed by the Management committee of the Club.
- (b) Exercise such other duties as may come within the province of Secretary.
- (c) Sign all outgoing correspondence and receive all incoming correspondence and advise those who need to know any details of correspondence immediately.
- (d) Ensure that the Public officer is given minutes and reports of meetings within 7 days of the meetings.
- (e) Prepare a written or verbal report for presentation at all General Meetings.
- (f) Prepare a written report for presentation at the Annual General Meeting.

9. TREASURER:

In addition to those duties contained with in the Rules of Incorporation of the Club shall:-

- (a) Ensure that all monies due to the Club are collected and received.
- (b) Issue a receipt for any monies received no matter how small.
- (c) Shall within 7 days bank all monies received.
- (d) Make no cash payments.
- (e) Hold all financial assets of the Club in an authorised account(s) in the name of the Club with financial institutions that are licensed by the Reserve Bank of Australia and as approved by the management Committee.
- (f) Prepare a budget of projected income and expenditure for the following year after the determination of Macarthur Soccer Football Association fees for approval by the Management Committee.
- (g) Prepare a written report for presentation at all Meetings of the Club.
- (h) Prepare a written report for presentation at the Annual General Meeting along with the Auditors Report.

10. ASSISTANT SECRETARY (MINUTE SECRETARY):

- (a) Shall take detailed minutes of all meetings including reports and shall present them for ratification at the next meeting.
- (b) Shall with in 7 days of any meeting supply the Public officer with a copy of the minutes and reports of the meeting.
- (c) Shall seven (7) days prior to a meeting supply the Management committee with a written copy of the minutes of the previous meeting for perusal and if requested to do so place at least one (1) copy on the notice board for all members
- (d) Assist the Secretary or the Registrar as required.
- (e) Prepare a written or verbal report for presentation at all General Meetings.

11. SOCIAL SECRETARY:

- (a) Shall be responsible for and arrange fund raising functions of the Club. (A committee may be formed to assist.)
- (b) Prepare a calendar of fundraising activities of the club.
- (c) Organise and co-ordinate sponsorship deals on be-half of the Club in conjunction with the President.
- (d) Prepare a written or verbal report for presentation at all General Meetings
- (e) Prepare a written report for presentation at the Annual General Meeting.

12. REGISTRAR:

- (a) Organise and co-ordinate registration days as determined by the committee.
- (b) Shall register all players with the appropriate body after all details (ie: I.D. Cards, Photos, Registration Forms) have been completed and fee paid.
- (c) Once registration has been completed pass card to team Manager.
- (d) No player will be registered until the above (b) is complied with.
- (e) Keep a register of all players including Name, Address, Phone Number, Date of Birth plus year.
- (f) Hand any monies collected on behalf of the Club to the Treasurer with in 7 days of its receipt and to receive a receipt for the amount from the Treasurer.
- (g) A separate receipt book shall be used for the collection of registration monies.(This is to be handed in to the Treasurer when required for auditing purposes).
- (h) Prepare a written or verbal report for presentation at all General Meetings

13. ASSISTANT REGISTRAR:

- (a) As from the 1999 Annual General Meeting the Assistant Registrar shall assist the Registrar as required.

14. EQUIPMENT OFFICER:

- (a) Maintain a register of all equipment held by the Club. The Register to show date of purchase and cost of all new equipment.
- (b) Ensure that any equipment not kept in the care of the Equipment Officer has been registered in a Loan Register.
- (c) This register should show the name of the member holding the equipment and the date it was removed from the care of the Equipment Officer. Members must sign the Loan Register to verify the date of the loan and the date of the return.
- (d) Conduct, with the Vice-President, an Annual Stocktake of equipment.
- (e) Ensure all equipment is properly maintained and recommend the repair or purchase of equipment.
- (f) Prepare a written report for presentation at the Annual General Meeting.
- (g) Shall present to the Club two quotes or more for the purchase of new equipment.
- (h) Prepare a written or verbal report for presentation at all General Meetings.

15. CANTEEN MANAGER:

- (a) Shall be responsible for the organisation of canteen purchases and sales on required days and if desired draw up a roster of help for these days.
- (b) Hand any monies collected on behalf of the Club to the Treasurer with in 7 days of its receipt and to receive a receipt for the amount from the Treasurer.
- (c) Keep a clear and accurate record of all receipts and expences in the form of a Profit and Loss Account.
- (d) Prepare a written or verbal report for presentation at all General Meetings.
- (e) Prepare a written report for presentation at the Annual General Meeting.
- (f) Shall be responsible for the keeping of the Clubs Order Book and for the signing of all stock purchases.

16. PUBLICITY OFFICER:

- (a) Shall be responsible for compiling all publicity of the Club.
- (b) Shall be responsible for the distribution of any Newsletters of the Club.
- (c) Arrange the placement of all advertisements of the Club
- (d) Prepare a written or verbal report for presentation at all General Meetings.

17. EXECUTIVE:

- (a) The executive shall consist of the President, Vice-President, Secretary and Treasurer.
- (b) The Executive shall meet at any time between meetings to decide matters of substance which can not be held over to the next meeting of the Management Committee. A report and decision will be given at the next Management Committee Meeting or General Meeting for ratification.

18. PUBLIC OFFICER:

It is advisable that this position be held by a person who is conversant with the Rules and By-laws of the Club and who is capable of giving fair direction.

- (a) Shall hold the Official Stamp of the Club as determined by the Rule of Incorporation.
- (b) Shall keep in his/her custody or under his/her control all records and other documents relating to the Club.
- (c) Shall be one of the signatures attached to any document requiring the Official Stamp.
- (d) Shall within 7 days of any meeting be given a copy of the minutes and all reports.
- (e) Shall lodge with the Corporate Affairs all necessary paper work along with any fees due.
- (f) Shall before lodging any documents with Corporate Affairs ensure that they are to be lodge within the Rules of Incorporation of the Club and any guideline set down from time to time by the Corporate Affairs Commission.
- (g) Shall be the Club watch dog to ensure that the affairs of the Club are being run in accordance with the Rules of Incorporation and By-laws.
- (h) Shall be given periodical backups of all Data and Programs relating to the affairs of the Club for safe keeping by the Committee member responsible for the entry of that data..

19. DELEGATES:

Club delegates are responsible to the Management Committee. They shall report all matters of business concerning the Club to the next General Meeting. If a delegate is unable to fulfil his duties as delegate, he should request a replacement or be replaced by the Management Committee. When business of the meeting being attended by the delegates is known prior to the meeting and at such time that the Management Committee or General Meeting is able to deal with it and reach a decision, the decision of the Club shall be carried to the Meeting. Matters arising at the meeting without prior notice will be voted on freely by the delegates, but bearing in mind the Policies of the Club.

20. MANAGERS:

The Manager of each team shall be:-

- (a) Responsible to the Management Committee.
- (b) Attend General Meetings as a representative of that team.
- (c) Be responsible for the behaviour and welfare of the team.
- (d) Ensure that each player in the team is properly registered and dressed.
- (e) Keep the team informed of training, playing times and activities of the Club.
- (f) Keep a record of the teams progress and results.
- (g) Collect all team fees (if required) and hand to Club Treasurer.
- (h) Supply the publicity Officer with match results and report of each game.
- (i) Act as team Coach when team Coach is not present.
- (j) Carry out other duties as may be rostered from time to time by the Management Committee.
- (k) Erect or clear nets and corner flags if involved in the first or last match, on that ground in conjunction with team and parents.

21. COACH:

The Coach of the team shall:-

- (a) Be directly responsible to the Management Committee.
- (b) Teach and train the player in his team to the best of his/her knowledge and ability without outside interference.
- (c) Have the authority to select his team from players registered in his team, bearing in mind that registered players in the team be given an equal opportunity and only call on players of other teams with the consent of that teams Coach in case of shortage. Disputes to be determined by the Management Committee.
- (d) Encourage a sporting attitude and an understanding of the rules.
- (e) Attend General Meetings as an alternative representative of his/her team.
- (g) Carry out other duties as may be rostered from time to time by the Management Committee.
- (h) Receive guidance from the Director of Coaching and attend any courses arranged by the Club.
- (i) Be committed to carrying out Club initiatives, e.g. Grading Policy

22. *PLAYER REGISTRATION:*

- (a) All players shall be registered with the Club and the appropriate body before being eligible to play for the Club.
- (b) Supply all details as requested by the registrar and pay set fees to the Club before being registered.
- (c) In all publicity prior to and on registration days it will be clearly stated, so that all players intending to register are made aware that each team will be limited to 14 players, but that after Consultation with the coach it may be varied to sixteen (16) in accordance with Macarthur District Soccer Football Association. After registration days, the Club will hold selection trials whereby the team/s will be selected. Any number over the limit will be given the opportunity to register in a higher age group if a vacancy exists, provided the Coach of the higher age group is consulted first and agrees, or register their names on a waiting list in case a vacancy occurs throughout the season. No objection will be made by any member of the Club to these players attending training sessions if they so desire.
- (d) Where a player or in the case of a junior, a person feels that a said player is not being given an equal opportunity a complaint must be submitted in writing to the Secretary to be dealt with by the Management Committee. All parties involved are to be given 48 hours notice of the meeting.

23. *FIELD MARKINGS:*

It shall be the responsibility of the groundsman appointed by the Management Committee to mark the fields as required.

24. *TROPHIES:*

The Management Committee is to be determine what trophies, if any are to be given.

25. *ALLOWANCES:*

Office bearers must present an account for expenses incurred on Club business to the Management Committee for reimbursement. This may include Phone Calls, Postage, Photocopying, etc.

26. *COACH AND MANAGER APPOINTMENTS:*

The Gradings Committee shall recommend Coaches and Managers appointments for ratification by the Management Committee. These may be called for at/after team selections to assist parents to nominate their child's team.