

Canning Vale Junior Football Club Incorporated



CONSTITUTION

CONSTITUTION OF THE CANNING VALE JUNIOR FOOTBALL CLUB INCORPORATED

NAME

1. a) The Club shall be an Incorporated Association and shall be called the Canning Vale Junior Football Club Incorporated and hereinafter shall be called "The Club".
- b) The Club shall also be known as the Canning Vale Cougars.

AFFILIATION

2. The Club shall be affiliated with the East Fremantle Football Club Junior Council or such other Junior Council as decreed by the Western Australian National Football League from time to time and will be subject to determinations laid down by the Junior Council in accordance with their Constitution and By-laws.

OBJECTS AND PURPOSES

3. a) Control and management of the game of Australian Rules Football played by members of the club.
- b) Encourage, foster and teach to improve the standard of the game of Australian Rules Football among juniors at the Club.
- c) Promote good fellowship, true sportsmanship and citizenship among junior footballers and their parents.
- d) Accept subscriptions, donations, sponsorship or borrow, raise or secure the payments of monies for the purpose of acquiring the necessary facilities or equipment as required to assist promotion of the game in any such manner as the Club deems necessary.
- e) Legitimately acquire any equipment or property and provide facilities that are necessary for the benefit of the Club and the purpose of teaching or playing the game or calculated to assist the promotion of any of the Clubs objects and purposes.
- f) Provide facilities and promote healthy social life, recreation and entertainment to all members.
- g) Generally take all such steps and proceedings and do all such acts and deeds which members of the Club may consider incidental or conducive to its interests or the interest of the game of Australian Rules Football and the attainment of all or any of the above objects and purposes.
- h) Ensure that all coaches at the Club are accredited, or working towards accreditation, by the Australian Coaches Council.

CLUB COLOURS AND UNIFORMS

4. a) The colours of the Club shall be teal, white and black.
- b) The uniform of the Club shall be determined by the Management Committee.

ADDRESS

5. The registered address and the principal place of business of the Club, shall be the Secretary's place of residence or at such place as the Management Committee of the Club may direct.

PROPERTY AND INCOME

6. a) The property and income of the Club when so ever derived shall be applied towards the promotion the objects of the club set in Clause 3 hereof and no portion thereof shall be paid or transferred directly or indirectly by way of dividend bonus or otherwise or by way of profit to the members of the Club.

CONSTITUTION OF THE CANNING VALE JUNIOR FOOTBALL CLUB INCORPORATED

- b) Nothing herein contained shall prevent the payment in good faith and in the ordinary course of business of any reasonable amount to a member for any services rendered or goods supplied to the Club.
- c) Nothing contained herein shall prevent the payment in good faith of amounts referred to in Clauses 33 and 34c herein.
- d) The Club will not pay for teams to attend lightning carnivals. Teams wishing to participate in external carnivals must receive approval from the Management Committee and the players will share the cost evenly amongst all players selected to play in the carnival.

MEMBERSHIP

- 7. Members of the Club shall be classified as follows:
 - a) Playing members who shall conform to the registration requirements prescribed by the Junior Council.
 - b) Social members not being a playing member. Parents and Guardians of playing members qualify for membership under this Clause.
 - c) Honorary members who shall be elected by the Management Committee and who in the opinion of the Management Committee are deserving of recognition for services rendered to the Club.
 - d) Life members who may be appointed at a General Meeting of members of the Club on the recommendation of the Management Committee as recognition of services rendered to the Club. Such nomination shall require a minimum of 5 years' service to the Club.

MEMBERSHIP FEES

- 8.
 - a) Playing members shall pay an annual subscription as decided by Management Committee. Only financial members will be chosen for a fixture. The Management Committee has the power to override this Clause in cases of parents' financial hardship.
 - b) Social members shall pay an annual subscription as decided by Management Committee except parents and guardians of playing members who shall be exempt from any such subscription under this Clause where subscriptions are paid under Clause 8 (a) herein.
 - c) Honorary members and Life members shall enjoy all privileges of membership without payment of subscriptions.
 - d) Any outstanding fees, or membership fees, must be paid before the start of the next season following the unpaid monies.

VOTING RIGHTS

- 9.
 - a) No playing member shall be entitled to vote at any General Meeting.
 - b) Social members, parents and guardians of playing members shall be entitled to one vote each.
 - c) Subject to Clause 9 (e) herein, every member so entitled shall have one vote in respect of a show of hands or a poll or a ballot taken at any General Meeting.
 - d) No member shall be entitled to vote at any General Meeting if the membership fee is due and unpaid at the date of the meeting or if membership has not been approved by the Management Committee in terms of Clause 17 (a) (ii) herein.
 - e) In the case of an equal amount of votes where there is a show of hands or a poll or a ballot the Chairperson of the Meeting shall be entitled to cast a second or casting vote.

MANAGEMENT COMMITTEE

- 10. The Management Committee shall be not less than eight (8) members and shall consist of:
 - a) The **President** who shall preside at all meetings of the Club and of the Management Committee.
 - b) The **Vice President** who shall:
 - i) Deputise for the president as necessary.
 - ii) Keep copies of the rules and by-laws.

CONSTITUTION OF THE CANNING VALE JUNIOR FOOTBALL CLUB INCORPORATED

- c) The Honorary **Secretary** who shall, subject to the discretion of the Management Committee:
 - i) Conduct the correspondence of the Club.
 - ii) Keep a Minute Book containing a record of all business transacted at all General Meetings and all meetings of the Management Committee.
 - iii) Make available, on demand for inspection by members, an up to date copy of this Constitution and any Regulations made hereunder.
 - iv) Convene all meetings in accordance with the rules.
 - d) The Honorary **Treasurer** who shall, subject to the discretion of the Management Committee:
 - i) Receive all monies due to the Club and bank them within five (5) days of receiving such money.
 - ii) Examine and report to the Management Committee at each meeting on all outstanding accounts and tender recommendations as to payments thereof.
 - iii) Keep correct accounts and books showing the financial affairs of the Club and particulars usually shown in the books of account of a like nature and shall make up the annual statement of income and expenditure and balance sheets at the end of each financial year.
 - e) **Delegate** to the East Fremantle Football Club.
 - f) Club Recorder / **Registrar** who shall:
 - i) Register all new players.
 - ii) Keep a record of the Club and each player list.
 - iii) Keep a record of all games played by each playing member
 - g) **Committee Members** whose numbers shall not exceed ten (10).
11. All of the officers of the Management Committee shall retire at each Annual General Meeting but shall be eligible for re-election PROVIDED THAT a member who has been President for three (3) consecutive shall not be eligible in the year following their retirement.
If no nominations are received for President, then the outgoing President may be nominated for a further term.
12. Officers of the Management Committee shall be appointed by members at the Annual General Meeting. Nominations for any may be made, by any financial member entitled to vote, in writing or by verbal proposal at such meeting PROVIDED THAT the nomination of any member not present at the meeting shall be accompanied by their consent in writing.
 - a) The Line Office shall appoint new members to the Management Committee to fill any vacant position through the year.
13. Election for the Officers of the Management Committee shall be conducted in the same manner as for a resolution in Clause 30 to be effected and demand for a poll shall be deemed to be a demand for a ballot which shall be conducted at the meeting.
14. Retiring officers of the Management Committee shall retain office until the conclusion of the Meeting at which they retire.
15. A vote of no confidence in a particular officer passed at the General Meeting by two thirds (2/3) of those personally present and entitled to vote shall automatically remove that member from office.
16. Any member of the Management Committee or any other Committee absenting them self for three (3) consecutive meetings of such Committee without a reasonable excuse shall be deemed to have resigned therefrom.

POWERS AND DUTIES OF THE MANAGEMENT COMMITTEE

17. The Management Committee:
- a) Shall be responsible for the general conduct and management of the Clubs' affairs.
 - i) Shall approve the admission of all members save and except life members.
 - ii) Shall appoint coaches for the following season, prior to the current seasons Annual General Meeting. Coaches will be appointed for one (1) season.

CONSTITUTION OF THE CANNING VALE JUNIOR FOOTBALL CLUB INCORPORATED

- iii) Shall construe and interpret this Constitution and Regulations made thereunder and such constructions and interpretations shall be final unless revoked by a resolution carried out at an Annual General Meeting or Special General Meeting or by any court of competent jurisdiction.
 - iv) May delegate to a sub-committee any matter for investigation or report.
 - v) May engage or dismiss the servants of the Club.
 - vi) May expel, punish or otherwise deal with any member whose conduct, in the opinion of the Management Committee, is unworthy of a Club member. The decision of the Management Committee must be made at a Special Meeting called for the purpose and passed by no less than three quarters (3/4) of the members of the Management Committee entitled to vote. The decision of the Management Committee in any such case shall be final unless revoked or varied by a Special General Meeting called for the purpose and held within one (1) month after the notice of such decision shall have been delivered, or by a Court of competent jurisdiction. The Special General Meeting referred to in this Clause shall only be called and held if a member wishes to appeal such decision. The member must notify the Club within seven (7) days of receiving notification of such decision, that they intend to appeal such decision. The appeal will then go to a Special General Meeting no later than one (1) month after the original decision.
 - vii) May make such regulations as may be necessary to the management of the Club and a copy of such regulations shall be held in possession of the Secretary for inspection by members.
 - viii) Shall comply with all orders, directions and references given to it in accordance with a resolution of members at any General Meeting.
- b) If one quarter (1/4) of the members present at a meeting of Management Committee believes any act, matter or thing should not be proceeded with, then that item will be deferred to a General Meeting of the Club.
- c) Where immediate action is required in any matter affecting the policy or the interest of the Club and it is impracticable to refer the matter to the appropriate Committee, the President shall seek the advice of as many members of the management Committee as may be practicable and shall act in such a manner as the majority of such members approve.

MEETINGS AND PROCEEDINGS OF THE MANAGEMENT COMMITTEE

18. a) The Management Committee shall meet as often as it shall respectively from time to time, determine and on any special occasion when summoned by the President or Secretary PROVIDED THAT not more than two (2) calendar months shall elapse between meetings, during the football season.
- b) At least three (3) days' notice shall be given in writing, by the Secretary, to each member of the Management Committee PROVIDED THAT such notice may be dispensed with in respect of a meeting at which all members attend and consent.
19. At all meetings of the Management Committee, six (6) members of the Management Committee present shall constitute a quorum.
20. The order of business at meetings of the Management Committee shall unless otherwise determined by the Management Committee be as follows:
- a) Apologies
 - b) Minutes and Confirmation thereof
 - c) Questions and Business Arising out of the Minutes
 - d) Correspondence
 - e) Financial Statements and Reports
 - f) Reports from Sub- Committees
 - g) Motions on Notice
 - h) Notices of Motion
 - i) General Business

CONSTITUTION OF THE CANNING VALE JUNIOR FOOTBALL CLUB INCORPORATED

AUDITOR OR AUDITORS

21. a) The auditor or auditors may be appointed at the Annual General Meeting of members and shall receive remuneration (if any) as set by the Management Committee. The auditor or auditors shall retire at each Annual General Meeting but shall be eligible for re-election.
- b) The auditor or auditors shall from time to time inspect and check the books of the Club and for these purposes shall at all times have access to all records of the Club.
- c) The auditor or auditors shall audit the accounts balance sheet to be presented to the Annual General Meeting and shall report to the members thereon.
- d) The auditor or auditors may at any time and shall when requested by the Management Committee, investigate and report to the Management Committee upon the financial position of the Club or any aspect thereof.

DELEGATES

22. a) Such delegates as the Club is permitted to appoint to represent Club in any capacity and to any other body, club or association whatsoever shall be appointed from time to time by the Management Committee.
- b) Delegates attending any meeting on behalf of the Club shall act and vote as directed by the Management Committee in any case where they shall have received such a direction.
- c) Following attendance at all meetings, as may be required, delegates shall give a report to the next meeting of the Management Committee.

Any item arising from such meetings deemed urgent and important shall be brought to the immediate attention of the President who shall act in accordance with Clause 17 (c) herein.

SUB-COMMITTEES

23. The Management Committee may appoint Sub-Committees responsible to the Management Committee and shall include, but not be limited to, the following:
 - a) Fund Raising Sub-Committee which shall help organise and conduct any activities and other social functions which shall from time to time be approved by the Management Committee.
 - b) Property Purchasing Sub-Committee which shall be responsible to the Management Committee for the purchase, care and maintenance of Club property under its control and shall make such reports and recommendations to the Management Committee as deemed necessary.
 - c) Records Sub-Committee which shall be responsible to the Management Committee for the care and maintenance of records under its control and shall make such reports and recommendations to the Management Committee as deemed necessary.
 - d) The President of the Management Committee shall be an ex-officio of all Sub-Committees.
 - e) The Chairperson of any Sub-Committee shall only be appointed from among members of the Management Committee and shall have the power to select Sub-Committee members from other members of the Club.
 - f) The Management Committee may at any time terminate the appointment of any Sub-Committee and the members thereto.
 - g) All of the members of the Sub-Committee shall retire at each Annual General Meeting but each shall be eligible for appointment to any position of office in the Club.

MEETINGS AND PROCEEDINGS OF SUB-COMMITTEES

24. a) The Sub-Committee members shall meet as often as when they respectively, from time to time, determine and Notices of Meetings shall be determined by the Chairperson of such Sub-Committee.
- b) At all meetings of Sub-Committees two (2) members of such Sub-Committee present shall constitute a quorum provided that in respect of the Property/Purchasing Sub-Committee and Records Sub-Committee, one (1) person present shall constitute a quorum.
- c) At all meetings of Sub-Committees the Chairperson shall determine the order of business.

CONSTITUTION OF THE CANNING VALE JUNIOR FOOTBALL CLUB INCORPORATED

TRUSTEES

25. a) Upon incorporation of the Club, members of the Club may elect three (3) trustees who shall hold office during the pleasure of the members of the Club or until they resign in writing as trustee or as members of the Club.
- b) Any vacancy in the office of trustee shall be filled by the Management Committee. Such trustee shall however retire at the next Annual General Meeting but shall be eligible for re-election.
- c) The trustees shall have control of property of the Club administered by the Management Committee.

PATRONS

26. Patrons shall be those persons invited each year, at the discretion of the Management Committee and who accept such invitation. Their appointment shall be for one (1) year and they shall be an eligible appointment. A patron shall not hold any office nor vote at any meeting of the Club.

GENERAL MEETINGS

27. a) An Annual General Meeting of the Club shall be held no later than the 15th day of November each year.
- b) All General Meetings other than an Annual General Meeting shall be called Special General Meetings and the President or the Management Committee may at any time, and shall if requested to do so by not less than twenty (20) members entitled to vote, summon a Special General Meeting of the Club to deal with any business for which such meeting has been summoned but for no other business. Any requisition signed by not less than twenty (20) members entitled to vote shall state specifically the purpose for which they desire a Special General Meeting to be summoned and the notice of such Meeting to members as hereinafter provided shall state specifically the business to be transacted at such meeting.
- c) At least fourteen (14) days, and not more than (28) days, notice of any General Meeting shall be given to each member entitled to vote.
- d) i) At all General Meetings twenty (20) members present in person and entitled to vote shall constitute a quorum.
- ii) If there is no quorum within thirty (30) minutes after the time fixed for the commencement of the meeting, such meeting if convened on the requisition of members, shall be dissolved, otherwise it shall be adjourned to a date and time to be fixed by those present and a notice of such adjournment shall be sent to all members in accordance with Clauses 27c, 31a and 31b herein.
- iii) If at the adjourned meeting there shall be no quorum present those members present shall constitute a valid quorum for the meeting.
28. At the Annual General Meeting, the order of business unless otherwise determined by the Management Committee shall be as follows:
- a) Apologies
 - b) Minutes and Confirmation thereof
 - c) Questions and Business Arising out of the Minutes
 - d) Correspondence
 - e) Annual Report of the President
 - f) Financial Report
 - g) Auditors Report
 - h) Election of Officers and the Management Committee
 - i) Election of Honorary Auditor or Auditors
 - j) Motions on Notice
 - k) General Business

CONSTITUTION OF THE CANNING VALE JUNIOR FOOTBALL CLUB INCORPORATED

29. The President, or in the Presidents absence, the Vice President shall be entitled to take the Chair at any General Meeting. If the President and the Vice President are not present or they are unwilling to act, then the Management Committee shall appoint the Chairperson failing which the members shall choose one of themselves to be Chairperson.

VOTING AT MEETINGS

30. a) At any General Meeting a resolution put to the vote of the Meeting shall be decided on the voices or on a show of hands, unless before or on the declaration of the result of the vote, a poll is demanded by:
- i) The Chairperson.
 - ii) At least one quarter (1/4) of the members present and entitled to vote.
- b) Unless a poll is demanded a declaration of the result by the Chairperson shall, when entered in the Minutes of the proceedings, be conclusive evidence of the fact without proof being required of the number or proportion of votes recorded for or against the resolution.
- c) No resolution passed at any General Meeting shall be rescinded after notice of motion for the proposed rescission has been stated in the notice of meeting required in Clause 27c herein.

NOTICE OF MEETINGS

31. a) Notices of every General Meeting shall be given to:
- i) Every member who is entitled to vote
 - ii) The Honorary Auditor or Auditors of the Club
 - iii) Every Patron of the Club
- b) A notice may be given personally or to a playing member for on forwarding to a parent or guardian or by post in which case notice shall be deemed to have been effected on the day following that on which the envelope or wrapper containing the same was posted.

ACCOUNTS

32. a) The financial year of the Club shall commence on the first (1st) day of October each year.
- b) The Management Committee shall cause proper accounting and other records to be kept and shall each year cause to be made out a Statement of Income and Expenditure and a Balance Sheet (hereinafter called "The Accounts") made up to the thirtieth (30th) day of September each year.
- c) The Management Committee shall make available on demand by any member of the Club entitled to vote, a copy of the Accounts PROVIDED THAT no member shall be entitled to request a copy of the Accounts seven (7) days before an Annual General Meeting at which such Accounts are to be tabled.
- d) The Management Committee shall lay the Accounts together with the Auditors Report thereon before each Annual General Meeting.
- e) The Accounts shall inter alia show separately:
- The amounts (if any) paid or credited by way of Honoraria
 - The amounts (if any) paid by way of donations
 - The amounts (if any) paid as remuneration to the Auditor

HONORARIA

33. Such honoraria shall be made given or paid as it is determined by the Management Committee from time to time.

FINANCE

34. a) The bankers of the Club shall be such bank, building society or credit institution as the Management Committee may determine from time to time.
- b) All cheques drawn in the name of the Club shall be signed jointly by the Treasurer, together with either the President, Vice President or Secretary.

CONSTITUTION OF THE CANNING VALE JUNIOR FOOTBALL CLUB INCORPORATED

- c) All payments made by or on behalf of the Club shall where practicable be first passed for payment by the Management Committee. Where immediate payment is required the President shall act in accordance with Clause 17c and payment shall be confirmed at the next meeting of the Management Committee.
- d) The treasurer will distribute receipt books to any member of the management committee that has been delegated to accept money on behalf of the Club.
Money will NOT be accepted on behalf of the Club without a receipt being written immediately.
Receipt books will be returned to the treasurer upon completion of required task, or at the request of the treasurer (the canteen is exempt from Clause 34d).

COMMON SEAL

- 35. Upon incorporation of the Club the Common Seal of the Club shall be in the custody of the Secretary or such other person as the Management Committee shall direct and shall not be affixed to any document or other instrument except pursuant to a resolution of the Management Committee and in the presence of two (2) Trustees who shall, with the Secretary, sign any such document or instrument.

ALTERATION OR AMENDMENT TO THE CONSTITUTION

- 36. a) No new rule shall be adopted and no existing rule shall be repealed or amended except by a resolution carried by a three quarter (3/4) majority of members present and entitled to vote at an Annual General Meeting or a Special General Meeting called for the purpose.
- b) Full particulars shall be given of any proposed new rule, repeal or amendment of any existing rule in the notice of the meeting.

DISSOLUTION OF THE CLUB

- 37. a) If and when the Club shall be dissolved, the winding up of its affairs shall be carried out in accordance with the Constitution of the East Fremantle Junior Football Council Incorporated.
- b) After satisfaction of all debts, liabilities, costs, charges and expenses any remaining assets shall be distributed to another incorporated association or to a charitable association. A resolution of the members will direct the Management Committee where to distribute any surplus funds or property of the Club.

THIS COPY OF THE CONSTITUTION IS CORRECT AS AT 30th November 2014