



# *Bell Post Hill*

## **SPORTS & RECREATION CLUB INC.**

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## **RULES OF THE INCORPORATED ASSOCIATION**

**NAME: BELL POST HILL SPORTS AND RECREATION CLUB INC.  
INCORPORATING, CRICKET, FOOTBALL AND BOWLS  
SECTION. (In these rules called the Association)**

### **INTERPRETATION**

1. In these rules, unless the contrary intention appears:-  
“Committee” means the Committee of Management of the Association.  
“Financial Year” means 30<sup>th</sup> June of each year.  
“General Meeting” means a general meeting of members convened in accordance with Rule  
“Member” means a member of the Association.  
“Ordinary member of the Committee” means a member of the committee who is not an office of the Association under Rule.  
“The Act” means the Association Incorporation Act 1981.  
“The Regulations” means regulation under the Act.
2. In these Rules, a reference to the secretary of an Association is a reference:-  
  - (a) Where a person holds office under these rules as Secretary of the Association – to that person; and
  - (b) in any other case, to the public officer of the Association.
3. Words or expressions contained in these rules shall be interpreted in accordance with the provisions of the Acts Interpretation Act 1958 and the Act as in force from time to time.

## **MEMBERS OF THE ASSOCIATION**

- 3.1. A natural person shall be eligible to be a member of the Association on payment of the entrance fee and annual subscription payable under these Rules.
- 3.2. There shall be the following categories of members:
- (a) **Senior Members**  
Any playing person of eighteen (18) years of age and over, who agrees to abide by the purposes and rules of the Association.
- (b) **Junior Members**  
Any person under the age of eighteen (18) years who agrees to abide by the purposes and Rules of the Association.
- (c) **Honorary Members**  
Any person who has been recommended by a two third (2/3) majority of the Committee for service or assistance given to the Association. Honorary members shall hold membership for one (1) financial year only and the holder shall have no voting power relevant to the management of the Association.
- (d) **Honorary Life Members**  
A person may be recommended by a two third (2/3) majority of the Committee to be elected as an Honorary Life Member at the next Annual General meeting of the Association. The qualifications for Honorary Life Membership shall be a minimum of ten (10) years of active or otherwise useful service to the Association has not been completed a person who has, in the opinion of the Committee, given outstanding service to the Association. An Honorary Life Member shall be entitled to the benefits and privileges of membership and be subject to the same purpose and Rules, liabilities and duties as any other member of the Association except that he/she shall not be liable to pay an annual subscription.
- (e) **Social Members**  
Any non-playing person of eighteen (18) years and over who agrees to abide by the purposes and Rules of the Association.
- (f) **Honorary Day Members**  
Any playing person who for the day of the sporting event is a financial member of an affiliated body, which includes Victorian Ladies Bowls Association, Royal Victorian Bowls Association, Victorian Country Football League, Netball Victoria, Victorian Cricket Association or their associated bodies and who agrees to abide by the purpose and Rules of the Association shall be entitled to a day membership at no fee. The holder shall have no voting power relevant to the management of the Association.

- 3.3. A financial member is a person who has paid his or her entrance fee and annual subscription in the manner prescribed by the Committee.
- 3.4 All senior members and junior members must be financial members of the Association following the four round of matches played in a season to be eligible for further selection with the Association.
- 3.5 The Secretary shall upon payment of the entrance fee and annual subscription enter the persons name in the register of members kept by him and upon the name being so entered the person a\shall become a member of the Association.
- 3.6 A right, privilege, or obligation of a person by reason of his membership of the Association.
- (a) Is not capable of being transferred or transmitted to another person.
- (b) Terminates upon with cessation of his membership whether by death or resignation or otherwise or failure to pay the annual subscription and membership fees within the time prescribed by the Committee.

### **ANNUAL SUBSCRIPTION**

4. The annual subscription shall be such amount as may from time to time be determined by the Committee for each of the categories of members, excluding Honorary Members, and shall be payable in such a manner and at such time as determined by the Committee.

### **REGISTER OF MEMBERS**

5. The Secretary of each section of the Association shall keep and maintain a register of members in which shall be entered the full name, address and date of entry of the name of each member and supply the Public Officer a full list of members, the register shall be available for inspection by members at the address of the Public Office and the Secretary of each section of the Association.

### **RESIGNATION AND EXPULSION OF MEMBER**

- 6.1 A member of the Association who has paid all money due and payable by him to the Association may resign from the Association by first giving notice in writing to the Secretary of this intention to resign and upon receipt by the

Secretary of his intention to resign and upon receipt by the Secretary of the notice, the member shall cease to be a member.

6.2 Upon giving of the notice referred to in sub-clause (1) the Secretary shall make in the register of members an entry recording the date on which the member by whom the notice was given, ceased to be a member.

7.1 The Committee shall have the power to expel any member who shall be found guilty of any refusal or neglect to comply with the purposes and Rules of the Association or of unbecoming or dishonourable conduct or of acting in a manner prejudicial to the interest of the Association.

7.2 The Committee shall have the power to censure or fine any member of the club for any infringement of the purposes and Rules of the Association or for unbecoming or dishonourable conduct or for acting in a manner prejudicial to the interest of the Association and fine imposed by the Committee shall not exceed \$100.00.

7.3 The Committee shall give the member concerned an opportunity before it of denial or explanation of any charge made against him prior to any Committee decision.

7.4 Any member charged under the provisions of sub-clause (1) who refuses to appear before the Committee after notice in writing has been served upon him as to the decision of the Committee shall be expelled immediately and under no circumstances be reinstated as a member or granted a clearance to another Association provide notice to that effect has first been given to the member.

7.5 Any person ceasing to be a member of the Association shall forfeit all rights and shall have no claim whatsoever against the Association however, the Association shall have the right to issue proceedings or take such action as is required to secure payments of any outstanding subscriptions.

## **ANNUAL GENERAL MEETING**

8.1 The Association shall in each calendar year convene an Annual General meeting of its members.

8.2 The Annual General meeting shall be held on such day as the Committee of each Section determines provided that the Annual General meeting shall be held within (6) weeks after the season is completed for each section or in respect to the Central Committee within six (6) weeks after the end of the financial year.

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- 8.3 The Annual General meeting shall be specified as such in the notice convening it.
- 8.4 The ordinary business of the Annual General meeting shall be: -
- (a) To receive and confirm the minutes of the last Annual General meeting and of any general meeting held since that meeting.
  - (b) To receive the annual report including audited balance sheet and statement of receipts and payments for the immediately proceeding financial year.
  - (c) To elect officers of the Association and the ordinary members of the Committee.
  - (d) To receive and consider the statement submitted by the Association in accordance with Section 30 (3) of the Act,
  - (e) To elect an auditor.
  - (f) To elect Honorary Life Members as recommended by the Committee.
- 8.5 The Annual General meeting may deal with any subject matter, which the Committee desires to bring before the members and transact any other business of which notice in writing has been received by the Secretary, seven (7) days prior to the Annual General meeting.
- 8.6 The Annual General meeting shall be in addition to any other general meeting that may be held in the same year.

### **SPECIAL GENERAL MEETING**

9. All general meetings other than the Annual General meeting shall be called Special General meetings.
10. The Committee at any time for any special purpose may call a Special General meeting of members upon writing requisition of twenty (20) members stating the reason for which the meeting is required.

## **NOTICE OF MEETING**

11. The Secretary of the Association shall at least twenty one (21) days before the date fixed for holding the Annual General meeting or any Special General meeting cause to be given to each financial member notice in writing or by advertisement in the local newspaper stating the place, date and time of the meeting and the nature of the business to be transacted at the meeting.

## **PROCEEDINGS AT MEETINGS**

- 12.1 The President of the Association, or in his absence, the next senior office bearer shall preside at all Annual, Special and Committee meetings.
- 12.2 Proper meeting procedure and rules of debate shall be adhered to.
- 13.1 In the event of there being more nominations than are required to fill any one position then an election is required by ballot. A returning officer and a scrutineer shall be elected to conduct such ballot.
- 13.2 All financial members of eighteen (18) years and over including Honorary Life Members shall be entitled to one vote at any Special General meeting.
- 13.3 The President at any time shall be entitled to a casting vote.
- 13.4 All votes shall be given personally or by proxy.
- 13.5 Each member shall be entitled to appoint another member as his proxy by notice given to the Secretary not later than 24 hours before the time of the meeting in respect of which the proxy is appointed.
- 13.6 A quorum at Annual General meetings shall be twenty.

## **COMMITTEE OF MANAGEMENT**

- 14.1 The affairs of the Association shall be managed by a general Committee and sub-committees constituted as provided in Rule.
- 14.2 The Committee
- (a) Shall control and manage the business and affairs of the Association.

- (b) May, subject to these rules, the regulations and the Act, exercise all such powers and functions as may be exercised by the Association other than those powers and functions that are required by these rules to be exercised by a general meeting of members of the Association.
- (c) Subject to these rules, the regulations and the Act, has power to perform all such acts and things as appear to the Committee to be essential for the proper management of the business and affairs of the Association.

15.1 The officers of the Association shall be

- (a) a President
- (b) A Senior Vice President
- (c) A Junior Vice President
- (d) an Honorary Secretary
- (e) an Honorary Treasurer
- (f) Minute or Assistant Honorary Secretary.

15.2 The provisions of Rule so far as they are applicable and that the necessary modifications, apply to and in relation to the election or persons to any of the offices mentioned in sub-clause (1).

15.3 The office of the Central Committee shall be

- (a) A President
- (b) An Honorary Secretary / Public Officer
- (c) An Honorary Treasurer
- (d) And Two representatives from each section of the association (Bowls, Cricket and Football)

16 Subject to section 23 of the Act, the Committee shall consist of: -

- (a) Of persons to any of the offices mentioned in sub-clause (1).

17 Subject to section 3 of the Act, the Committee shall consist of: -

- (a) the officers of the Association, and including officers a total of 20 persons.

### **ELECTION OF OFFICERS AND VACANCY**

18.1 Candidates for officers of the Association may be nominated, seconded and voted on by any financial member of the club.

18.2 All officers and members of the Committee shall, subject to these rules, hold office until the Annual General meeting next after the date of his election but is eligible for re-election each year.

- 18.3 If a vacancy occurs before the Annual General meeting or a Committee position has not been filled then the Committee may appoint a member of the Association to fill the vacancy and the member so appointed shall hold office subject to these rules, until conclusion of the Annual General meeting next following the date of his appointment.
- 19 For the purpose of these rules, the office of an officer of the Association or of an ordinary member of the Committee becomes vacant if the officer or member.
- (a) Ceases to be a member of the Association.
  - (b) Resigns his office by notice in writing given to the Secretary.
  - (c) Becomes insolvent under administration within the meaning of the Companies (Victoria) code.
  - (d) Acts in a manner prejudicial to the interest of the Association or is guilty of unbecoming or dishonourable conduct.
  - (e) After being given notice of meetings included meetings of the Committee absents himself from three (3) consecutive meetings without acceptable apology.

### **PROCEEDINGS OF COMMITTEES**

- 20.1 The Committee shall meet at such times and place as may be determined by the Secretary at any time and of which reasonably notice can be given to all Committee persons.
- 20.2 Any 6 members of the Committee constitute a quorum for the transaction of the business of a meeting of the Committee.
- 20.3 No business shall be transacted 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 shall stand adjourned to the same place and at the same hour of the same day two weeks later.
- 20.4 At meetings of the Committee the President of the club, or in his absence the next senior officer of the Association shall preside.
- 20.5 Questions arising at a meeting of the Committee or of any sub-Committee appointed by the Committee shall be determined on a show of hands.



### **DUTIES OF COMMITTEE**

- 21 The duties of the Committee shall be to foster and to promote the purposes of the Association and in particular.
- (a) Ensure the round, arenas, rooms, playing facilities including uniforms and playing equipment are at an acceptable standard for Inter-Association competition.
  - (b) To co-ordinate liaise, and advise sub-Committee on responsibilities finance, social matters and any other matter thought necessary.
  - (c) To negotiate with Council and its representatives, government matters, business and private concern for assistance that the Association may require from time to time.
  - (d) To determine annual membership fees for all sections of the Association.
  - (e) To arrange procurement of all materials that may be necessary.
  - (f) To appoint persons to carry out special tasks as required.
  - (g) To carry out all other matters thought necessary.
  - (h) To arrange recruitment of senior and junior members.

### **DUTIES OF SUB-COMMITTEE**

- 22.1 The Committee shall from time to time appoint such sub-committees as it may deem necessary or expedient and subject to the Act the rules and the regulations may assign to them such of the powers and duties of the Committee as it may determine.
- 22.2 Such sub-committees shall report their proceedings to the Committee and shall conduct their meetings in accordance with the directions of the Committee.
- 22.3 The President and the Honorary Secretary shall be ex-officio members of all sub-committees and any sub-committee may include members of the club who are not members of the Committee.

## **SECRETARY**

- 23.1 The Secretary of the Association shall attend all meetings and shall keep minutes of the resolutions and proceedings of each general meeting and each committee minute book provided for that purpose together with a record of the names of persons present at Committee meetings.
- 23.2 The Secretary shall on the performance of his duties carry out all lawful and proper directions of the Committee.
- 23.3 The Honorary Secretary shall keep the records of his Committee, conduct all matters relating to correspondence, notify members of forthcoming meetings, and present relevant business to respective Committees.
- 23.4 The Honorary Secretary shall keep and maintain the register of members.
- 23.5 The Honorary Secretary shall be responsible for the club records.

## **TREASURER**

- 24.1 The Honorary Treasurer of the Association,
- (a) Shall collect and receive all monies due to the Association and pay such monies into the bank account of the Association.
  - (b) Shall carry out all lawful and proper directions of the Committee.
  - (c) Shall keep correct accounts and books showing the financial affairs of the Association with full details of all receipts and expenditure connected with the activities of the Association.
  - (d) Shall submit at each Committee meeting a statement showing the financial position of the Association.
  - (e) Shall present the Association's financial records to the Association's auditors prior to the Annual General meeting for audit purposes.
  - (f) Shall present a financial statement duly audited to the Secretary prior to the Annual General meeting.
  - (g) Shall pay in conjunction with the Secretary all accounts, which have been so passed for payment by the Committee.
  - (h) Shall keep up-to-date record of all club expenditure and receipts.

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- 24.2 The accounts and books referred to in sub-clause (1) shall be available for inspection by members.

### **BANK ACCOUNT AND CHEQUES**

- 25.1 The bankers of the club shall be recognized trading bank or financial organization approved by the Committee.
- 25.2 All cheques drafts, bills of exchange, promissory notes and other negotiable instruments shall be signed by the Honorary Treasurer and counter signed by either of the President or authorized officer of the Committee i.e. Vice President i.e. Committee Person.
- 25.3 All accounts rendered against the club shall be presented and passed for payment by a majority of the Committee members at any Committee meeting prior to final payment.

### **SEAL**

- 26.1 The Common Seal of the Association shall be kept in the custody of the Secretary.
- 26.2 The Common Seal shall not be affixed to any instrument except by the authority of the Committee and the affixing of the Common Seal shall be attested by the signatures either of two members of the Committee or of one member of the Committee and the Public Officer of the Association.

### **ALTERATIONS OF RULES AND STATEMENT OF PURPOSES**

- 27.1 Any member desirous of moving a resolution affecting the rules of the Association at any Annual General meeting of members, shall give notice thereof in writing to the Secretary of the Association not less than 21 days before the date of such meeting. (3/4 majority vote by members)
- 27.2 These rules and statement of purposes of the Association shall not be altered except in accordance with the Act.

### **NOTICES**

- 28.1 A notice may be served by or on behalf of the Association upon any member either personally or by sending by pre-paid post to the member at his address shown in the sections register of addresses.
- 28.2 Where a document is properly addressed pre-paid and posted to a person as a letter, the document shall, unless the contrary is proved, be deemed to have been given to the person at the time at which the letter would have been delivered to the ordinary course of post.

### **WINDING UP OR CANCELLATION**

- 29.1 In the event of the winding up or cancellation of the incorporation of the Association, the assets of the Association shall be disposed in accordance with the provisions of the Act.
- 29.2 For Football section only pertaining to The Geelong & District Football League. In the event of winding up or the cancellation of the incorporation of the League, the assets of the League shall be disposed of in equal amounts to the present eleven member clubs of the Geelong & District Football League, those being Anakie, Bannockburn, Bell Post Hill, Corio, Belmont Lions, Eastern Suburbs, Geelong West Cricket & Football, North Geelong, Thomson, Werribee Centrals and Winchelsea and/or the member clubs of the Geelong & District Football League at the date of the winding up or cancellation.

### **CUSTODY OF RECORDS**

- 30 Except as otherwise provided in these rules, the Secretary of each section shall keep in their custody or under their control all books, documents and securities of their section.

### **FUNDS**

- 31 The funds of each section of the Association shall be derived from entrance fees, donations, annual subscriptions and such other sources as the Committees of each section of the Association determine.

### **AUDITORS**

- 32.1 At the Annual General meeting a competent person shall be appointed auditor of the Association.
- 32.2 The auditor may or may not be a member of the Association, but shall not be a Committee member of the Association.
- 32.3 If the appointed auditor cannot carry out his duties, another auditor is to be appointed at the next meeting of the Committee.

### **CLUB COLOURS**

- 33 Royal Blue and Red.

### **PATRONS**

- 34 The Committee may at any time appoint patrons of the Association.

### **COACHES**

- 35.1 Vacancies for coaches of the respective teams of the Association shall be advertised in such a manner as determined by the Committee and final appointments are to be determined by the Committee.
- 35.2 Coaches shall have no voting power at Committee meetings of the Association; however, they may attend Committee meetings and if they so choose shall make requests for determination by the Committee on matters of the Association's affairs.
- 35.3 The senior coaches shall be responsible for all training programs and schedules pertaining to the senior members.

### **DISPUTES AND MEDIATION**

- 36.1 The grievance procedure set out in this rule applies to disputes under these Rules between: -
- (a) a member and another member, or
  - (b) a member and the Association.

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- 36.2 The parties to the dispute must meet and discuss the matter in dispute, and, if possible, resolve the dispute within 14 days after the dispute comes to the attention of all the parties.
- 36.3 If the parties are unable to resolve the dispute at the meeting, or if a party fails to attend that meeting, then the parties must, within 10 days, hold a meeting in the presence of a mediator.
- 36.4 The mediator must be-
- (a) a person chosen by agreement between the parties, or
  - (b) in the absence of agreement-
    - (i) in the case of a dispute between a member and another member, a person appointed by the committee of the Association, or
    - (ii) in the case of a dispute between a member and the Association, a person who is a mediator appointed or employed by the Dispute Settlement Centre of Victoria (Department of Justice)
- 36.5 A member of the Association can be a mediator.
- 36.6 The mediator cannot be a member who is party to the dispute.
- 36.7 The parties to the dispute must, in good faith, attempt to settle the dispute by mediation.
- 36.8 The mediator, in conducting the mediation, must –
- (a) give the parties to the mediation process every opportunity to be heard, and
  - (b) allow due consideration by all parties of any written statement submitted by any party, and
  - (c) ensure that natural justice is accorded to the parties to the dispute throughout the mediation process.
- 36.9 The mediator must not determine the dispute.
- 36.10 If the mediation process does not result in the dispute being resolved, the parties may seek to resolve the dispute in accordance with the Act or otherwise at law.