
BELCONNEN LITTLE ATHLETICS CENTRE INC.

ABN: 62 271 247 967



Constitution

02 MARCH 2019

BELCONNEN LITTLE ATHLETICS CENTRE INC.
Biffin Street, COOK, ACT – P.O. Box 238 JAMISON 2614

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1. Name

1.1 The name of the incorporated association is Belconnen Little Athletics Centre Inc., hereinafter called "the Centre".

2. Definitions

2.1 In this Constitution:

member means a member, however described, of the Centre.

ordinary committee member means a member of the committee who is not an office-bearer of the Centre as mentioned in clause 10.1.

registration system means the system or systems used by the Centre to record athlete and volunteer personal and financial details.

volunteer means a person appointed to undertake a position or tasks which may include, but not limited to: coach, age marshal, track and field officials, etc.

these rules means all rules within this Constitution

Secretary means the person holding office under these rules as secretary of the Centre or, if no such person holds that office, the Public Officer of the Centre.

the Act means the *Associations Incorporation Act 1991*.

the Regulation means the *Centres Incorporation Regulation 1991*.

3. Objects

3.1 The objects of the Centre shall be:

- a. To provide athletic opportunity for children who are registered with the Centre so that through competition they experience enjoyment, greater physical fitness and a feeling of accomplishment in improving their performances.
- b. To promote athletics as a recreational and social activity for children.
- c. To seek affiliation with the ACT Little Athletics Association each year.
- d. To join with any other youth organisation with similar objectives and to assist and supplement the work of such organisations wherever desirable.

4. Powers

4.1 The powers of the Centre shall be:

- a. To organise and conduct regular Centre athletics meetings.
- b. To provide skill development and coaching for interested children.
- c. To organise and conduct Centre Championships for athletics events.

- d. To select teams of registered children to represent the Centre in any other competitions.
- e. To appoint delegates to represent the Centre at any meetings or discussions promoting Little Athletics.
- f. To impose and collect levies, subscriptions, fees and other charges from members of the Centre for the carrying out of this Constitution or for matters connected therewith.
- g. To apply the income and property of the Centre to the promotion of the objects of the Centre.
- h. To enter into a contract with any bank, financial institution, person or persons for the purpose of raising or borrowing money for the advancement of little athletics in the Centre.
- i. To do all such things as are incidental to the attainment of said objects, or considered by the Committee to be conducive to their attainment.

5. Membership

5.1 A person is qualified to be a member if—

- a. they are an athlete who is registered with the Centre and are financial within the registration system.
- b. they are the parent, guardian or carer of an athlete who is registered and financial with the Centre and are identified within the registration system.
- c. they are elected as an Office Bearer, Public Officer, General Committee Member or appointed a Volunteer in accordance with this Constitution.
- d. they have been appointed as a Life Member in accordance with clause 5.3.

5.2 A member is considered “financial” when all registration fees, as set periodically by the Committee, have been paid for the current Little Athletics season.

5.3 Life Members

A person who has—

- a. given outstanding and extended service to the Centre; and/or
- b. made an exceptional contribution to the advancement of the Centre; and
- c. actively engaged in promoting the values and aims of Belconnen Little Athletics Centre.

5.4 Life membership may be nominated and appointed by the Committee and shall be announced at an Annual General Meeting.

5.5 No more than two Life Members shall be appointed in any athletics season.

6. Cessation of membership

- 6.1 A person ceases to be a member of the Centre if the person—
- a. is an athlete who is registered with the Centre and is considered not financial within the registration system; or
 - b. is the parent or carer of an athlete who is registered with the Centre and is considered not financial within the registration system; or
 - c. is expelled from the Centre.

7. Disciplining of members

- 7.1 If the Committee is of the opinion that a member—
- a. has persistently refused or neglected to comply with a provision of these rules; or
 - b. has persistently or wilfully acted in a manner prejudicial to the interests of the Centre;

the committee may, by resolution—

- c. expel the member from the Centre; or
- d. suspend the member from the rights and privileges of membership of the Centre that the committee may decide for a specified period.

7.2 A resolution of the committee under clause 7.1 is of no effect unless the committee, at a meeting held not earlier than 14 days and not later than 28 days after service on the member of a notice under clause 7.3, confirms the resolution in accordance with this section.

- 7.3 If the committee passes a resolution under clause 7.1, the Secretary must, as soon as practicable, serve a written notice on the member—
- a. setting out the resolution of the committee and the grounds on which it is based; and
 - b. stating that the member may address the committee at a meeting to be held not earlier than 14 days and not later than 28 days after service of the notice; and
 - c. stating the date, place and time of that meeting; and
 - d. informing the member that the member may do either or both of the following:
 - (i) attend and speak at that meeting;
 - (ii) submit to the committee at or before the date of that meeting written representations relating to the resolution.

7.4 Subject to the Act, section 50, at a meeting of the committee mentioned in clause 7.2, the committee must—

- a. give to the member mentioned in clause 7.1 an opportunity to make oral representations; and
- b. give due consideration to any written representations submitted to the committee by that member at or before the meeting; and
- c. by resolution decide whether to confirm or to revoke the resolution of the committee made under clause 7.1.

7.5 If the committee confirms a resolution under clause 7.4, the Secretary must, within 7 days after that confirmation, by written notice inform the member of that confirmation.

8. Members' liabilities

8.1 A member is not liable to contribute towards the payment of the debts and liabilities of the Centre or the costs, charges and expenses of the winding up of the Centre.

9. Management

9.1 The management of the Centre shall be vested in an elected committee hereinafter called "the Committee" which shall be elected annually in accordance with the provisions, of Clause 11 hereof.

10. Committee

10.1 The Centre shall be administered by an elected Committee which consists of a President, Secretary, Treasurer, Registrar and Results Manager and up to six other adults.

10.2 Such Committee shall have the responsibility and power to plan, organise and implement all facets of athletics pertaining to the Centre, in accordance with the Constitution.

10.3 Any or all of the responsibilities set out in the previous clause may be delegated to a sub-committee, subject to full reporting to the Committee by the sub-committee.

11. Election of Committee

11.1 The Committee shall be elected at the Annual General Meeting of the Centre and the incoming Committee shall take office on the day following that meeting.

11.2 If there is no nomination for a position on the Committee, the position shall be declared a casual vacancy to be filled in accordance with the next clause.

11.3 Where casual vacancies occur on the Committee, the Committee shall have the power to appoint a person to fill the vacancy until the next Annual General Meeting.

12. Public Officer

12.1 The Public Officer, who shall be a member of the Committee, shall be elected at the Annual General Meeting of the Centre and shall take the office on the day following that meeting.

12.2 In the event of the position of the Public Officer becoming vacant the Committee shall within 1 month thereof appoint a person eligible for such office under the Act.

12.3 The Public Officer shall, if he/she changes his/her address, notify the Registrar of Companies within 1 month of such a change, or as required by the Act.

13. Vacation of Office

13.1 An officer of the Committee of the Centre shall become vacant if the Officer:

- a. dies;
- b. becomes bankrupt or applies to take or takes advantage of any law relating to bankrupts or insolvent debtors or compounds with his\her creditors;
- c. becomes of unsound mind;
- d. resigns his/her office by writing under his/her hand addressed to the President;
- e. fails, without leave granted by the Committee to attend three consecutive meetings of the Committee;
- f. ceases to be a member of the Committee;
- g. in addition to the above, the office of Public Officer of the Centre, shall become vacant if the Public Officer ceases to be eligible to hold office in accordance with the relevant provisions of the Act.

14. Meetings of the Committee

14.1 The Committee shall meet at least five (5) times each financial year at such time and place as the Committee may from time to time determine.

14.2 Additional meetings of the Committee to those provided for at clause 16.1 may be convened by the President or any four (4) members of the Committee.

14.3 All members of the Committee must be given seven (7) days written notice of meetings by the Secretary.

14.4 All meetings of the Committee shall be chaired by the President, or in his/her absence or his/her unwillingness to act, a member of the Committee elected by the meeting to act.

14.5 Any five (5) members of the Committee constitute a quorum for the transaction of business of a meeting of the Committee.

14.6 No business shall be transacted unless a quorum is present and if within half an hour of the time appointed for meeting a quorum is not present, the meeting shall stand adjourned to the same day in the following week unless the meeting was a special, in which case it lapses.

14.7 Questions arising at meetings of the Committee or of any sub-committee appointed by the Committee shall be determined on a show of hands or, if demanded by a member, by a poll taken in such a manner as the person presiding at the meeting may determine.

14.8 Each member present at a meeting of the Committee or any sub-committee appointed by the Committee (including the person presiding at the meeting) is entitled to vote and, in the event of an equality of votes of any question the person presiding may exercise a second or casting vote.

15. Annual General Meeting

15.1 The Annual General Meeting of the Centre shall be held before the close of the track and field season and shall be organised by the Committee in a manner best suited to entertain Centre members and friends and promote the Centre.

15.2 The ordinary business of the Annual General Meeting shall be:

- a. to confirm the minutes of the last preceding Annual General Meeting
- b. to receive reports from the Committee upon the transactions of the Centre during the last preceding financial year
- c. to elect the officers of the Committee including the Public Officer
- d. may appoint the Auditor – refer Finance clause 21.4
- e. may appoint Life Membership – refer clause 5.3

16. Special General Meetings

16.1 The Committee may, whenever it thinks fit, convene a special general meeting of the Centre.

16.2 The Committee shall, on requisition in writing of not less than twenty (20) persons eligible to vote at a general meeting as defined by clause 14.8, convene a special general meeting of the Centre.

16.3 A requisition for a special general meeting shall state the objects of the meeting and shall be signed by the requisitionists and lodged with the Secretary of the Committee.

16.4 If the Committee does not cause a special general meeting to be held within twenty-eight (28) days from a date on which a requisition therefore is deposited with the Secretary, the requisitionists, or any of them, may convene the meeting; but any meeting convened shall not be held after three months from the date of the deposit of the requisition.

16.5 A special general meeting convened by requisitionists in pursuance of these rules shall be convened in the same manner as nearly as possible as that in which those

meetings are convened by the Committee, and all reasonable expenses incurred in convening the meeting shall be refunded by the Centre to the persons incurring them.

17. Notice of General Meetings

17.1 The Secretary of the Committee shall not less than twenty-one (21) days before the date fixed for the holding of a general meeting of the Centre, place a public notice setting out the time, date and place of the meeting and the business to be considered thereat.

17.2 The public notice described at clause 17.1 shall, at a minimum—

- a. be placed prominently on the front page of the Centre’s website; and
- b. be distributed individually to each member.

18. Business and Quorum at General Meetings

18.1 All business that is transacted at special general meetings and all business that is transacted at the Annual General Meeting, with the exception of that specially referred to in these rules as being the ordinary business of the Annual General Meeting, shall be deemed to be special business.

18.2 No item of business shall be transacted at a general meeting unless a quorum of members entitled under these rules is present during the time when the meeting is considering that item.

18.3 Twenty (20) members personally present [being entitled under these rules to vote thereat] constitute a quorum for the transaction of business at a general meeting.

19. Eligibility to Vote at General Meetings

19.1 Parents, guardians, carers of all children currently registered with the Centre are eligible to vote at general meetings.

19.2 Office Bearers, Public Officer, General Committee Members, appointed Volunteers are eligible to vote at general meetings.

19.3 A Member who is not physically present at a general meeting may be permitted to participate in the meeting by the use of technology, but the Member is not entitled to vote.

20. Minutes of Meetings

20.1 Minutes shall be kept of the Annual General Meeting and all Committee meetings.

20.2 Copies of the draft minutes of the Committee meetings shall be distributed to the members of that body at least three (3) days prior to the next meeting of that body.

20.3 The minutes of the Annual General Meeting shall be available to all present at the following Annual General Meeting.

21. Finance

21.1 The financial year of the Centre shall be from the first day of March to the last day of February in the following year and during this time the financial affairs shall be administered by the Treasurer.

21.2 The Centre may receive funds from registration fees, canteen sales, fundraising events, grants, donations or other means approved by the Committee.

21.3 The Treasurer shall receive all monies due to the Centre and issue receipts for the same, and pay all invoices which have been approved for payment by the Committee and shall keep a proper record of all such receipts and payments, and shall submit a financial report to each Committee meeting.

21.4 At each Annual General Meeting an Auditor may be appointed to audit all accounts of the Centre including special and trust accounts and report on such to the next Annual General Meeting with such Auditor to be a recognised accountant or person qualified in business practice and not a member of the Committee.

21.5 All proposed expenditures, by a Committee member, to support the operation of the Centre of up to \$150.00 per transaction may not require prior approval by the Committee. An itemised list of the transactions shall be tabled and entered in the minutes at the next Committee meeting.

21.6 All expenditures in excess of \$150.00 made by the Centre shall be authorised by any two of the President, Treasurer and Secretary.

21.7 In case of an appointed Auditor being either unavailable for the entire year or should it be necessary to replace an appointed Auditor or if an appointment is not made at an Annual General Meeting the Committee shall have the power to appoint a replacement Auditor for the period up until the next Annual General Meeting – also refer Finance clause 21.4

22. Registration Fees

22.1 The Registration fees for athletes shall be such sum as the Committee by resolution may from time to time determine.

23. Assets

23.1 The assets of the Centre whether derived per medium of income or property shall not be given or transferred in any way to any member of the Centre excepting that payment in, good faith be made for goods supplied in the ordinary way of business, or for reasonable out-of-pocket expenses incurred by an authorised person acting under directions from the Committee.

24. Insurance

24.1 The Committee shall arrange suitable insurance cover for all equipment which is the property of the Centre and where appropriate suitable cover for members of the Committee, any persons who may act as officials and all competitors.

25. Amendments to Constitution

25.1 Amendments to this constitution may be made by a two-thirds majority of those entitled to vote who are present in person and voting at a special general meeting called for that purpose.

26. Seal of the Centre

26.1 The seal of the Centre shall be in the form of a rubber stamp inscribed with the full name of the Centre encircling the words "Common Seal".

26.2 The Seal of the Centre shall remain in the custody of the Public Officer.

26.3 The Seal of the Centre shall not be affixed to any instrument except by authority of the Centre and the affixing thereof shall be attested by the signatures of either the President, Secretary or Treasurer and Public Officer of the Centre (or such member of the Committee as the Committee may temporarily or permanently appoint for that purpose) and that attestation shall be sufficient evidence for all purposes that the Seal was affixed by authority of the Centre.

27. Belconnen Little Athletics Centre Logo

27.1 The Belconnen Little Athletics Centre will own and maintain a logo for use by the Centre.

27.2 Subject to clause 27.3, no Member may use the Belconnen Little Athletics Centre logo, including use of the Centre logo in a modified form, for any purpose whatsoever without the prior written permission of the Committee.

27.3 Members are not required to seek written permission to use the logo where the logo is on Belconnen Little Athletics Centre property or equipment that the Member is using for the purpose that the property or equipment was provided to the Member.

27.4 The Committee may approve in writing third parties to use the logo on such terms as the Committee determines.

27.5 The Committee may take whatever action it deems necessary, including legal action, against any person who uses the Centre name or logo without the Committee's written authorisation. For avoidance of doubt, the Committee may only take action against a Member who contravenes clause 27.2 in accordance with this Constitution or as otherwise provided by law.

27.6 The Committee may from time to time update the logo.

27.7 As between the Belconnen Little Athletics Centre and Members, the Belconnen Little Athletics Centre, through the Committee, retains all rights relating to the use of the Centre logo, trademarks, designs, equipment including computer software, images (including photographs, videos or films) or service marks relating to the Centre or any activity of or conducted, promoted or administered by the Belconnen Little Athletics Centre.

28. Books and Documents

28.1 Documents of the Centre, including meeting minutes, ingoing and outgoing correspondence, grant applications and governance forms will be retained by the Secretary.

28.2 Financial records of the Centre shall be maintained by the Treasurer.

28.3 The membership list shall be available for viewing through the Public Officer.

29. Dissolution

29.1 The Centre shall not be wound up except by consent of a meeting of the Committee, such meeting having been called for that purpose.

29.2 A motion for dissolution must be carried by at least two-thirds majority of members of the Committee present at the meeting and voting.

29.3 For a Committee meeting to give consent to dissolution of the Centre, all persons eligible to attend and vote at the meeting must be provided with proper notice of the motion twenty-one (21) days in advance of the meeting.

29.4 In event of the Centre not having functioned for a period of two (2) years, dissolution shall be compulsory and the last available Office Bearers shall give effect to the provisions of this clause.

29.5 Any and all assets belonging to the Centre after the full settlement of all just debts and liabilities incurred by the Centre shall be disposed of by transfer to the ACT Little Athletics Association (ABN: 88 116 713 363).

As approved at a Special General Meeting held at Cook Oval, Biffin Street, Cook, on 02/03/2019.

Wayne Harding
President

Greg Wilson
Treasurer/Public Officer