

# LANE COVE NETBALL CLUB CONSTITUTION



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CONSTITUTION OF

# LANE COVE NETBALL CLUB

Adopted by the Committee and Club Members at the General Meeting held on 3 March 2020

## DEFINITIONS

1.1 In these **Rules**, words and phrases have the meaning set out below:

**AGM** means annual general meeting.

**Authorised Officer** means a person who:

- holds one of the following positions:
  - President;
  - Secretary;
  - Treasurer;
  - Vice President; or
  - any other role determined by the Committee from time to time; and
- is appointed by the Committee to execute contracts on behalf of the Club.

**Chair** means the chairperson at a General Meeting or Committee Meeting.

**Club** means the unincorporated association described in **Rule 0**.

**Club Member** means each person registered as a member with the Club and includes each Nominee.

**Committee** means the **Club's** committee of management (see **Rule 1.47**).

**Committee Meeting** means a meeting of **Committee Members**.

**Committee Members** means the members of the **Committee** (see **Rule 1.47**).

**Executive Committee Members** means members of the Committee with the following titles:

- President;
- Treasurer; and
- Secretary.

**General Meeting** means the meetings of members of the **Club** as described in **Rule 0**, consisting of **AGMs** and special general meetings.

**Junior Players** means players aged 10 to 17 years of age as at 31 December of the relevant year (the phrase 'Junior Players' and age group is guided by the NSNA and may be amended as advised by the NSNA from time to time).

**Lane Cove Region** means any of the following suburbs of New South Wales:

- Atarmon;

- Chatswood West;
- Gladesville;
- Greenwich;
- Hunters Hill,
- Lane Cove;
- Lane Cove North;
- Lane Cove West;
- Linley Point;
- Longueville;
- Mowbray;
- Northwood;
- Riverview;
- Wollstonecraft;
- Woolwich; or
- any other suburb agreed by the Committee is a part of the Lane Cove Region.

**Netball NSW** means Netball New South Wales Netball Association Limited ACN 001 685 007.

**Netball NSW Policy** means the affiliation and membership policy of Netball NSW.

**Net Set Go Players** means players aged 5 to 9 years of age as at 31 December of the relevant year (the phrase 'Net Set Go Players' and age group is guided by the NSNA and may be amended as advised by the NSNA from time to time).

**Nominee** means, in respect of a **Club Member** who is under the age of 18, the relative, friend or associate of that member.

**NSNA** means the Northern Suburbs Netball Association Incorporated.

**Ordinary Resolution** means a resolution that is passed by more than half of the persons present at the relevant meeting and eligible to vote.

**Patron** is a person who lends their name to the **Club** and helps support, promote or further the **Purpose** of the **Club**, but is not necessarily a **Club Member** or a **Committee Member**.

**Purpose** means the Purpose of the **Club** as described in **Rule 1.8**.

**Rule** means each rule set out in this Constitution, and **Rules** means all of them.

**Senior Players** means players aged 18 years of age or older as at 31 December of the relevant year (the phrase 'Senior Players' and age group is guided by the NSNA as may be amended as advised by the NSNA from time to time).

**Special Resolution** means a resolution that is passed by 75% or more of the persons present at the relevant meeting and eligible to vote.

### PRELIMINARY

1.2 This Constitution restates and replaces the “Constitution of the Lane Cove Public School Netball Club” dated on or about 20 November 2013.

1.3 The name of the **Club** is changed from “Lane Cove Public School Club” to “Lane Cove Netball Club”.

1.4 The **Club** is an unincorporated association.

1.5 These rules are intended to be binding on **Club Members** and enforceable by Courts in New South Wales.

### GOVERNING PROVISIONS

1.6 These rules may be changed, added to, or replaced by **Special Resolution** at a **General Meeting**. This includes a change to the **Club’s** name.

1.7 As an unincorporated association, the **Club** cannot enter into contracts in its own name, but any two **Authorised Officers** may execute to bind the **Club** provided:

- i. the contract is consistent with the **Purpose**; and
- ii. the decision to enter into the contract is either approved or ratified by an **Ordinary Resolution** of the **Committee**.

### PURPOSE

1.8 The **Club** will pursue the following **Purpose**:

- (a) promote the game of netball within the Lane Cove community, including people and schools located in the **Lane Cove Region**;
- (b) select and manage teams to compete in competitions, including those run by the **NSNA** ;
- (c) further the interests of the **Club**;
- (d) affiliate with and support the **NSNA** (and such other organisations decided by the **Club** by a **Special Resolution** at a **General Meeting** from time to time);
- (e) comply with the by-laws of the **NSNA** (and such other organisations decided by the **Club** by a **Special Resolution** at a **General Meeting** from time to time); and
- (f) encourage sportsmanship between **Club** members and towards members of other netball clubs and similar organisations.

1.9 The **Club** may do all things that help it to achieve the **Purpose** in accordance with these **Rules**.

1.10 The **Club** and its **Committee** may only do things and use the income and assets of the **Club** for the **Purpose**.

1.11	The <b>Club</b> must not distribute any income or assets, directly or indirectly, to <b>Club Members</b> or <b>Committee Members</b> .
1.12	<b>Rule 4.4</b> does not stop the <b>Club</b> from paying a <b>Club Member</b> or <b>Committee Member</b> for goods or services they have provided or expenses they have incurred at fair and reasonable rates or rates more favourable to the <b>Club</b> , or, provided the payment was made to the <b>Club Member</b> or <b>Committee Member</b> : <ul style="list-style-type: none"> <li>i. in good faith (fairly and honestly); and</li> <li>ii. any actual or perceived conflict of interest was disclosed to the <b>Committee</b> prior to the expense, service or cost being incurred by the member seeking reimbursement.</li> </ul>
1.13	The <b>Club</b> may from time to time: <ul style="list-style-type: none"> <li>i. appoint one or more Patrons by a Special Resolution at a General Meeting; and</li> <li>ii. revoke the appointment of any <b>Patron</b> by an <b>Ordinary Resolution</b> at a <b>Committee Meeting</b>.</li> </ul>
<b>FUNDS AND ASSETS</b>	
1.14	The <b>Committee</b> may establish policies about holding and managing funds and assets on behalf of the Club for its Purpose, and that set out who oversees these funds and assets and who can make decisions about them.
1.15	The <b>Club</b> can receive funding from: <ul style="list-style-type: none"> <li>i. fees to join the <b>Club</b>;</li> <li>ii. membership fees;</li> <li>iii. donations;</li> <li>iv. grants;</li> <li>v. fundraising;</li> <li>vi. interest; and</li> <li>vii. any other lawful sources approved by the <b>Committee</b> (by an <b>Ordinary Resolution</b>) that are consistent with furthering the <b>Club's Purpose</b>.</li> </ul>
1.16	The amount of fees charged to <b>Club Members</b> will be determined by the <b>Committee</b> .
1.17	Registration fees are not refundable once the <b>Club</b> pays registration fees to the <b>NSNA</b> .
<b>FINANCIAL YEAR</b>	
1.18	The financial year of the <b>Club</b> is from 1 October to 30 September, unless the <b>Committee</b> passes an <b>Ordinary Resolution</b> to change the financial year.
<b>RECORD-KEEPING</b>	
1.19	The <b>Club</b> must make and keep written financial records that:

	<ul style="list-style-type: none"> <li>i. correctly record and explain the <b>Club's</b> transactions and financial position and performance, and</li> <li>ii. enable true and fair financial statements of the <b>Club</b> to be prepared.</li> </ul>
1.20	The <b>Club</b> must also keep written records of its operations, and be able to produce these records if required. These records can be held and maintained electronically.
1.21	The <b>Club</b> must retain its records for at least seven years, or as otherwise required by any laws that may apply (for example, taxation law).
1.22	The <b>Committee Members</b> must take reasonable steps to ensure that the <b>Club's</b> records are kept safe.
1.23	Unless otherwise agreed by the <b>Committee</b> , the record of members and financial statements must be kept in the custody or control of the President and/or Treasurer.
1.24	Each <b>Committee Member</b> may inspect the financial books of account, members' roll and minute book of the <b>Club</b> at any reasonable time.
1.25	The <b>Committee</b> may elect, by <b>Ordinary Resolution</b> , to have the financial records of the <b>Club</b> audited every 2 to 3 years.
<b>INDEMNITY</b>	
1.26	<p>To the extent possible under law, <b>Club Members</b> (including <b>Committee Members</b>) are entitled to be indemnified out of the assets held for the <b>Club</b> for any debts or liabilities incurred personally when acting on behalf of the <b>Club</b>, so long as:</p> <ul style="list-style-type: none"> <li>i. the member's action was consistent with the <b>Purpose</b> of the <b>Club</b> or otherwise authorised by the <b>Committee</b> to take that action, and</li> <li>ii. the member acted in good faith (fairly and honestly) and in the best interests of the <b>Club</b>.</li> </ul>
1.27	This indemnity is a continuing obligation and is enforceable by a person even if that person is no longer a <b>Club Member</b> . This indemnity only applies to the extent that the person is not otherwise entitled to be indemnified, and is not actually indemnified, by another person (including an insurer under an insurance policy).

## MEMBERSHIP

- 1.28 **Club Membership** is open to all persons provided it is consistent with the **Purpose**.
- 1.29 Upon registration, each **Club Member** is allocated in one of the following categories of Club membership, in accordance with **NSNA** guidelines:
- i. Net Set Go Players;
  - ii. Junior Players;
  - iii. Senior Players; and
  - iv. non players.
- 1.30 The **Committee** decides the process for receiving and approving or rejecting membership applications.
- 1.31 If the **Committee** rejects a membership application, **the Committee** must promptly notify the applicant in writing to tell them their application was rejected. The **Club** does not have to give reasons for the rejection.
- 1.32 **Club Members** must pay any membership fee and any unpaid joining fee within one month of being asked. This time frame may be extended in writing by any two Executive Committee Members, acting jointly. If a member does not pay in time, their membership may be suspended by the **Committee**. If the **Club Member** does not pay all amounts owing within six months of their membership being suspended, their membership may be cancelled by the **Committee**.
- 1.33 When membership is suspended, a **Club Member**, or their **Nominee**, cannot exercise their members' rights such as voting at a **General Meeting**.
- 1.34 A person immediately stops being a **Club Member** if:
- i. their membership is cancelled under these **Rules**;
  - ii. they resign by writing to the **Committee**; or
  - iii. they die.
- 1.35 If a member stops being a **Club Member** in accordance with **Rule 9.7**, the **Club** is not required to refund any joining, registration or membership fees already paid.

## REGISTER OF CLUB MEMBERS

- 1.36 The **Club** must maintain a register of **Club Members**, including **Nominees**.
- 1.37 **Club Members'** and **Nominees'** names and contact details (an email address is sufficient instead of other contact details, if the **Committee** approve this) must be entered in the register of members when membership is approved. A person becomes a **Club Member** when their name is entered on the register.

1.38	The <b>Committee</b> must record the date that a person stops being a <b>Club Member</b> in the register of members as soon as possible after the person stops being a member.
1.39	If a <b>Club Member</b> requests that access to their details on the register of members be restricted, the <b>Committee</b> may decide whether access will be restricted and must promptly notify the member of this in writing.
<b>CLUB MEMBERS' ACCESS TO DOCUMENTS</b>	
1.40	A <b>Club Member</b> may make reasonable requests to inspect (at a reasonable time) the: <ul style="list-style-type: none"> <li>i. Rules of the Club;</li> <li>ii. General Meeting minutes, and</li> <li>iii. register of <b>Club Members</b> (subject to any restrictions on the accessibility of a member's details agreed to by the <b>Committee</b>).</li> </ul>
1.41	A <b>Club Member</b> may make reasonable requests for copies of the documents requested under rule 1.40.
1.42	<b>Club Members</b> may only use information that is accessed in accordance with <b>Rules</b> 1.40 or 1.41 for a lawful and proper <b>Purpose</b> related to the <b>Club</b> .
1.43	Subject to rule 1.44, the <b>Club</b> must provide access to documents or copies requested under <b>Rules</b> 1.40 and 1.41 within a reasonable period.
1.44	The <b>Club</b> can refuse to provide access or copies, or provide only limited access, if: <ul style="list-style-type: none"> <li>i. the documents contain confidential, personal, employment, commercial or legal matters;</li> <li>ii. granting the request would breach a law or could cause damage or harm to the <b>Club</b>;</li> <li>iii. the request is not adequately related to the <b>Purpose</b>; or</li> <li>iv. the request is otherwise unreasonable.</li> </ul>
<b>THE COMMITTEE</b>	
1.45	The <b>Club</b> is governed by the <b>Committee</b> . The <b>Committee</b> is made up of <b>Committee Members</b> .
1.46	The role of the <b>Committee</b> is to ensure that the <b>Club</b> is responsibly managed and pursues its <b>Purpose</b> .
1.47	The <b>Committee</b> can exercise all powers and functions of the <b>Club</b> , except for powers and functions that the <b>Club Members</b> are required to exercise at a <b>General Meeting</b> (under these rules or relevant Australian laws).
1.48	The <b>Committee</b> can delegate any of its powers and functions (other than power of delegation or a duty that applies to the <b>Committee</b> or particular <b>Committee Member</b> under these <b>Rules</b> or Australian laws) to a <b>Committee Member</b> , a sub-committee or a <b>Club Member</b> .
1.49	The <b>Committee</b> is made up of a minimum of three <b>Committee Members</b> .

1.50	The following people are eligible to be nominated as a <b>Committee Member</b> : <ul style="list-style-type: none"> <li>i. each <b>Club Member</b> who is 18 years or older at the time; and</li> <li>ii. each Nominee.</li> </ul>
1.51	The <b>Club</b> must maintain a register of <b>Committee Members</b> .
1.52	Subject to rule 12.10, the appointment of the following <b>Committee Members</b> must take at an <b>AGM</b> : <ul style="list-style-type: none"> <li>i. President;</li> <li>ii. Secretary; and</li> <li>iii. Treasurer,</li> </ul> by a majority of at least 51% at a ballot of <b>Club Members</b> present and eligible to vote.
1.53	At an <b>AGM</b> , the <b>Club Members</b> (or their <b>Nominees</b> ) may also appoint the following <b>Committee Member</b> roles: <ul style="list-style-type: none"> <li>i. Vice-President;</li> <li>ii. Coach Co-ordinator;</li> <li>iii. Equipment Co-ordinator;</li> <li>iv. Fundraising Co-ordinator;</li> <li>v. Net Set Go Co-ordinator;</li> <li>vi. NSNA Co-ordinator;</li> <li>vii. Registrar;</li> <li>viii. Summer competition co-ordinator; and</li> <li>ix. Umpire convenor.</li> </ul>
1.54	At a Committee Meeting, the Committee may: <ul style="list-style-type: none"> <li>i. appoint a person to any role set out in <b>Rule 12.9</b> which remains vacant after the most recent <b>General Meeting</b>;</li> <li>ii. remove a Committee Member;</li> <li>iii. add to, remove or amend the <b>Committee</b> roles; or</li> <li>iv. decide their responsibilities in the <b>Committee</b> roles,</li> </ul> by an <b>Ordinary Resolution</b> of <b>Committee Members</b> present and eligible to vote.
1.55	The one person may hold multiple <b>Committee Member</b> roles provided that the same person does not hold any two <b>Executive Committee Member</b> roles.
1.56	Each <b>Committee Member</b> appointed at an <b>AGM</b> commences their appointment at the conclusion of the <b>AGM</b> and shall hold office until the next <b>AGM</b> .

1.57	A <b>Committee Member</b> may be re-elected to their existing position as a <b>Committee Member</b> provided that a person who has been President, Secretary, Treasurer or Vice-President for 4 or more consecutive years must stand down from that role at the next <b>AGM</b> , and is not eligible to be re-appointed to that role for 2 years from the date they stood down.
1.58	Subject to the restriction set out in <b>Rule 12.13</b> , each <b>Committee Member</b> is eligible to be re-elected in their current role.
1.59	In order to be nominated for a role in the <b>Committee</b> , a <b>Club Member</b> or <b>Nominee</b> must: <ul style="list-style-type: none"> <li>i. verbally nominate to be on the <b>Committee</b>; and</li> <li>ii. have their nomination supported by another <b>Committee Member</b>, <b>Club Member</b> or <b>Nominee</b> present and eligible to vote.</li> </ul>
1.60	A <b>Committee Member</b> stops being on the <b>Committee</b> if they: <ul style="list-style-type: none"> <li>iii. resign, by writing to the <b>Committee</b>;</li> <li>iv. are removed by a resolution of the <b>Committee</b> where the <b>Committee</b> is satisfied that the <b>Committee Member</b> is not performing their duties to the satisfaction of the <b>Committee</b> or otherwise in accordance with the <b>Purpose</b>;</li> <li>v. are absent without the consent of the <b>Committee</b> from all meetings of the <b>Committee</b> held during a period of six months; or</li> <li>vi. die.</li> </ul>
1.61	If a <b>Committee Member</b> is removed from their role in the <b>Committee</b> before the next <b>AGM</b> , the <b>Committee</b> can temporarily appoint another <b>Committee Member</b> or member of the <b>Club</b> to fill the vacancy on the <b>Committee</b> until the next <b>AGM</b> .
<b>DUTIES OF THE COMMITTEE</b>	
1.62	Among its other responsibilities, the <b>Committee</b> is responsible for making sure that: <ul style="list-style-type: none"> <li>i. accurate minutes of <b>General meetings</b> and <b>Committee</b> meetings are maintained;</li> <li>ii. other records are kept in accordance with rules 1.19 to 1.22, and</li> <li>iii. documents of the <b>Club</b> are made available to <b>Club Members</b> and <b>Nominees</b> in accordance with rules 11.1 to 11.3.</li> </ul>
1.63	Committee Members must: <ul style="list-style-type: none"> <li>i. comply with their legal duties under Australian laws;</li> <li>ii. ensure that the <b>Club</b> complies with its duties under Australian laws;</li> <li>iii. exercise their powers and discharge their duties with the degree of care and diligence that a reasonable individual would exercise if they were a <b>Committee Member</b> of the <b>Club</b>;</li> <li>iv. act in good faith (fairly and honestly) in the best interests of the <b>Club</b>;</li> </ul>

- v. further the **Purpose** of the **Club**;
- vi. not misuse their position as a **Committee Member**;
- vii. not misuse information they gain in their role as a **Committee Member**;
- viii. not enter into any contract nor incur any expense on behalf of the **Club** with a party where there is or may be a conflict of interest unless:
  - (a) the **Committee Member** discloses the potential conflict of interest to the **Committee** prior to the action being taken; and
  - (b) the **Committee** approves that action;
- ix. disclose any perceived or actual material conflicts of interest in discharging their duties as a **Committee Member**, prior to that duty being discharged; and
- x. manage the financial affairs of the **Club** responsibly.

**1.64** The **Committee** shall have the power to open and operate bank accounts on behalf of the Club at any financial institution approved of by the Club.

**1.65** The account signatories on behalf of the Club shall be the:

- i. President;
- ii. Secretary;
- iii. Treasurer; and/or
- iv. any other Committee Member approved by the Committee in an Ordinary Resolution,

1.66 (Account Signatory Committee Members).

1.67 The **Account Signatory Committee Members** must comply with all policies about holding and managing funds and assets on behalf of the **Club** described in **Rule 5.1**.

1.68 The **Committee** must approve any item or items to be acquired which costs over \$5,000 (either separately or in aggregate) in any financial year.

## **COMMITTEE MEETINGS**

1.69 A **Committee Member** can call a **Committee Meeting** by giving 7 days' notice of a meeting to **Committee Members** unless the meeting is an urgent meeting, in which case reasonable notice must be given.

1.70 The **Committee** can decide how often it meets, and the way in which it meets, including by allowing **Committee Members** to attend and vote through technology, provided that technology allows for clear and contemporaneous (interactive) communication of all meeting participants.

1.71 The President must chair **Committee Meetings**. If the President does not attend the **Committee Meeting**, the **Committee Members** can choose the **Chair** for that meeting.

1.72 Each **Committee Member** present at the **Committee Meeting** in accordance with **Rule** 14.2 has one vote.

1.73	An <b>Ordinary Resolution</b> of the <b>Committee Meeting</b> is passed if more than half of the <b>Committee Members</b> voting at the <b>Committee</b> meeting vote in favour of the resolution.
1.74	A majority (more than half) of <b>Committee Members</b> must be present (either in person or through the use of technology) for the meeting to be validly held (this is the quorum for <b>Committee Meetings</b> ).
1.75	The <b>Committee</b> can allow unanimous circular resolutions. To pass a circular resolution, each <b>Committee Member</b> must agree to it in writing, including by email or other electronic communication, and it is passed once the last <b>Committee Member</b> has agreed to it.
1.76	A <b>Committee Member</b> is not permitted to appoint a proxy to vote on their behalf at a <b>Committee Meeting</b> .
<b>GENERAL MEETINGS OF CLUB MEMBERS</b>	
1.77	General Meetings of Club Members and Committee Members can be called by the Committee.
1.78	To have a quorum for a <b>General Meeting</b> : <ul style="list-style-type: none"> <li>i. at least half of the <b>Committee Members</b>; and</li> <li>ii. at least 5 <b>Club Members</b> (who may also be <b>Nominees</b> or <b>Committee Members</b>) must be present.</li> </ul>
1.79	A <b>Club Member</b> or <b>Committee Member</b> may attend either in person or through technology that allows for clear and contemporaneous (interactive) communication of all meeting participants, for the meeting to be held.
1.80	Written notice of <b>General Meetings</b> must be provided to all <b>Club Members</b> at least 21 days before the meeting. Notice to members must be sent to the <b>Club Members'</b> contact email addresses listed on the register of members or via other accepted means of communication used by the <b>Committee</b> to the <b>Club Members</b> .
1.81	Any notice of <b>General Meetings</b> must specify: <ul style="list-style-type: none"> <li>i. when and where the meeting will be held;</li> <li>ii. any technology that will be used to facilitate this (if appropriate);</li> <li>iii. proposed issues to be discussed and resolutions to be moved at that meeting; and</li> <li>iv. any special business or resolutions to be considered.</li> </ul>
1.82	The <b>Club</b> must hold an <b>AGM</b> at least once a year. The <b>AGM</b> must be held after the end of the financial year and prior to commencement of the Winter competition.
1.83	The President must chair each <b>General Meeting</b> . If the President is not present at the <b>General Meeting</b> , the <b>Chair</b> will be the Secretary. The <b>Chair</b> is responsible for the conduct of the <b>General Meeting</b> , and for this purpose must give <b>Club Members</b> and <b>Nominees</b> a reasonable opportunity to make comments and ask questions.
1.84	The ordinary business of the <b>AGM</b> is to: <ul style="list-style-type: none"> <li>i. confirm who is present and note any apologies;</li> </ul>

	<ul style="list-style-type: none"> <li>ii. confirm the minutes of the previous <b>AGM</b>;</li> <li>iii. present the President's report;</li> <li>iv. present the Treasurer's report (including, but not limited to, statements of financial position and statement of financial performance);</li> <li>v. present the Net Set Go Co-ordinator's report;</li> <li>vi. present the NSNA Co-ordinator's report;</li> <li>vii. present the Umpire Co-ordinator's report;</li> <li>viii. general business; and</li> <li>ix. elect Committee Members.</li> </ul>
1.85	<p>The following people are eligible to attend and vote at a <b>General Meeting</b>:</p> <ul style="list-style-type: none"> <li>i. each <b>Club Member</b> who is 18 years or older; and</li> <li>ii. each Nominee.</li> </ul> <p>Each person listed above is entitled to one vote.</p>
1.86	<p>If a:</p> <ul style="list-style-type: none"> <li>i. Club Member who is 18 years or older; or</li> <li>ii. Nominee;</li> </ul> <p>is unable to attend <b>General Meeting</b>, that person is not permitted appoint a proxy to vote in their place.</p>
1.87	<p>A resolution (other than a <b>Special Resolution</b>) is passed if more than half of the <b>Club Members</b> present at the <b>General Meeting</b>, who are eligible to vote, vote in favour of the resolution.</p>
1.88	<p>Votes may be held by a show of hands or written ballot, or another method that the <b>Chair</b> decides is fair and reasonable in the circumstances. If an <b>Ordinary Resolution</b> of <b>Club Members</b> is tied, the motion has failed.</p>
1.89	<p>On a show of hands, the <b>Chair's</b> decision is conclusive evidence of the result of the vote.</p>
1.90	<p>The <b>Chair</b> can adjourn the meeting if there are not enough members at the meeting (see <b>Rule</b> 15.2 for the quorum requirements) within 30 minutes of the meeting start time, or if there is not enough time at a meeting to consider all business. A new notice must be sent to members for the adjourned meeting (but does not have to comply with time for notice requirements, unless the adjourned meeting is more than 21 days after the original meeting date).</p>
1.91	<p>The <b>Chair</b> and the meeting minutes do not need to state the number or proportion of the votes in favour or against on a show of hands.</p>

## DISPUTE RESOLUTION PROCESS

- 1.92 If there is a dispute between a member or **Committee Member** and:
- i. one or more members, or
  - ii. one or more Committee Members,
- 1.93 the parties involved must first attempt to resolve the dispute between themselves within a period of at least 14 days from the date the dispute is known to all parties involved.
- 1.94 If the dispute cannot be resolved between the people involved, the **Committee** must be notified, and a dispute resolution process must be put in place by the **Committee**. The **Committee** may develop a policy regarding dispute resolution.
- 1.95 A dispute resolution process must allow each party a reasonable opportunity to be heard and/or submit arguments in writing, and should first attempt to resolve the dispute by the parties reaching agreement. If agreement cannot be reached, the **Committee** may appoint an unbiased person to decide the outcome of the dispute. The unbiased person may be a member, non-member or professional mediator who is not connected with the dispute or the people involved in it.

## DISCIPLINING CLUB MEMBERS

- 1.96 If the **Committee** considers that a **Club Member** breached these **Rules** or if their behaviour is causing (or has caused) damage or harm to the **Club**, the **Committee** can:
- i. warn the Club Member;
  - ii. remove a Committee Member from the Committee;
  - iii. suspend the membership of **Club Member**, but for no more than 12 months; or
  - iv. cancel the **Club Member's** membership.
- 1.97 The **Committee** must promptly write to the member to tell them why they propose to take disciplinary action.
- 1.98 If the person disputes the decision, the **Committee** must allow the affected person:
- i. 7 days (from the date the **Committee** advises the **Club Member** or **Committee Member** in accordance with **Rule 17.2**) to appeal that decision by written notice to the **Committee**; and
  - ii. the opportunity to explain or defend themselves to the **Committee** at a **Committee Meeting** which is held as soon as practical in the circumstances.
- 1.99 The **Committee** must notify the member of the outcome of the disciplinary procedure as soon as reasonably practical.
- 1.100 There will be no liability for any loss or injury suffered by a **Club Member** or **Committee Member** as a result of any decision made in good faith (fairly and honestly) under rule 17.1.

## WINDING UP

1.101 The **Club** can be wound up by its members if the members pass a **Special Resolution** to wind up the **Club** at a **General Meeting**.

1.102 If the **Club** is wound up, after it has paid all debts and other liabilities (including the costs of winding up), any remaining assets:

- i. must not be distributed to the members or former members of the **Club**, and
- ii. subject to the requirements of Australian laws and any Australian court order, must be distributed to another organisation or other organisations, with similar **Purpose**.