

## CONSTITUTION

### Name:

1. The name of this body shall be the PORT LINCOLN VOLLEYBALL ASSOCIATION and it shall hereafter be referred to as the “Club”.

### Objects:

2. (a) To promote interest in volleyball at competition level.  
(b) To promote good fellowship among those interested in volleyball.  
(c) To educate, train, coach and encourage members of the “Club”.  
(d) To do all such things and acts conducive to the furtherance of the objects and interests of the “Club”.

### Membership:

3. Any person who is interested in volleyball shall be eligible for membership.
4. (a) The annual membership fee for all classes of membership shall be determined at the Annual General Meeting in each year.  
(b) Persons 16 years or younger shall be eligible to join as junior members at such special fee as shall be determined but they shall not be entitled to hold office, or vote, or take part in business procedures at meetings of the club.
5. A properly constituted Annual General Meeting or Special General Meeting may appoint any person as an honorary member or honorary life member of the “Club” in recognition of services rendered in promoting the interests and objects of the “Club”.
6. Any member may resign from the “Club” and such resignation must be in writing and forwarded to the secretary of the “Club”.
7. Upon any person ceasing to be a member of the “Club” after his third game for any reason whatsoever he shall not be entitled to the return of his membership subscription or any part thereof.
8. (a) The committee may expel from the “Club” or otherwise punish or penalise any member whose conduct, in the opinion of the committee, is discreditable or injurious to the character or interests of the “Club”.  
(b) Before any member is expelled or otherwise punished or penalised his conduct shall be enquired into by the committee and the member shall be given the opportunity to defend himself and to justify or explain his conduct. PROVIDED THAT a quorum is established and the majority of the committee present when the matter is enquired into, is of the

opinion that the member has been guilty of such conduct or action as foresaid, then the committee may expel or suspend him from membership or otherwise punish or penalise him.

- (c) Should any member fail to appear at any enquiry conducted under Clause 8 (b) hereof, or any adjournment thereof the committee may proceed in that member's absence to conduct the said enquiry and to make its findings as hereinbefore empowered.

### **General Meetings:**

9. The Annual General Meeting of members shall be held after the Winter volleyball season each year and members shall be given notice in writing at least fourteen (14) days before such meeting.
10. The annual report and audited balance sheet or financial statement shall be submitted to members at the Annual General Meeting.
11. The Annual General Meeting may make bi-laws necessary for the proper administration of the "Club". Any bi-laws so made shall not be repealed, added to or amended unless and until:
  - (a) Notice of intention to propose such repeal, addition or amendment is first given in writing by a member of the "Club" to the secretary of the "Club" not later than 30 days prior to the date of such Annual General Meeting and included in the agenda for such meeting.
  - (b) Such repeal, addition or amendment is proposed at such Annual General Meeting and is approved by not less than two-thirds of the members of the "Club" present at such meeting and voting thereon.
12. The election of Officers and Committee for the ensuing twelve months shall take place at the Annual General Meeting together with any other business mentioned in noticed paper convening the meeting.
13. A special meeting of members shall be called at the request of the President or the Secretary or any four (4) members of the committee or at the written request of twenty (20) financial members of the "Club". Such meeting shall be held within thirty (30) days of such request and all members shall be notified in writing not less than ten (10) days before such meeting.
14. The President of the "Club" shall be the Chairman at all general meetings. Should he/she not be present then a Vice-President shall be elected to the chair and if there be no Vice-President present, the members shall elect a member to take the chair.
15.
  - (a) At all meetings the Chairman's decision on points of order shall be final.
  - (c) The Chairman shall have a casting vote in addition to his deliberative vote.

16. The quorum for a general meeting or special meeting shall be fifteen (15) financial members present.
17. If at any general meeting there be no quorum within thirty (30) minutes of the time appointed for the meeting then the meeting shall lapse unless a majority of the members present decide to adjourn the meeting for a period not exceeding fourteen (14) days. If there be no quorum within thirty (30) minutes after the time appointed for such adjourned meeting then the meeting shall lapse altogether.
18. Only members present in person shall be entitled to vote.

**Committee:**

19. (a) The business and affairs of the “Club” shall be under the management and control of a committee, PROVIDED HOWEVER that except in the case of extreme urgency the committee shall not take any action contrary to decisions made at a general meeting.  
(b) The committee may, SUBJECT TO the decisions made at general meetings, exercise all the powers of the “Club” and do all such acts and things as may be done by the “Club” of which it considers necessary or expedient to carry out the objects of the “Club”.
20. The committee shall consist of:
  - (a) The President, a Vice-President, a Secretary, a Treasurer (hereinafter called the office bearers) and
  - (b) Ten (10) members of the “Club”, which will include a Registrar, an Equipment & Venue Officer and an Advertising Officer elected at the Annual General Meeting or as otherwise provided herein being representatives from each grade participating in the season.
21. All members of the committee must be financial members of the “Club”.
22. Should any vacancy occur in the committee or office-bearers of the “Club” other than in the normal course of elections, the committee shall fill such vacancy from the financial members of the club and such member duly elected shall hold office for the unexpired portion of his predecessor’s term.
23. The committee shall meet as often as may be required to conduct the business of the “Club”. The President or the Secretary or three (3) members of the committee shall have the power to call a meeting of the committee. The President of the “Club” shall take the chair at all meetings. Should the President not be present then a Vice-President shall be elected to the chair if there be no Vice-President present the committee shall elect one of its members to take the chair.

24. The chairman at all committee meetings shall have a casting vote in addition to a deliberative vote.
25.
  - (a) All notices of committee meetings shall be in writing and posted to members of the committee at least seven (7) days before the date of such meeting.
  - (b) The accidental omission to give to any member, or the non-receipt by any member of any notice required by this constitution, shall not invalidate or affect any proceedings at such meetings.
26.
  - (a) The committee shall have the power to delegate any of its powers to a sub-committee to deal with any particular matter or matters and upon such terms as the committee may think fit. The President and the Secretary shall be ex-officio members of all sub-committees.
  - (c) All acts or decisions done or made by any meeting of the committee or any member thereof shall, notwithstanding that it be afterwards discovered that there was some defect in the appointment of such member or all or any members of the committee, be as valid and effective as if they had all been properly appointed unless it is proved that the appointment was made in fraud or bad faith.
27. The quorum of committee meetings shall consist of three (3) office-bearers and two (2) members present in person.

#### **Election of Committee:**

28. Nomination for each candidate for election as office bearer or committee member shall be proposed and seconded respectively by two (2) members at the Annual General Meeting. Contested offices shall be SUBJECT TO ballot and the Annual General Meeting of the members present and voting thereon.
29. No person shall be eligible for election unless he is a financial member of the "Club".
30. The election for the office bearers and other committee members shall be by ballot of members present and voting thereon held at the Annual General Meeting. No ballot shall be required when the number of candidates nominated for each office does not exceed the number of vacancies and they shall be declared duly elected.

#### **Duties:**

31.
  - (a) The Secretary shall carry out his duties under the direction of the committee and keep a true record of all monies of all meetings, attend to correspondence, issue notices of meetings, keep records and carry out such duties as the committee may time to time direct.
  - (b) The treasurer shall receive all monies payable to the "Club" and give receipts to same. All monies so received shall be paid into the banking

account of the “Club”. The treasurer shall present at each general meeting a balance of the finances of the “Club” and shall keep proper books of account of all monies received and disbursed and generally perform all such duties as are directed by the committee from time to time.

- (c) The registrar will be responsible for tracking unregistered players and qualified players. Compile best player points and players choice points. Prepare scoresheets and notices regarding unregistered players each week and perform all such duties as are directed by the committee from time to time.
- (d) The Equipment & Venue Officer will be required to maintain the equipment of the “Club” and notify the committee when replacements are required. The Equipment & Venue Officer will also be required to liaise with the managers of the venue regarding any venue issues. Also perform all such duties as are directed by the committee from time to time.
- (e) The Advertising Officer will be required to organise media advertising, promotional ideas, posters and perform all such duties as are directed by the committee from time to time.

### **Finance**

- 32. The financial year shall be the 1<sup>st</sup> day of August to the 31<sup>st</sup> day of July in each year.
- 33. All monies of the “Club” shall be paid into the account of the “Club” at such bank as the committee may from time to time direct.
- 34. No monies shall be drawn from the “Club’s” account save only by cheques signed by the bank signatories authorised by the committee. No cheque shall be signed or money withdrawn unless such withdrawal has been approved by the committee, or in the case of urgency, by the President and the Secretary.
- 35. The books and accounts of the “Club” shall be audited annually by an auditor appointed at the Annual General Meeting.

### **Trustees:**

- 36. Unless otherwise determined the members of the committee of the “Club” for the time being shall be deemed to be the Trustees of the “Club”, to hold any property real and personal belonging to the “Club”.

### **Amendments to the Constitution:**

- 37. This shall be the only constitution of the Port Lincoln Volleyball Association and shall come into force forthwith and shall not be altered, varied, added to or repealed unless two-thirds of financial members present at an Annual General

Meeting or at a meeting specially convened for that purpose are in favour of such alteration, variation, addition or repeal.

38. The property assets and income of the “Club” shall be applied towards the promotion of the objects of the “Club” and no portion thereof shall be paid or transferred either directly or indirectly by way of dividend, bonus or otherwise by way of profit to members generally of the “Club”. PROVIDED THAT nothing herein contained shall prevent the payment of interest or money borrowed from any member of the “Club”. Should the “Club” for any reason whatsoever cease to function, any member or person holding any “Club” monies or property shall forthwith pay the same to the committee who shall direct same to a registered charity agreed to by the committee.

### **Powers of an incorporated association**

39. For the purpose of carrying out its objects, an incorporated association may, subject to this Act and its rules –
- (a) acquire, hold, deal with, and dispose of, any real or personal property; and
  - (b) administer any property on trust; and
  - (c) open and operate ADI accounts; and
  - (d) invest its moneys –
    - (i) in any security in which trust moneys may, by Act of Parliament, be invested; or
    - (ii) in any other manner authorised by the rules of the association; and
  - (e) borrow money upon such terms and conditions as the association thinks fit; and
  - (f) give such security for the discharge of liabilities incurred by the association as the association thinks fit; and
  - (g) appoint agents to transact any business of the association on its behalf; and
  - (h) enter into any other contract it considers necessary or desirable.

### **Interpretation:**

In this constitution masculine includes feminine. “In writing” or “written” means and includes printing or other means of representing or reproducing words in visible form. Words importing singular include the plural and words importing plural include the singular where the context permits.