Constitution

Aveley Junior Football Club Inc.

TABLE OF CONTENTS

1 ... NAME 3
2 DEFINITIONS 3
3 AFFILIATION 5
4 OBJECTIVES 5
5 PROPERTY AND INCOME 5
6 POWERS 5
7 MEMBERSHIP 6
MEMBERSHIP CATEGORIES 6
8 REGISTER OF MEMBERS 8
9 SUBSCRIPTIONS 9
10 TERMINATION OF MEMBERSHIP 9
11 SUSPENSION AND EXPULSION. 9
12 MANAGEMENT COMMITTEE. 10
13 ELECTION OF COMMITTEE MEMBERS. 10
14 RULES GOVERNING NOMINATINS AND APPOINTMENTS. 11
15 DELEGATES. 11
16 COLOURS. 11
POWERS AND DUTIES OF MANAGMENT COMMITTEE MEMBERS 12
17 PRESIDENT AND VICE PRESIDENT 12
18 SECRETARY 12
19 TREASURER 13
20 REGISTRAR 13
21 COACHES COORDINATOR 13
22 MERCHANDISE AND PROPERTY OFFICER 14
COMMITTEES AND MEETINGS 14
23 POWERS AND DUTIES OF THE MANAGEMENT COMMITTEE 14
24 POWERS AND DUTIES OF THE EXECUTIVE COMMITTEE 15
25 MANAGEMENT COMMITTEE MEETINGS 15
26 ANNUAL GENERAL MEETING 16
27 SPECIAL GENERAL MEETING 17
28 NOTICE OF MEETINGS 17
29 QUORUMS 17
30 FINANCIAL YEAR. 18
31 FINANCIAL STATEMENTS AND FINANCIAL REPORTS. 18
32 EXECUTING DOCUMENTS AND COMMON SEAL 19
33 DISCIPLINARY ACTION, DISPUTES AND MEDIATION. 19
DIVISION 1 – TERMS USED. 19
DIVISION 2 – DISCIPLINARY ACTION 19
DIVISION 3 – RESOLVING DISPUTES 20
DIVISION 4 – MEDIATION 21
34 ALTERATIONS TO THE CONSTITUTION AND BY-LAWS 22
35 DISSOLUTION. 23
ANNEX A 24

This Constitution of the Aveley Junior Football Club Inc., complies with the Associations Incorporation Act (2015), is current and has been duly registered as such with the Department of Commerce in 2022.

1. NAME

1.1 The name of the Club is the "Aveley Junior Football Club Inc., hereinafter referred to as 'the AJFC' and/or 'the Club'.

1.2 The Club uses the nickname of 'The Avengers' and the Club may be referred to as 'The Aveley Avengers Junior Football Club'.

1.3 The Club is incorporated and registered with the Western Australian Government Department of Commerce – Incorporated Registered Number: A1017533E.

2. DEFINITIONS In these rules, unless contrary intention appears-

"Affiliated Association" or "Affiliated Council"	means the Western Australian Football League (WAFL) league club in whose zone AJFC teams compete.
"Annual General Meeting or AGM"	means the meeting convened under Rule 26.
"Committee Meeting" or "Management Committee Meeting"	means a meeting referred to in Rule 25.
"Committee Member"	means a person referred to in Rule 13.
"Convene"	means to call together for a formal meeting.
"Department"	means the government department with responsibility for administering the Associations Incorporation Act 2015.
"Executive"	means the Executive Committee.
"General Meeting"	means a meeting to which all Members are invited.
"Member"	generally means an Ordinary Member of the Club – other types of memberships include Junior Player, Social, Honorary and Life as described in Rule 7.
"Poll"	means voting conducted in written form (as opposed to a show of hands).
"Special General Meeting or SGM"	means a General Meeting other than the Annual General Meeting to which all Members are invited and given at least 14 days- notice in writing before such meeting.
"Special Resolution"	means a resolution passed by seventy-five (75%) majority of those present and entitled to vote at an Annual General Meeting, Special General Meeting or Management Committee Meeting. At a meeting at which a resolution proposed as a special resolution is submitted, a declaration by the person presiding that the

resolution has been passed as a special resolution shall be evidence of the fact.

"the Act" means the Associations Incorporation Act 2015.

"the Club" means the body referred to in Rule 1.

"the Chairperson" means-

a.
in relation to the proceedings at a Management Committee Meeting, Executive Committee Meeting or General Meeting, the person presiding at any such Meeting in accordance with Rule 17.

b.
otherwise than in relation to the proceedings referred to in paragraph a., the Person referred to in sub rule 13.1.a. Or if that person is unable to perform his or her Functions, the Vice President.

"the Commissioner" means the person for the time being designated as the Commissioner under section 153 of the Act.

"the Committee" means the Management Committee of the AJFC referred to in Rule 23.

"Financial Records" means and includes-

a.
invoices, receipts, orders for the payment of money, bills of exchange, cheques, promissory notes, and vouchers.

b.
documents of prime entry; and

c.
working papers and other documents needed to explain-

(i) t
he methods by which financial statements are prepared; and

(ii) a
djustments to be made in preparing financial statements.

"Financial Report" means a tier 1 association, tier 2 association, or a tier 3 association, has the meaning given in section 63 of the Act.

"Financial Statements" means the financial statements in relation to the Association required under Part 5 Division 3 of the Act.

"Financial Year" of the Association, has the meaning given in Rule 30.

"the Executive Committee"	means the Executive Committee of the AJFC referred to in Rule 24.
"the Secretary"	means the Committee Member holding office as the Secretary of the AJFC.
"the Treasurer"	means the Committee Member holding office as the Treasurer of the AJFC.
"Tier 1 Association"	means an incorporated association to which section 64(1) of the Act applies.
"Tier 2 Association"	means an incorporated association to which section 64(2) of the Act applies.
"Tier 3 Association"	means an incorporated association to which section 64(3) of the Act applies.

3. AFFILIATION

3.1 The AJFC is affiliated with the Swan Districts Football Development Council (SDFDC) and the West Australian Football League (WAFL).

3.2 The AJFC may affiliate with such organisations as the Management Committee deem necessary to further the objects of the Club.

4. OBJECTIVES The objectives of the AJFC are-

4.1 To promote and develop the game of Australian Rules Football.

4.2 To promote good fellowship, true sportsmanship, and citizenship among the Members of our Club.

4.3 The control and management of football teams deemed necessary by the AJFC Management Committee.

4.4 To make proper use of any buildings and facilities made available through the Ministry of Education, the City of Swan, and any other facility that the club may use from time to time.

4.5 To facilitate the progress of players from modified ranks to open rules teams of the parent club, and any other such affiliated Association within the District.

4.6 To encourage the participation of children in Australian Rules Football irrespective of gender, race, religion, physical or mental capacity or social status.

5. PROPERTY AND INCOME

5.1 The property and income of the Club shall be applied solely towards the promotion of the objects of the Club and no part of that property or income may be paid or otherwise distributed, directly or indirectly, to any member, except in food faith in the promotion of those objects.

5.2 A payment may be made to a member out of the funds of the Association only if it is authorised under Rule 5.3.

5.3 A payment to a Member out of the funds of the Association is authorised if it is-

5.3.1 The payment in good faith to the Member as reasonable remuneration for any services provided to the Association, or for goods supplied to the Association, in the ordinary course of business; or

5.3.2 The payment of interest, on money borrowed by the Association from the Member, at a rate not greater than the cash rate published from time to time by the Reserve Bank of Australia; or

5.3.3 the payment of reasonable rent to the Member for premises leased by the Member to the Association; or

5.3.4 The reimbursement of reasonable expenses properly incurred by the Member on behalf of the Association.

6. POWERS

6.1 The Committee Members are the persons who, as the Management Committee of the Club, have the power to manage the affairs of the Club.

6.2 Subject to the Act, these rules, the by-laws and any resolution passed at a General Meeting, the Committee has power to do all things necessary or convenient to be done for the proper management of the affairs of the Club.

6.3 The Committee must take all reasonable steps to ensure that the Club complies with the Act, these rules and the by-laws.

6.4 The powers conferred on the Club are the same as those conferred by the Act, so that subject to the Act and any additions, exclusions or modifications inserted below, the AJFC may-

6.4.1 Do all things necessary or convenient for carrying out its objects and purposes.

6.4.2 Acquire, hold, deal with, and dispose of real or personal property.

6.4.3 Open and operate bank accounts with a reputable and registered financial institution. This includes:

6.4.3.1 Investing its money in any security in which trust monies may lawfully be invested.

6.4.3.2 Investing its money in any other manner authorised by the rules of the AJFC.

6.4.3.3 Borrowing money upon such terms and conditions as the Management Committee deems fit.

6.4.3.4 Giving such security for the discharge of liabilities incurred by the AJFC as the Management Committee deems fit.

6.4.3.5 Opening and operating bank accounts will take into consideration and make use of, as the Management Committee sees fit, any and all of the products, services and facilities on offer in line with Rule 6.4.3. These include, but are not limited to:

a. Cheque Book and direct deposit facilities.

b. Electronic funds transfer (EFT, BPay) facilities.

c. EFTPOS and Pay Wave facilities.

d. Internet banking facilities.

e. Redraw, overdraft, credit and loan facilities; and

f. Other products, services and facilities as seen fit by the Management Committee.

6.4.4 The opening and operation of banking and finance facilities detailed in Rule 6.4.3 must:

6.4.4.1 Be approved by the Management Committee under the rules of this Constitution.

6.4.4.2 For any and accounts as outlined in Rule 6.4.3. Include as signatories to, or authorisers of at least two (2) of:

a. President.

b. Vice President.

c. Treasurer; and

d. Secretary.

6.4.5 Appoint agents and employees to transact any business of the AJFC on its behalf for reward or otherwise.

6.4.6 Build, construct, erect, maintain, alter and repair any premises building or other structure of any kind and to furnish equip and improve the same for the use by the AJFC.

6.4.7 Enter into any other contract the AJFC considers necessary or desirable.

6.4.8 Accept donations and gifts in accordance with the objects of the AJFC.

6.4.9 Print and publish any information by any media including newsletters, newspapers, articles or leaflets for promotion of the AJFC.

6.4.10 Organise social events for Members and the promotion of the AJFC.

6.4.11 May act as trustee and accept and hold real and personal property upon trust but does not have power to do any act or thing as a Trustee that, if done otherwise than as a Trustee, would contravene this Act or the rules of the AJFC.

1. MEMBERSHIP

7.1 Membership shall be open to any person who wishes to further the interests of the Club.

7.2 The Management Committee shall have the right to refuse to admit any person to membership without assigning any reason for doing so.

7.3 Any person admitted to membership shall be:

a. Bound by the Constitution, By-Laws and Policies of the AJFC.

b. Come liable for such fees and subscriptions as may be fixed by the AJFC.

c. Entitled to all advantages and privileges of membership.

MEMBERSHIP CATERGORIES

7.4 ***ORDINARY MEMBER***

7.4.1 Any person who is a financial Ordinary Member or Life Member of the AJFC is entitled to hold any office and enjoy the privileges of the AJFC.

7.4.2 Included in the annual registration fee paid by each Junior Player Member will allow up to two (2) parents or guardians of that Junior Player Member, to join AJFC as an Ordinary Member, thereby providing the Ordinary Member with voting rights at the next Annual General Meeting or Special General Meeting.

7.4.3 Further family and friends of the Junior Player Member may join the AJFC as an Ordinary Member thereby providing the Ordinary Member with voting rights at the next Annual General Meeting or Special General Meeting by paying an annual registration Member fee as determined by the Management Committee.

7.5 ***SOCIAL MEMBER***

7.5.1 Persons other than Ordinary Members who are interested in promoting the AJFC, but who do not wish to participate in the playing activities of the AJFC, may become a social member.

7.5.2 Social Members will be required to pay the same fee as an Ordinary Member.

7.5.3 Social Members do not have any voting rights at an Annual General Meeting or Special General Meeting nor be entitled to hold any Office.

7.6 ***JUNIOR PLAYER MEMBER***

7.6.1 Any person at the age of eighteen (18) years or under may become a Junior Player Member as long as they are a financial player of the AJFC. Junior Player Members shall have no voting rights nor be entitled to hold any Office.

7.7 ***LIFE MEMBERSHIP***

7.7.1 The Management Committee may elect any Member who has given outstanding service to the AJFC for a period of at least seven (7) years.

7.7.2 Any Member may nominate a person to the Management Committee for consideration for Life Membership.

7.7.3 Life Members shall retain all the privileges of an Ordinary Member, including voting rights and shall not be required to pay an annual subscription.

7.7.4 The Management Committee may elect any Junior Player Member who has played at least one hundred and fifty (150) games for the AJFC in the junior and youth competitions.

7.7.5 The Junior Player Member that has been given Life Membership to AJFC by the Management Committee shall not have voting rights nor be entitled to hold Office until the Junior Player Member has reached the age of eighteen (18) years.

7.8 ***HONORARY MEMBER***

7.8.1 The AJFC may, at its discretion, elect an Honorary Member of the club for such period as deemed necessary but not exceeding a period of twelve (12) months. An Honorary Member shall have no voting rights nor be entitled to hold any Office.

1. REGISTER OF MEMBERS

8.1 The Secretary, on behalf of the AJFC, must comply with section 53 of the Act by ensuring the Registrar keeps and maintains in an up-to-date register of the members of the AJFC, their residential, postal or email address, and upon the request from a member of the AJFC, shall make the register available for inspection by the member The member may make a copy of or take an extract of the register but shall have no right to remove the register for that purpose.

8.2 The register of Members must be kept and maintained at the Registrars place of residence or at such other place as the Management Committee decide.

8.3 The registrar must cause the name of any person who dies or who ceases to be a member under Rule 10 to be deleted from the register of Members referred to in Rule 8.1.

8.4 A Member who wishes to inspect the register of Members must contact the secretary to make the necessary arrangements.

8.5 To protect the privacy of Junior Player Members, their names only, and not their contact details, shall be made available for inspection by other Members when requested under Rule 8.1.

8.6 If-

a. A Member inspecting the register of Members wishes to make a copy of, or take an extract from, the register under section 54(2) of the Act; or

b. A Member makes a written request under section 56(1) of the Act to be provided with a copy of the register of Members.

the Committee may require the Member to provide a statutory declaration setting out the purpose for which the copy or extract is required and declaring that the purpose is connected with the affairs of the AJFC.

8.7 A Member may at any reasonable time inspect the records and documents of the Club and to comply with the Act.

9. SUBSCRIPTIONS

9.1 The subscriptions for each class of Member shall be determined by the Management Committee of the Club prior to the start of each football season.

9.2 Each Member must pay to the Treasurer, annually on such a date as the Committee from time to time determines, the amount of the subscription determined under Rule 9.1.

10 TERMINATION OF MEMBERSHIP

Any person's membership may be terminated upon-

10.1 Receipt by the Secretary or another Committee Member of a notice in writing of his or her resignation from the Club. Such person remains liable to pay to the AJFC the amount of any subscription due and payable by that person to the AJFC but unpaid at the date of termination.

10.2 Non- payment by a member of his or her subscription within three months of the date fixed by the Committee for subscriptions to be paid, unless the Committee decides otherwise.

10.3 Expulsion of a member in accordance with Rule 11.1.

10.4 Death.

10.5 Being permanently incapacitated by mental or physical ill-health.

10.6 Conviction of an offence under the Act.

10.7 Dissolution of the AJFC.

11 SUSPENSION AND EXPULSION

11.1 The Executive Committee or Management Committee shall have the power to suspend or expel any member of the AJFC for:

a. Any of the events in rule 10.

b. False or inaccurate statements made in the member's application for membership of the AJFC.

c. Breach of any rule, regulation, or by-law of the AJFC. or

d. Any act detrimental to the AJFC, after having undertaken due enquiry.

and report to the Management Committee at the next Management Committee Meeting the outcome of the suspension or expulsion of the member from the AJFC.

11.2 Any Member who is expelled, suspended or has their membership terminated, shall have the right to appeal against their suspension or expulsion as per Rule 33.

12 MANAGEMENT COMMITTEE

12.1 The AJFC shall be managed by a committee hereinafter called the "Management Committee" elected at the Annual General Meeting and comprising of those office bearers stipulated in Rule 12.2, with the addition of any other Committee positions deemed necessary for the proper functioning of the club as described in Rule 13.1.

12.2 A second Committee, herein after called the "Executive Committee", elected at the Annual General Meeting and comprising of:

a. President.

b. Vice President.

c. Secretary.

d. Treasurer; and

e. Registrar.

shall meet as necessary to conduct any business of the club which is considered impractical to wait to deal with at the next scheduled monthly meeting of the Management Committee. All business to be conducted by the Executive Committee must conform to the directions contained in Rule 24.

13 ELECTION OF COMMITTEE MEMBERS

13.1 At the Annual General Meeting those present shall elect the following Committee Members, all of whom must be Ordinary or Life Members of the AJFC:

a. President.

b. Vice President.

c. Secretary.

d. Treasurer.

e. Registrar.

f. Merchandise and Property Officer; and

g. Coaches Coordinator.

with current position titles, and description of the duties to be performed, specified in the Constitution or the by-laws.

13.2 Additional Committee positions, determined to be necessary by those present at an Annual General Meeting, and having titles and roles as stipulated, may be created, and filled. The titles and duties of any newly created positions must be added to the by-laws at the next scheduled Management Committee Meeting.

13.3 Subject to Rule 13.5, a Committee member's term will be from his or her election at an Annual General Meeting until the election referred to in Rule 13.1 at the next Annual General Meeting

after his or her election, but he or she is eligible for re-election to membership of the Management Committee.

13.4 At the Annual General Meeting the AJFC may create, and appoint members to, any sub-Committees deemed necessary for the proper conduct of the business of the AJFC.

13.5 If a casual vacancy within the meaning of Rule 10 occurs in the membership of the Management Committee:

a. The Management Committee may appoint a member to fill that vacancy.

b. A Member appointed under this sub-rule will hold office until the next Annual General Meeting; and

c. A Member appointed under this sub-rule will be eligible for election to membership of the Management Committee at the next Annual General Meeting.

•

13.6 Any Committee Member may be removed from office upon being absent from more than:

a. Three (3) Consecutive Committee meetings of which the member received notice if they do not tender an apology to the person presiding at each of those Management Committee Meetings; or

b. Six (6) Committee Meetings of which the Member received notice in the same calendar year.

14 RULES GOVERNING NOMINATIONS AND APPOINTMENTS

14.1 Members of both the Executive Committee and the Management Committee shall hold office until the end of the Annual General Meeting at which their successors are elected.

14.2 Nominations for office shall be declared open by the outgoing President at the Annual General Meeting.

14.3 Should nominations for any office be received in excess if the vacancies, a ballot shall be taken at the Annual General Meeting.

14.4 Should nominations equal the number of vacancies, the person nominated shall be deemed elected, should they so accept.

14.5 Should insufficient nominations be received at an Annual General Meeting for the number of vacancies then the Management Committee shall appoint a member to fill each position still remaining vacant.

15 DELEGATES

15.1 The AJFC will provide delegates to organisations with which it is affiliated, and these representatives shall be required to attend all scheduled meetings of those organisations and report to the Management Committee.

16 COLOURS

16.1 The colours of the AJFC shall be comprised of green, black and white for jumpers, shorts and socks. These colours should be worn by all members of AJFC representative teams except where

other colours are adopted from time to time with the knowledge and approval of the Management Committee.

POWERS AND DUTIES OF MANAGMENT COMMITTEE MEMBERS

17 PRESIDENT AND VICE PRESIDENT, The President shall-

17.1 Act as a chairperson at all meetings of the AJFC.
17.2 Maintain the impartiality of the chair.
17.3 Conform to the rules of the meeting procedure and maintain order throughout the meeting.
17.4 Decide that the required quorum is present; intimate the objects of the meeting if it is one called to consider special matters; announce all other business matters of the meeting; decide points of order and points of privilege or priority; clarify any and all matters to those in doubt.
17.5 Request confirmation of the minutes from the previous meeting and if confirmed sign them.
17.6 In the event of a ballot being required: announce the method of voting; exercise his/her right of a casting vote in the event of equality of votes; and announce the result of the vote.
17.7 Decide and announce the next speaker, confine speakers to the matter under discussion and if necessary, limit each speaker to a reasonable time period.
17.8 Introduce any invited guests.
17.9 Expedite and finalise the business of the meeting within a reasonable time limit.
17.10 Be an authorised signing officer of the AJFC.
17.11 Be an ex-officio member of all sub-committees.
17.12 Represent the AJFC at club and affiliated association functions as required.
17.13 Schedule the time and place of the next Meeting.
17.14 Present an Annual Report at the Annual General Meeting.
17.15 Perform any other duties committed to him / her by these rules.
17.16 In the absence of the President at any meeting, the Vice President shall preside as Chairperson, and shall have all the powers and perform all the duties of the President. In the absence of the President and Vice President another member of the Management Committee, in attendance at the Meeting shall be chosen by those present to preside and shall have all the powers and perform all the duties of the President at such Meetings.

18 SECRETARY The Secretary has the following duties-

18.1 Dealing with the AJFC correspondence.
18.2 Consulting with the Chairperson regarding the business to be conducted at each Committee Meeting and Annual General Meeting.
18.3 Preparing the notices and / or agendas as required for meetings and for the business to be conducted at Meetings.
18.4 Unless another Member is authorised by the Committee to do so, maintain on behalf of the AJFC the register of Members, and record in the register any changes in the membership, as required under section 53(1) of the Act.
18.5 Maintaining on behalf of the AJFC an up-to-date copy of these rules, as required under section 35(1) of the Act.
18.6 Unless another Member is authorised by the committee to do so, maintain on behalf of the AJFC a record of Committee Members and other persons authorised to act on behalf of the AJFC, as required under section 58(2) of the Act.
18.7 Ensuring the safe custody of the books of the AJFC, other than the financial records, financial statements, and financial reports, as applicable to the AJFC.

18.8 Maintaining full and accurate minutes of Committee Meetings and Annual General Meetings.

18.9 Provide the minutes of each Committee Meeting and Annual General Meeting to all Committee Members within seven (7) days after each Meeting.

18.10 Carrying out any other duty given to the secretary under these rules or by the committee.

18.11 Be an authorised signing officer of the AJFC.

19 TREASURER The Treasurer shall-

19.1 Not pay, lend, or otherwise appropriate any of the funds of AJFC, or any other monies, for any other purpose except in accordance with the rules of the AJFC.

19.2 Keep appropriate books of account that record all monies received and expended by the AJFC, together with date of receipt and expenditure.

19.3 Have charge of the AJFC bank accounts and produce them for inspection at all reasonable times when requested by the President or Auditor.

19.4 Examine all accounts to be passed for payment and make all authorised payments from funds of AJFC.

19.5 Forthwith pay all monies received in the bank account of AJFC.

19.6 Receive and issue proper receipts (when requested) for all monies paid by or to AJFC.

19.7 Submit any books, accounts and receipts as may be required or directed by the President or the Auditor.

19.8 If required, assist the Auditor when auditing the accounts of AJFC.

19.9 Prepare an annual statement of income and expenditure and a balance sheet for submission to the Annual General Meeting.

19.10 Be an authorised signing officer for AJFC accounts and ensure that all payments are authorised by two persons as outlined in Rule 6.4.4.

19.11 Be responsible for the collection on a regular basis of all monies paid to any person in the Club by any of its members. Such monies will extend to monies paid to Team Managers for team-related activities.

19.12 Keep accurate records of monies raised by individual teams or age groups; monies to be refunded to teams for end of season functions: and for other arrangements approved by the Management Committee.

19.13 Be an authorised signing officer of the AJFC

20 REGISTRAR The Registrar shall-

20.1 Keep a complete and accurate record of each registered player (Junior Member), including games played annually, trophies won and penalties levied.

20.2 Keep accurate personal records for each player in a form that can be provided to the secretary in order to meet the requirements of the Act.

20.3 Ensure all players are properly registered with the AJFC and the affiliated council.

20.4 Shall be responsible for the provision of Club Best and Fairest voting slips to coaches. And for the safe keeping of all completed voting slips in sealed envelopes until a date is set for the opening.

20.5 Designate a date and a venue for opening and adjudicating the counting of, the Club Best and Fairest voting envelopes and slips for each Youth age group following the final home-and- away round of each season.

20.6 Assist the Secretary of the AJFC with the register of Junior Members and Ordinary Members of the Club.

21 COACHES COORDINATOR The Coaches coordinator has the following duties-

21.1 Take responsibility for the coach selection process and forward recommendations to Management Committee and monitor performance of all coaches in the Club.
21.2 To promote Junior Football Policy and Codes of Behaviour.
21.3 Attend monthly Management Committee meetings and provide a report on Modified / Youth activities.
21.4 To assist the Junior and Youth Development Officers in the promotion of football.
21.5 Actively encourage and facilitate coach education and continuous improvement.
21.6 Promote the Australian Football Coaches Association (AFCA) and encourage membership.
21.7 Schedule training venues and session times for all Junior and Youth Teams.
21.8 Conduct educational / meetings / seminars for Coaches and managers within the club.
21.9 Assume the role of Advocate at all Tribunal Hearings to support the interests of the club or any of its players or officials.
21.10 Assist parents by providing details about the Modified and Youth Rules competitions.
21.11 Take responsibility for ensuring that all coaches undertake and complete appropriate accreditation.
21.12 Assist coaching staff with team selections when more than one team exists within a year group.
21.13 Possess coaching accreditation to Level 1 minimum.

22 MERCHANDISE AND PROPERTY OFFICER The Merchandise and Property officer shall be responsible for-

22.1 Management of all uniforms, merchandise, equipment and property belonging to the AJFC.
22.2 Keeping an accurate record of such uniforms, merchandise equipment and property and reporting all significant damage, loss or other discrepancy to the Management Committee in a timely manner.
22.3 Make arrangements for the purchase of all required uniforms, merchandise, equipment and property, except for canteen related items, as directed by the Management Committee.
22.4 Ensure all Club uniforms and merchandise is ordered and delivered in a timely manner in preparation for season commencement or as required by team coaches and manager from time to time.

COMMITTEES AND MEETINGS

23 POWERS AND DUTIES OF THE MANAGEMENT COMMITTEE The Management Committee, subject to the control by Members as recorded in the minutes, shall carry out the day-to-day running of the Club and have the following powers and perform the following duties-

23.1 To control, superintend and manage the affairs of the AJFC, its officers, members, and funds.
23.2 To administer and control the finances of the AJFC.
23.3 To determine the membership and playing fees payable by members of the AJFC and to enforce payment thereof.
23.4 To appoint ex-efficio members to the Management Committee.
23.5 To appoint coaches and managers for each of the AJFC teams.
23.6 To handle written clearances as submitted by players of the AJFC.
23.7 To arbitrate on any disputes which may arise between teams or members thereof in connection with football and to determine any matter referred to it by any team or member.

23.8 To deal with, as it deems necessary, any team or member thereof which the Management Committee determines is functioning in a manner detrimental to the welfare of the Club or to football in general.

23.9 To remove from office any official appointed under Rule 13 and fill such vacancy thereby created.

23.10 To fill any vacancy that may arise in the Management Committee due to circumstances described in Rules 10 and 11.

23.11 Make, amend, and rescind rulings and by-laws in accordance with Rule 33.

23.12 Have the power to form and appoint any subcommittees as required for specific purposes.

23.13 May at their discretion employ a person or persons to carry out certain duties required by the AJFC, at salaries or remunerations for such period of time, as may be deemed necessary.

24 POWERS AND DUTIES OF THE EXECUTIVE COMMITTEE The Executive Committee, subject to the control by Members as recorded in the minutes, shall have the following powers, and perform the following duties-

24.1 Subject to Rule 23, the Executive Committee of the Club shall consist of President, Vice President, Secretary, Treasurer and Registrar.

24.2 Should any urgent matters arise, and it is impractical to refer those matters to a subsequent Management Committee meeting, the Executive Committee shall have the power to deal with such matters.

24.3 The President shall seek the opinion of all available Executive Committee members regarding those matters, using any means of communication deemed appropriate, and shall act in such manner as the majority of those members approve.

24.4 Appropriate minutes shall record all matters decided by the Executive Committee and be presented to the next Management Committee Meeting.

24.5 All financial matters in excess of five hundred dollars ($500) will be required to be presented at the next Management Committee Meeting.

25 MANAGEMENT COMMITTEE MEETINGS

25.1 The Management Committee shall meet at least once during each calendar month excluding the month that the Annual General Meeting is held:

25.1.1 Notice of each Committee Meeting must be given to each Committee Member at least forty-eight (48) hours before the time of the Meeting.

25.1.2 The notice must state the date, time and place of the meeting and must describe the general nature of the business to be conducted at the meeting.

25.1.3 Urgent business that has not been described in the notice may be conducted at the meeting if the committee members at the meeting unanimously agree to treat that business as urgent.

25.2 The Agenda of each meeting shall be as follows:

a. Meeting opened.
b. Present.
c. Apologies.
d. Minutes of previous meeting.
e. Business arising from previous minutes / Action Item Review.
f. Correspondence.
g. Reports.
h. General Business.

i. Date of next meeting; and

j. Meeting close.

25.3 The Management Committee has the power to appoint ex-officio members to the Management Committee, but no ex-officio member has the power to vote.

25.4 Each Management Committee member is entitled to one (1) deliberate vote.

25.5 A question arising at a Management Committee meeting must be decided by a majority of votes, however if there is no majority, the person presiding the Management Committee meeting will have the casting vote in addition to his or her deliberate vote.

26 ANNUAL GENERAL MEETING

26.1 The Annual General Meeting of the Club must be held within three (3) months of the end of the Club's financial year, being before 31 December.

26.2 The Committee must determine the date, time, and place of the Annual General Meeting.

26.3 The Secretary must give to all Members at least fourteen (14) days-notice of the Meeting and specify when and where the Annual General Meeting is to be held, the particulars and order in which business is to be transacted.

26.4 In the event the Annual General Meeting is more than six (6) months after the end of the Association's financial year, the Secretary must apply to the Commissioner for permission under section 50(3)(b) of the Act within four (4) months after the end of the financial year.

26.5 The ordinary business of the Annual General Meeting is as follows-

26.5.1 To confirm the minutes of the previous Annual General Meeting and of any Special General Meeting held since then if the minutes of that meeting have not yet been confirmed.

26.5.2 To receive and consider-

a. The committee's annual report on the AJFC's activities during the preceding financial year.

b. If the Association is a tier 1 association, the financial statements of the Association for the preceding financial year are presented under Part 5 of the Act.

c. If the Association is a tier 2 association or a tier 3 association, the financial report of the Association for the preceding financial year presented under Part 5 of the Act: and

d. If required to be presented for consideration under Part 5 of the Act, a copy of the report of the review or auditor's report on the financial statements or financial report.

26.5.3 To elect the office holders of the AJFC and other Committee Members.

26.5.4 If applicable, to appoint or remove a reviewer or auditor of the AJFC in accordance with the Act.

26.6 Any other business of which notice has been given in accordance with these rules may be conducted at the Annual General Meeting.

26.7 No person other than financial members of the Club shall be entitled to vote at the Annual General Meeting.

26.8 Voting is limited to Ordinary and Life Members.

26.9 The President shall chair the Annual General Meeting of the Club. In the event of the President's absence procedure shall be in accordance with Rule 17.16.

26.10 Voting at the Annual General Meeting shall be by a show of hands however any five (5) members present may demand a poll which shall forthwith be taken by a secret ballot and a result declared by the Chairperson and witnessed by the Secretary. A majority vote shall decide the issue and in the case of equality of votes the Chairperson shall have a casting vote only.

27 SPECIAL GENERAL MEETING

27.1 Special General Meetings shall be convened by a written requisition signed by at least one third of the Ordinary Members of the Club, by majority of Management Committee or by the President.

27.2 Upon receipt of a valid requisition for a Special General Meeting, subject to Rule 23.8, the Secretary must give to all members not less than fourteen (14) days-notice of a Special General Meeting and that notice must specify when and where the Special General Meeting concerned is to be held and particulars of the business to be transacted at the Special General Meeting concerned and of the order in which that business is to be transacted.

27.3 Should the Secretary fail to convene such a Special General Meeting, the requestor or any of them may convene such meeting.

27.4 All business at such meetings shall be considered special and no other matter shall be entertained.

27.5 Only Ordinary Members and Life Members shall be entitled to vote on any matter at a Special General Meeting provided always that the Chairperson shall have a casting vote.

27.6 Voting at the Special General Meeting shall be done in accordance with the provisions of Rule 26.7.

27.7 A special resolution may be moved either at a Special General Meeting or at an Annual General Meeting, however the Secretary must give to all members not less than 21 days' notice of the meeting at which a special resolution is to be proposed. In addition to those matters specified in Rule 27.2 or Rule 23.8, as relevant, the notice must also include the resolution to be proposed and the intention to propose the resolution as a special resolution.

28 NOTICE OF MEETINGS

28.1 Fourteen (14) days' notice must be given for an Annual General Meeting or Special General Meeting.

28.2 Forty-eight (48) hours' notice must be given for Management Committee Meetings.

28.3 A minimum of twenty-four (24) hours' notice must be given for Executive Committee Meetings.

29 QUORUMS

29.1 The quorum at an Annual General Meeting, or at any Special General Meeting, shall consist of the President or Vice President, and at least five (5) financial Members, being Ordinary Members and Life Members.

29.2 The quorum at Management Committee Meetings shall consist of half of its Members plus one (1).

29.3 No business is to be conducted at a Management Committee Meeting unless a quorum is present.

29.4 The quorum at an Executive Committee meeting shall consist of half of its Members plus one (1).

29.5 If at any Annual General Meeting or Special General Meeting there is no quorum within thirty (30) minutes of the appointed time for the meeting then the meeting shall either lapse or be adjourned for a period not exceeding fourteen (14) days.

30 FINANCIAL YEAR

30.1 The first financial year of the Association is to be the period notified to the Commissioner under section 7(4)(e) or, if relevant, section 29(5)(e) of the Act.

30.2 The Association's financial year will be the period of twelve (12) months commencing on 1st October and ending on 30th September of each year.

30.3 Each subsequent financial year of the Association is the period of twelve (12) months commencing at the termination of the first financial year or the anniversary of that termination.

31 FINANCIAL STATEMENTS AND FINANCIAL REPORTS

31.1 **For each financial year:** The Management Committee must ensure that the requirements imposed on the AJFC under Part 5 of the Act relating to the financial statements or financial reports of the Association are met.

31.2 Without limiting Rule 31.1, those requirements include-

31.2.1 If the Association is a tier 1 association, the preparation of the financial statements and financial reports.

31.2.2 If the Association is a tier 2 association or tier 3 association, the preparation of the financial report.

31.2.3 If required, the review or auditing of the financial statements or financial report, as applicable.

31.2.4 The presentation to the Annual General Meeting of the financial statements or financial report, as applicable.

31.2.5 If required, the presentation to the Annual General Meeting of the copy of the report of the accountant's review or auditor's report, as applicable, on the financial statements or financial report.

32 EXECUTING DOCUMENTS AND COMMON SEAL

32.1 The AJFC may execute a document without using a common seal if the document is signed by-

32.1.1 Two (2) Committee Members; or

32.1.2 One (1) Committee Member and a person authorised by the Committee.

32.2 If the AJFC has a common seal-

32.2.1 The name of the AJFC must appear in legible characters on the common seal.

32.2.2 A document may only be sealed with the common seal by the authority of the Committee and in the presence of-

a. Two (2) Committee Members; or

b. One (1) Committee Member and a person authorised by the Committee,

and each of them is to sign the document to attest that the document was sealed in their presence.

32.3 The Secretary must make a written record of each use of the common seal.

32.4 The common seal must be kept in the custody of the Secretary, or another Committee Member authorised by the Committee.

33 DISCIPLINARY ACTION, DISPUTES AND MEDIATION

DIVISION 1 – TERMS USED

33.1 ***Member:*** in relation to a Member who is expelled from the AJFC, includes former Member.

33.2 ***Grievance procedure:*** means the procedures set out in Division 3.

33.3 ***Party to a Dispute*** includes a person-

a. Who is a party to the dispute.

b. Who ceases to be a Member within six (6) months before the dispute has come to the attention of each party to the dispute.

DIVISION 2 – DISCPLINARY ACTION

33.4 Suspension or expulsion The Committee may decide to suspend a member's membership or to expel a member from the AJFC if —the Member contravenes any of these rules-

33.4.1 The Member acts detrimentally to the interests of the AJFC.

33.4.2 The Secretary must give the Member written notice of the proposed suspension or expulsion at least three (3) days before the Committee meeting at which the proposal is to be considered by the committee.

33.4.3 The notice given to the Member must state-

a. When and where the Committee Meeting is to be held.

b. The grounds on which the proposed suspension or expulsion is based.

c. That the Member, or the Member's representative, may attend the Meeting and will be given a reasonable opportunity to make written or oral (or both written and oral) submissions to the Committee about the proposed suspension or expulsion.

33.4.4 At the Committee Meeting, the Committee must-

a. Give the Member, or the Member's representative, a reasonable opportunity to make written or oral (or both written and oral) submissions to the Committee about the proposed suspension or expulsion.

b. Give due consideration to any submissions so made.

c. Decide-

(i) Whether or not to suspend the Member's membership and, if the decision is to suspend the membership, the period of suspension; or

(ii) Whether or not to expel the Member from the AJFC.

33.4.5 A decision of the Committee to suspend the Member's membership or to expel the Member from the AJFC takes immediate effect.

33.4.6 The Committee must give the Member written notice of the Committee's decision, and the reasons for the decision, within seven (7) days after the Committee Meeting at which the decision is made.

33.4.7 A Member whose membership is suspended or who is expelled from the AJFC may, within fourteen (14) days after receiving notice of the Committee's decision under Rule 33.4.5, give written notice to the Secretary requesting the appointment of a mediator under Rule 33.10.

33.4.8 If notice is given under Rule 33.4.6, the Member who gives the notice and the Committee are the parties to the mediation.

33.5 Consequences of suspension

33.5.1 During the period a Member's membership is suspended, the Member-

a. Loses any rights (including voting rights) arising as a result of membership.

b. Is not entitled to a refund, rebate, relief or credit for membership fees paid, or payable, to the AJFC.

33.5.2 When a Member's membership is suspended, the Secretary must record in the register of Members-

a. That the Member's membership is suspended.

b. The date on which the suspension takes effect.

c. The period of the suspension.

33.5.3 When the period of the suspension ends, the Secretary must record in the register of Members that the Member's membership is no longer suspended.

DIVISION 3 – RESOLVING DISPUTES

33.6 Application of Division. The procedure set out in this Division (the grievance procedure) applies to disputes-

33.6.1 between Members; or

33.6.2 between one or more Members and the AJFC.

33.7 Parties to attempt to resolve dispute. The parties to a dispute must attempt to resolve the dispute between themselves within fourteen (14) days after the dispute has come to the attention of each party.

33.8 How grievance procedure is started-

33.8.1 If the parties to a dispute are unable to resolve the dispute between themselves within the time required by Rule 33.7, any party to the dispute may start the grievance procedure by giving written notice to the Secretary of-

a. The parties to the dispute; and

b. The matters that are the subject of the dispute.

33.8.2 Within twenty-eight (28) days after the Secretary is given the notice, a Committee Meeting must be convened to consider and determine the dispute.

33.8.3 The Secretary must give each party to the dispute written notice of the Committee meeting at which the dispute is to be considered and determined at least seven (7) days before the meeting is held.

33.8.4 The notice given to each party to the dispute must state-

a. When and where the Committee meeting is to be held; and

b. That the party, or the party's representative, may attend the Meeting and will be given a reasonable opportunity to make written or oral (or both written and oral) submissions to the Committee about the dispute.

33.8.5 If-

a. The dispute is between one or more members and the AJFC; and

b. Any party to the dispute gives written notice to the Secretary stating that the party-

(i) Does not agree to the dispute being determined by the Committee; and

(ii) Requests the appointment of a mediator under Rule 33.10, the Committee must not determine the dispute.

33.9 Determination of dispute by committee

33.9.1 At the Committee Meeting at which a dispute is to be considered and determined, the Committee must-

a. Give each party to the dispute, or the party's representative, a reasonable opportunity to make written or oral (or both written and oral) submissions to the Committee about the dispute.

b. Give due consideration to any submissions so made.

c. Determine the dispute.

33.9.2 The Committee must give each party to the dispute written notice of the Committee's determination, and the reasons for the determination, within seven (7) days after the Committee Meeting at which the determination is made.

33.9.3 A party to the dispute may, within fourteen (14) days after receiving notice of the Committee's determination under sub rule 33.9.1 (c), give written notice to the Secretary requesting the appointment of a mediator under Rule 33.10.

33.9.4 If notice is given under Rule 33.9.3, each party to the dispute is a party to the mediation.

DIVISION 4 - MEDIATION

33.10 Application of Division. This Division applies if written notice has been given to the Secretary requesting the appointment of a mediator-

33.10.1 By a Member under Rule 33.4.6; or

33.10.2 By a party to a dispute under Rule 33.8.5.b.(ii) or Rule 33.9.3.

33.11 If this Division applies, a mediator must be chosen or appointed under Rule 33.10.

33.12 Appointment of mediator. The mediator must be a person chosen-

33.12.1 If the appointment of a mediator was requested by a Member under Rule 33.4.6 — by agreement between the Member and the Committee; or

33.12.2 If the appointment of a mediator was requested by a party to a dispute under Rule 33.8.5.b.(ii) or Rule 33.9.3 — by agreement between the parties to the dispute.

33.12.3 If there is no agreement for the purposes of Rule 33.10.1 or Rule 33.10.2, then, subject to Rule 33.12.4 and Rule 33.12.5, the Committee must appoint the mediator.

33.12.4 The person appointed as mediator by the Committee must be a person who acts as a mediator for another not-for-profit body, such as a community legal centre, if the appointment of a mediator was requested by-

a. A Member under rule 33.4.6; or

b. A party to a dispute under rule 33.8.5.b.(ii); or

c. A party to a dispute under rule 33.9.3 and the dispute is between one (1) or more Members and the AJFC.

33.12.5 The person appointed as mediator by the committee may be a member or former member of the AJFC but must not-

a. Have a personal interest in the matter that is the subject of the mediation; or

b. Be biased in favour of or against any party to the mediation.

33.13 Mediation process

33.13.1 The parties to the mediation must attempt in good faith to settle the matter that is the subject of the mediation.

33.13.2 Each party to the mediation must give the mediator a written statement of the issues that need to be considered at the mediation at least five (5) days before the mediation takes place.

33.13.3 In conducting the mediation, the mediator must-

a. Give each party to the mediation every opportunity to be heard.

b. Allow each party to the mediation to give due consideration to any written statement given by another party.

c. Ensure that natural justice is given to the parties to the mediation throughout the mediation process.

33.13.4 The mediator cannot determine the matter that is the subject of the mediation.

33.13.5 The mediation must be confidential, and any information given at the mediation cannot be used in any other proceedings that take place in relation to the matter that is the subject of the mediation.

33.13.6 The costs of the mediation are to be paid by the party or parties to the mediation that requested the appointment of the mediator.

33.14 Mediation results in decision to suspend or expel being revoked

33.14.1 If-

a. Mediation takes place because a Member whose membership is suspended or who is expelled from the AJFC gives notice under rule 33.4.6.

b. As the result of the mediation, the decision to suspend the Member's membership or expel the Member is revoked.

that revocation does not affect the validity of any decision made at a Committee Meeting or General Meeting during the period of suspension or expulsion.

34 ALTERATIONS TO THE CONSTITUTION AND BY-LAWS

34.1 No alteration, repeal or addition shall be made to the Constitution except at the Annual General Meeting, or Special General Meeting called for that purpose, and notice of all motions to alter, repeal, or

add to the Constitution shall be given to Members fourteen (14) days prior to the Annual General Meeting or Special General Meeting called for that purpose.

34.2 The Secretary shall forward such notices of motion to each Management Committee Member at least fourteen (14) days prior to the Annual General Meeting or a Special General Meeting.

34.3 Alterations to the By-Laws can be made either at Management Committee Meetings or at an Annual General Meeting or Special General Meeting provided advice of the proposed alteration(s) has been duly notified to Members.

34.4 Such motions, or any part thereof, shall be of no effect unless passed by a seventy five percent (75%) majority (Special Resolution) of those present and entitled to vote at the Annual General Meeting, Special General Meeting or Management Committee Meeting, as the case may be.

34.5 Within one (1) month of the passing of a Special Resolution, the Secretary shall notify the Department of Commerce of the amendment.

35 DISSOLUTION

35.1 The AJFC may at any time, with the consent of a majority of seventy-five (75%) percent of the Members present at a Special General Meeting called for the purpose, be dissolved. If upon dissolution or winding up of the AJFC there remains after the satisfaction of all its liabilities, any property whatsoever, the same shall not be paid or distributed among the Members of the AJFC but shall be given or transferred to some other Association or Institution incorporated under the Act and having objects similar wholly or in part to the objects of the AJFC and which shall prohibit the distribution of its, or their income and property, among its or their Members or to some charitable purposes which Association, Institution or object shall be determined by Members of the AJFC at or before the time of dissolution or winding up, or in default thereof, or if any insofar as effect, cannot be given to such determination, then such payment or distribution shall be determined by a judge of the Supreme Court.

ANNEX A

Guidance Note – Information provided to the Commissioner under section 29(5) –

This information is part of the rules of your Association and must be attached to the copy of the rules provided to Members.

The name of the Association is: **Aveley Junior Football Club Inc.**

The objects of the Association are:

To promote and develop the game of Australian Rules Football.

To promote good fellowship, true sportsmanship, and citizenship among the members of our club.

The control and management of football teams deemed necessary by the AJFC Management Committee.

To make proper use of any buildings and facilities made available through the Ministry of Education, the City of Swan and any other facility that the club may use from time to time.

To facilitate the progress of players from modified ranks to open rules teams of the parent club, and any other such affiliated Association within the District.

To encourage the participation of children in Australian Rules Football irrespective of gender, race, religion, physical or mental capacity or social status.

Any **Five (5)** Members personally present (being Members entitled to vote under these rules at a General Meeting) will constitute a quorum for the conduct of business at a General Meeting.

Any **half plus One (1) C**ommittee Members constitute a quorum for the conduct of the business of a Committee Meeting.

The Association's financial year will be the period of 12 months commencing on **1st October and ending on 30th September of each year.**