

CONSTITUTION OF THE

**MUSWELLBROOK  
AUSTRALIAN FOOTBALL CLUB  
INCORPORATED**

AS AMENDED

**CONSTITUTION OF THE  
MUSWELLBROOK AUSTRALIAN FOOTBALL CLUB INCORPORATED**

**1. NAME**

The name of the club shall be Muswellbrook Australian Football Club Incorporated hereinafter referred to as the "Club".

**2. OBJECTS**

The objects of the Club shall be:

- a. to promote, advance, foster and cultivate the game of Australian Football.
- b. to assist in the educational advancement of the community by means of the development of a sense of fair play and a love of sport, in particular Australian Football.
- c. to educate, train, coach and encourage Members of the Club in the game of Australian Football so that all Members have the opportunity to reveal their maximum potential.
- d. to encourage Members of the Club to assist in the development of Australian Football throughout Australia but particularly within those areas of Muswellbrook and surrounding areas.
- e. to encourage and promote Australian Football into the school system of the Upper Hunter.

**3. MEMBERSHIP**

- a. Membership shall be open to any Member of the community who possesses an interest in the game of Australian Football.
- b. There shall be the following categories;
  - Ordinary Member
  - Junior Member
  - Honorary Life Member
  - Honorary Member
- c. The Ordinary Members and Honorary Life Members only shall be the general body of the Members of the Club with the right to elect the committee and vote at general meetings.
- d. The Annual Membership subscriptions for all categories shall be determined at each Annual General Meeting. Membership and/or Registration Fees must be paid in full before any player registration will be forwarded to the League.

- e. A Member having paid his annual subscription shall be deemed financial until the succeeding years subscription is due. Membership subscription shall be due by the first home and away game each year.
- f. A register of Members shall be maintained showing in respect of each Member his name, address and the date of commencement of membership.
- g. A properly constituted Annual General Meeting or Special General Meeting may appoint a person as a Honorary Member or Honorary Life Member of the Club in recognition of services rendered in promoting the interests and objects of the Club, any Committee Member who has served for five (5) years consecutively, any Player who has played 150 games for the Club. Only one (1) Honorary Life Member shall be elected in any financial year of the club. Election of Honorary Life members must be approved by a three fourths majority of the Financial Members present.
- h. Any Member found guilty of conduct prejudicial to the interest of the Club may be suspended for a period not exceeding 12 months, or may be expelled by the Committee, provided that the accused Member has been given the opportunity to defend the charge/s made against that member. The opportunity of the hearing is to be at the convenience of both the Committee and the accused, the accused member shall be advised in writing of the time of hearing, venue at least 24 hours prior to meeting. Failure to attend shall not be a legitimate excuse to postpone the meeting.
- i. Any member so suspended or expelled shall have the right to appeal to the next general meeting, which may confirm, vary, or revoke the Committee's decision to penalise said member. Voting on this issue shall be by secret ballot at the Chairpersons discretion.
- j. A member being granted life Membership shall have no voting rights at Committee Meetings unless they are elected to the current Committee of the Club.

#### **4. CLUB COLOURS**

The official playing uniform of the Club shall be the 12<sup>th</sup>/16<sup>th</sup> Hunter River Lancers being White and Royal Blue.

#### **5. COMMITTEE**

- a. The business and affairs of the Club shall be under the management of the Committee consisting of a President, Senior Vice President, Vice President, Honorary Secretary, Honorary Treasurer, Publicity and Promotional Officer, and four (4) to eight (8) Members, all of whom shall

be elected by the financial Members present at each Annual General Meeting of the Club.

- b. The Committee shall, subject to decisions made at General Meeting, exercise all powers of the Club and do all such acts and deeds as may be necessary or expedient to carry out the objects of the club.
- c. Any financial Member may be nominated and such nominations shall be made in writing and shall be proposed and seconded by two (2) financial Members of the Club and acknowledged by the nominee and such nomination is to be in the hands of the Secretary prior to the meeting. Where no such written nomination has been received for a position, nominations may be called from the floor, such nominations must also be acknowledged by the nominee.
- d. Any Committee Member who has absented himself from three (3) away Committee meetings without a satisfactory explanation shall be deemed to have vacated his office.
- e. A casual vacancy, which occurs, may be filled by the Committee from the Financial Members of the Club, subject to a maximum of three (3) replacements in any one (1) financial year. A Member so co-opted shall hold office for the unexpired portion of his predecessors term. In the event that further vacancies occur that prevents a quorum being attainable or in the opinion of the Committee reduce the efficiency of the administration such vacancies shall be filled at a Special General Meeting called for that purpose.

Members so elected hold office until the Annual General meeting, which occurs after the election.

- f. The Committee shall meet monthly and/or as required to conduct the business of the Club. The president or Secretary or any of the four (4) members of the Committee shall take the chair at all Committee meetings. If the President is not present then the Vice President shall be elected to the chair and if there is no Vice President present the members in attendance shall elect a member to the chair.
- g. The Chairman at all Committee Meetings shall have a casting vote in addition to his deliberate vote.
- h. The committee shall have authority to delegate any of it's power 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. All sub-committees shall be answerable to and under the control of the Club Committee.

- i. All acts or decisions done or made by any meetings 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.
- j. The quorum for Committee Meetings shall be five (5) members present in person.

## **6. ANNUAL AND SPECIAL GENERAL MEETINGS**

- a. The annual General meetings of the Club shall be conducted as soon as possible after the last official function for the year at such time and place as the Committee shall determine for the following purposes;
  - 1. To receive from the Committee a report, balance sheet and statement of income and expenditure for the preceding financial year.
  - 2. To elect Members of Committee, Patrons, honorary Legal Officer and nominate an auditor for the ensuing year.
  - 3. To determine Membership subscriptions.
  - 4. To Conduct any special business.
  - 5. Any other business of which notice shall have been given to the Secretary at least 10 days prior to the meeting.

Notice of the Annual Meeting shall be given to Financial Members no later than fourteen (14) days prior to the meeting.

- b. The Committee may at any time and shall on the requisition of four (4) Members of the Committee or 15 members stating business for which it is required convene a Special General meeting for a specific purpose. Such meeting shall be held within one (1) month from the date when the requisition is lodged with the Secretary.
- c. The Secretary shall at least 10 days before any Special General Meeting send to every member at his address in the Club books a notice of such meeting stating the time, venue and business. No business other than business of a formal nature shall be brought forward at any such meeting unless notice thereof shall have been duly given as herein provided.
- d. At all general meetings the chair shall be taken by the President or in his absence a vice President or if none of these be present by some member elected by the meeting. Every Member entitle to vote shall

have one vote in the case of an equality of votes the chairman shall have a second or casting vote.

- e. The quorum at all general meetings shall be 10 members or one half of the financial membership whichever is the smaller. An Annual General Meeting shall not lapse for want of a quorum but may be adjourned by the Members present to such a day as they may appoint.

If at any special General Meeting there be no quorum within 30 minutes of the time appointed for the meeting then it shall lapse unless a majority of the Members present decide to adjourn the meeting for a period not exceeding 14 days. If there be no quorum within 30 minutes after the time appointed for such adjourned meeting then the meeting shall lapse altogether.

A meeting shall be adjourned, if any time during the course of such meeting, a quorum ceases to be in attendance.

- f. At any meeting a declaration by the Chairman that a resolution has been carried or not shall be conclusive, except as provided in 6(g).
- g. A ballot shall be conducted if demanded by eight (8) or more Members.
- h. Only Members present in person shall be entitled to vote.

## **7. DUTIES**

- a. The Secretary shall carry out his duties under the direction of the Committee and keep a true record of all minutes of all meetings, attend to correspondence, issue notices for meetings, keep records and carry out such duties as the Committee directs.
- b. The Treasurer shall receive all monies payable to the Club and receipts for same shall be issued. All monies so received shall be paid into the bank accounts of the Club.
- c. The Treasurer shall present at each Committee 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 directed by the Committee.

## **8. FINANCE**

- a. The financial year shall be from and to 14 days prior to respective Annual General Meetings.
- b. All monies of the Club shall be paid into the account of the Club at such bank as the Committee may direct.

- c. Any subcommittee charged with handling any monies for a specific purpose shall pay such monies into an account approved by the Committee and shall maintain records of all financial receipts and expenditures. A financial statement must be available monthly for the Committee's consideration.
- d. No monies shall be drawn from the Club's account other than by cheque signed by any two of three signatories authorised by the Committee.
- e. The Annual Statement of income and expenditure shall be accepted if prepared by an appropriately qualified person/persons without being audited.
- f. The Members at an Annual General Meeting or a Special General Meeting shall have the power to invest the funds of the Club in Government Bonds or Interest Bearing Term Deposits of Banking Institutions.
- g. The Members at an Annual General Meeting or a Special General Meeting shall have the power to raise or borrow for the purposes of the club, any sum or sums of money provided that written notice of proposed borrowing is circulated to all members at least seven (7) days prior to the meeting at which a three fourths majority of the Members present will be required to carry such resolution.

## **9. TRUSTEES**

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.

## **10. ADMENDMENTS TO CONSITUTION**

This shall be the only Constitution of the Muswellbrook Australian Football Club and shall come into force forthwith and shall not be altered, varied, added to or repealed unless by a three fourths majority of Financial Members present at an Annual General meeting or a Special General meeting convened for that purpose.

## **11. SUPPLY OF COPY OF CONSTITUTION**

The Secretary shall supply a copy of the Constitution without charge;

- a. To all new Members on joining.
- b. On reasonable request, to any existing Member.

## **12. PROPERTY AND ASSETS**

The property, assets and income of the Club, wherever derived, 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 divided, bonus or otherwise by way of profit to members generally of the Club. Provided that nothing herein contained shall prevent the payment in good faith of remuneration to any officers or servants of the Club or any Member in return for service actually rendered, nor prevent the payment or interest on 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.

## **13. DISSOLUTION**

The Club shall be dissolved if;

- a. A resolution to this affect is carried by a three-fourth majority at a General Meeting. 21 days notice of the proposed resolution having been given to the Members.
- b. Financial membership drops to 15 or less. In the event of dissolution all property, assets and income shall be gifted to another Australian Football body having similar interests.

## **14. COACHING, TRAINING AND MEDICAL STAFF**

The Committee shall appoint a delegate to represent the Club at the meeting of the League/Association. Such delegate shall provide reports to the Committee.

## **15. DELEGATES TO THE LEAGUE/ASSOCIATION**

The committee shall appoint a delegate to represent the Club at the meeting of the League/association. Such delegate shall provide reports to the Committee.

## **16. MATCH SELECTION**

All Financial Members shall have the right to play in matches organised for their age group or grade. It shall be each Coach's responsibility to ensure that all players have equal opportunity to play in Club matches.

## **17. TRAINING**

Players shall attend official training sessions as required by respective Coaches.



## 18. TROPHIES

Trophies may be awarded in each age group or grade at the discretion of the Committee.

## 19. INTERPRETATIONS

- a. In the event of any question not provided for in this Constitution, then those rules applying to the Australian Football league shall apply. In any event the Club shall be bound by the rules provided by the Newcastle Football League Incorporated
- b. In the event of any question not provided for in Rule 19 (a) arising the Committee shall consider such question, which shall be determined by a majority vote.
- c. In this Constitution;
  - Masculine includes feminine, words importing singular include plural and words importing plural include singular where the context permits.
  - “In writing” or “written” means and included printing or other means of representing or reproducing words in visible form.
- d. Financial Members – for purpose of voting and forming a quorum shall be the financial Ordinary Members and Honorary Life Members.

## 20. BY-LAWS

The Committee may promulgate By-laws governing the management of all Club activities and may vary and interpret such By-laws.

## 21. PRESS STATEMENTS

No statements on the behalf of or in the name of the Club shall be made except by the President or by his authority or that of the Committee.

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## AMENDMENT AGM – NOVEMBER 2006

- a. Life membership shall be awarded to Members of the Club who have played at least 100 games and or provided eight (8) years of dedicated service to the Club.

The decision shall be made by the appointed Committee at the time.

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## AMENDMENT AGM – OCTOBER 2014

Consideration for Life Membership of the Muswellbrook Australian Football Club, shall only occur through the following process:-

- A written nomination with a seconder shall be provided to the Club President. The nomination should include details of why the nominated person should be considered for life membership.
- The Club President will form a committee consisting of themselves and two existing Life or Committee Members of the Club. This committee will assess the nomination.
- If the nomination is accepted, presentation of the Life Membership shall occur at the next official Presentation Night held by the club.

Except in extraordinary cases, consideration for Life Membership will only occur after an individual has given ten (10) years of outstanding service to the Club, either as a player, coach, club official, volunteer or combination.

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### Process for Life Membership Committee considerations

1. On receipt of the nomination, the President should select two existing Life or Committee members to form the committee to consider the nomination after consulting with the Executive. As at September 2014, the Life Members are:-
  - Max Barwick
  - Ken Garland
  - Dave Howard
  - Steve Mullane
  - Robert Jordan
  - Paul Lanyon
  - Brian Scott
  - Mick Howarth
2. The selected Life or Committee members must not be related to the nominee. If the nominee is related to the President, then another member of the current committee must take the President's place.
3. The committee should consider as much information and seek as many views from club members as necessary to make an informed decision.
4. If the vote of the committee is not unanimous, then Life Membership will not be awarded.
5. If the nominee is unsuccessful in gaining Life Membership, then the committee can recommend the presentation of some other award or recognition.
6. If the nomination is accepted then all the necessary arrangements should be made to award Life Membership at the club's next official presentation.