




CONSTITUTION
September 2019

**RULES OF THE
BEENLEIGH SPORTS AND COMMUNITY CLUB INC.**

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SECTION 1 GENERAL

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RULE 1.1 NAME

The name of the Association shall be **Beenleigh Sports and Community Club Incorporated** (hereinafter called "the Association").

RULE 1.2 OBJECTS

The objects of the association are:

- 1.2.1** To promote and encourage the furtherance of Sport and Community Values within the Beenleigh District;
- 1.2.2** To provide and maintain a Club House for all members and their guests;
- 1.2.3** To provide and maintain a Club House for all affiliated clubs and community associations, as voted by the members from time to time. Affiliated clubs and community associations are those sporting or community associations that conduct their primary purpose within the Dauth Park Precinct at Beenleigh.
- 1.2.4** Generally in furtherance of the objects of the Association and such other objects not specifically hereinbefore referred to as shall be determined by the Management Committee from time to time.

RULE 1.3 POWERS

The powers of the Association shall be:

- 1.3.1** To subscribe to, become a member of and co-operate with any other association, club or organisation, whether incorporated or not, whose objects are altogether or in part similar to those of the Association provided that the Association shall not subscribe to or support with its funds any club, association or organisation which does not prohibit the distribution of its income and property among its members to an extent at least as great as that imposed on the Association under or by virtue of Rule 6.2.10.
- 1.3.2** In furtherance of the objects of the Association to buy, sell and deal in all kinds of articles, commodities and provisions, both liquid and solid, for the members of the Association or persons frequenting the Association's premises.
- 1.3.3** To purchase, take on lease or in exchange, hire and otherwise acquire any estate or interest in lands, buildings, easements or property, both real or personal, and any rights or privileges which may be requisite for the purposes of, or capable of being conveniently used in connection with, any of the objects of the Association; provided that in case the Association shall take or hold any property which may be subject to any trusts the Association shall only deal with the same in such manner as is allowed by law having regard to such trusts.
- 1.3.4** To enter into any arrangements with any Government or Authority that are incidental or conducive to the attainment of the objects and the exercise of the powers of the Association; to obtain from any such Government or Authority any rights, privileges and concessions which the Association may think it desirable to obtain; and to carry out, exercise and comply with any such arrangements, rights, privileges and concessions.

- 1.3.5** To appoint, employ, remove or suspend persons as managers, clerks, secretaries, servants, workmen and other such positions as necessary to assist to further the association's objectives.
- 1.3.6** To remunerate any person or body corporate for services rendered, or to be rendered, and whether by way of brokerage or otherwise in placing or assisting to place or guaranteeing the placing of any unsecured notes, debentures or other securities of the incorporated association, or in or about the incorporated association or promotion of the incorporated association or in the furtherance of its objects.
- 1.3.7** To construct, improve, maintain, develop, work, manage, carry out, alter or control any houses, buildings, grounds, works or conveniences which may seem calculated directly or indirectly to advance the Association's interests, and to contribute to, subsidise or otherwise assist and take part in the construction, improvement, maintenance, development, working, management, carrying out, alteration or control thereof.
- 1.3.8** To invest and deal with the money of the Association not immediately required in such manner as may from time to time be thought fit.
- 1.3.9** To take, or otherwise acquire, and hold shares, debentures or other securities of any company or body corporate.
- 1.3.10** In furtherance of the objects of the Association, subject always to Rule 6.2.10, to lend and advance money or give credit to any person or body corporate; to guarantee and give guarantees or indemnities for the payment of money or the performance of contracts or obligations by any person or body corporate, and otherwise to assist any person or body corporate.

- 1.3.11** To borrow or raise money either alone or jointly with any other person or legal entity in such manner as may be thought proper and whether upon fluctuating advance account or overdraft or otherwise to represent or secure any moneys and further advances borrowed or to be borrowed alone or with others as aforesaid by notes secured or unsecured, debentures or debenture stock perpetual or otherwise, or by mortgage, charge, lien or other security upon the whole or any part of the Association's property or assets present or future and to purchase, redeem or pay-off any such securities.
- 1.3.12** To draw, make, accept, endorse, discount, execute and issue promissory notes, bills of exchange, bills of lading and other negotiable or transferable instruments.
- 1.3.13** In furtherance of the objects of the Association to sell, improve, manage, develop, exchange, lease, dispose of, turn to account or otherwise deal with all or any part of the property and rights of the Association.
- 1.3.14** To take or hold mortgages, liens or charges, to secure payment of the purchase price, or any unpaid balance of the purchase price, of any parts of the Association's property of whatsoever kind sold by the Association, or any money due to the Association from purchasers and others.
- 1.3.15** To take any gift of property whether subject to any special trust or not, for any one or more of the objects of the Association but subject always to the association's power to obtain rights, privileges and concessions from any Government or Authority pursuant to Rule 1.4.4.
- 1.3.16** To take such steps by personal or written appeals, public meetings or otherwise, as may from time to time be deemed expedient for the purpose of procuring contributions to the fund of the Association, in the shape of donations, annual subscriptions or otherwise.

- 1.3.17** To print and publish any newspapers, periodicals, books or leaflets that the Association may think desirable for the promotion of its objects.
- 1.3.18** In furtherance of the objects of the Association to amalgamate with any one or more incorporated associations having objects altogether or in part similar to those of the Association and which shall prohibit the distribution of its or their income and property among its or their members to an extent at least as great as that imposed upon the Association under or by virtue of Rule 6.2.10.
- 1.3.19** In furtherance of the objects of the Association to purchase or otherwise acquire and undertake all or any part of the property, assets, liabilities and engagements of any one or more of the incorporated associations with which the Association is authorised to amalgamate.
- 1.3.20** In furtherance of the objects of the Association to transfer all or any part of the property, assets, liabilities and engagements of the Association to any one or more of the incorporated associations with which the Association is authorised to amalgamate.
- 1.3.21** To make donations for patriotic, charitable or community purposes, provided that such donations are on terms satisfactory to the management committee and in furtherance of the objects of the association.
- 1.3.22** To make grants, donations, offer financial assistance to any body corporate or unincorporated association that has similar objects to or is associated with the association and in particular where such grant, donation or financial assistance may in the absolute discretion of the management committee assist in the promotion or furtherance of the objects of the association. Provided such grant, donation or financial assistance is on terms and conditions satisfactory to the management committee.
- 1.3.23** To do all such other things as are incidental or conducive to the attainment of the objects and the exercise of the powers of the Association.

RULE 1.4 MEMBERSHIP

1.4.1 CLASSES OF MEMBERSHIP

Membership of the Association shall consist of the following classes of members:-

- (a) Ordinary;
- (b) Social;
- (c) Life;
- (d) Honorary;

1.4.2 The numbers of Members of each class shall be unlimited.

1.4.3 ORDINARY MEMBERSHIP

A person becomes an ordinary member when the committee accepts the application of that person and the first payment relating to that category of membership has been paid in full. If there is a waiting list for ordinary membership, the committee must deal with applications in the order in which they were lodged. The committee must only accept as ordinary members persons of good character who are interested in the furtherance of the objects of the association.

1.4.4 SOCIAL MEMBERSHIP

A person may apply to become a social member and in such case will have access to only those services or playing facilities which have been determined by a general meeting as available to social members. Social members have no voting rights in relation to meetings of the association and the committee, except where otherwise stated in the rules of this constitution. The committee will grant social membership to persons of good character who are interested in the furtherance of the objects of the association.

1.4.5

LIFE MEMBERSHIP

- (a) On the recommendation of the Management Committee, Life Membership (exempt from the payment of subscriptions and any other fees) may be granted by resolution passed by the Ordinary Members at a General meeting, to any person in the category of Ordinary Membership who has been a member for more than ten (10) continuous years and who had rendered special service to the Association. Notice of intention to move such resolution shall be given with the notice of the General meeting.
- (b) Such resolution shall be deemed to have been defeated unless a majority of the members present and voting at the meeting shall vote in favour of it.
- (c) Life members shall be entitled to the same privileges and shall be bound by the Constitution and By-laws of the Association in the same manner as the Ordinary category of membership.
- (d) Any Life member whose subsequent actions bring discredit to the Association may have such Life membership withdrawn by a majority vote of the Ordinary members of the Association present and voting at a special meeting called for that purpose.
- (e) Life members do not have to pay any membership fees to the association for as long as they remain a Life member.

1.4.6

HONORARY MEMBERSHIP OF THE ASSOCIATION

- (a) Honorary Membership of the Association shall be open to such persons who would otherwise be eligible for Ordinary membership or Social membership of the Association and who in the opinion of the Manager or the Management Committee, should be given such privilege for a period not exceeding three days, or three periods of not more than three days in any one year or such person or persons who, by reason of circumstances, justify admission for a period not exceeding twenty-one days at the discretion of the Manager or the Management Committee.
- (b) The granting of such Honorary membership, together with the name and address of the Honorary Member shall be entered in a book provided for that purpose. The Manager or the Management Committee may in his or its discretion revoke Honorary Membership at any time without assigning any reason.

1.4.7

ENTRANCE FEE

Applicants for membership shall pay, at the time of their application for membership of a particular class, an entrance fee determined by the Management Committee at the first Management Committee meeting following the Annual General Meeting with respect to the class of membership applied for. Such fee is to be refunded if the application is refused. In the event of a member resigning from the Association and again being an applicant for membership, the Management Committee shall have the discretionary power to forego the amount of entrance fee previously paid.

1.4.8

MEMBERSHIP

- (a) Every application for any class of membership of the Association shall be in such form as the Management Committee approves.
- (b) Every candidate for Ordinary membership shall be accompanied by a membership fee set at the Annual General Meeting or Special General Meeting called for that purpose.
- (c) Every application for membership shall be in writing on the form prescribed by the Management Committee
- (d) The Manager shall cause all applications for membership of the Association to, forthwith upon the making of the same, be entered, in the order of time in which such proposals are received by the Manager in the "proposed members register" and shall be set out there in the full name and address of the person proposed and the time and date of the receipt thereof. Every proposal shall be dealt with in order of recording.
- (e) The Management Committee shall consider the application for membership at their next meeting after the receipt of such applications and shall check the eligibility of applicants for membership.
- (f) All applications for membership of the Association shall be dealt with and determined by the Management Committee at a meeting duly convened and to be held as regularly as possible, and a record ("members' admission book") shall be kept by the Manager of the time and date of the holding of every such meeting, the names of members present and voting on the question of the admission of each and every person proposed as a member at such meetings, and of the names of the persons so proposed and whether they are accepted as members or not.

1.4.9

ADMISSION AND REJECTION OF MEMBERSHIP APPLICATION

- (a) At the next meeting of the Management Committee after the receipt of any application and the applicable fee for that class of membership, such application shall be considered by the Management Committee, who shall thereupon determine upon the admission or rejection of the application.
- (b) Any applicant who receives a majority of the votes of the members of the Management Committee present at that meeting shall be accepted as a member to the class of membership for which application has been made.
- (c) A copy of the Constitution and By-laws, which shall thereupon become binding on him, shall be available to a member upon request.
- (d) An applicant for membership shall be rejected by the Management Committee if he has been convicted of an indictable offence whether the same be tried summarily or otherwise, and, without in any way whatsoever limiting the power of the Management Committee to reject any application, may be rejected by the Management Committee if, in the opinion of the Management Committee, the conduct of the applicant is or has been such as to be injurious to the character or interests of the Association or to the comfort and welfare of its members or as to render the applicant unfit to associate with members of the Association.
- (e) No person under eighteen years of age shall be admitted to membership of the Association.
- (f) No person shall be allowed to become a Honorary or a Social member of the Association or be relieved of the payment of the regular subscription, except those possessing the qualifications defined in this Constitution and subject to conditions and provisions prescribed herein.

- (g) No member shall be entitled to any benefit or advantage from the Association which is not shared equally by every member of the same class of membership.
- (h) The Management Committee shall be obliged and required to inform an applicant, or any person whatsoever of the rejection of an application.
- (i) A person whose application or nomination is rejected by the Management Committee has no right of appeal.

RULE 1.5 REGISTER OF MEMBERS

1.5.1 The Management Committee shall cause a Register, to be kept in which shall be entered the names and residential addresses of all persons admitted to membership of the Association and the dates of their admission.

1.5.2 Particulars shall also be entered into the Register of deaths, resignations, terminations and reinstatement of membership and any further particulars as the Management Committee or the members at any general meeting may require.

1.5.3 The Register shall be open for inspection at all reasonable times by any member who previously applies to the Manager for such inspection.

RULE 1.6 ANNUAL SUBSCRIPTION

- 1.6.1** The Annual Subscription for the following financial year shall be such sum as determined by the Management Committee.
- 1.6.2** On the recommendation of the Management Committee the members may from time to time, at any general meeting, resolve to offer to all members the right to prepay the Annual Subscription for such period or periods of years and at such discounted rate or rates as the members determine at that meeting. Prepayment of Annual Subscription for a period of years at a discounted rate shall be made at such time and in such manner as the members determined at that meeting and no part of any such prepayment shall be refunded for any reason whatsoever.
- 1.6.3** Subject to Rule 1.7.2 the Annual Subscription shall be paid within one month of 31st December in each year.
- 1.6.4** A person making application to join the Association will pay the first years Membership at the time of lodgement of the application.
- 1.6.5** The Management Committee shall have the discretionary power to declare the first Annual Subscription payable by persons whose application for membership is accepted in the latter part of any year from any date which the Management Committee may determine from time to time as being applicable to the next financial year.

RULE 1.7 ANNUAL SUBSCRIPTION IN ARREARS

If any member fails to pay his annual subscription by the due date, he shall cease to be a member and his name shall be deleted from the list of members and he shall be so notified by the Manager, provided however that the Management Committee shall have the sole discretionary power of extending the time for payment for good and sufficient cause if it so chooses.

RULE 1.8 RESIGNATION OF MEMBERSHIP

A financial member may resign his membership at any time by giving notice in writing to the Manager. Such resignation, unless otherwise expressed, shall take effect immediately following receipt thereof by the Manager. Such resignation shall not entitle the member to a refund of any annual subscription or fees paid by him.

RULE 1.9 DISSOLUTION OF THE ASSOCIATION AND DISTRIBUTION OF SURPLUS ASSETS

Upon the vote of at least 75% of those members present and eligible to vote at a special general meeting convened to consider such a question, the Association shall be dissolved. Upon dissolution, the property and other assets of the Association remaining after satisfaction of all its debts and liabilities shall not be paid to or distributed among the members of the Association but shall be given or transferred to some other institution having objects similar to the objects of the Association and which shall prohibit the distribution of its or their income or property among its or their members to an extent at least as great as is imposed on the Association by virtue of Rule 6.2.10, such institution or institutions to be determined by the members of the Association at a general meeting.

SECTION 2 AMENDMENT OF RULES AND BY-LAWS

2.1 Amendment

2.2 By-laws

2.3 Children/Minors on Premises



RULE 2.1 AMENDMENT

Subject to the provisions of the Associations Incorporation Act, these Rules may be amended, from time to time by a special resolution carried at any General Meeting: Provided that no such amendment, shall be valid and come into effect unless the same shall have been previously submitted to and approved by the Office of Fair Trading

RULE 2.2 BY-LAWS

The Management Committee may from time to time make, by-laws, not inconsistent with these Articles, for the internal management of the Association and any by-law may be set aside by a general meeting of members.

All new by-laws and amendments to existing by-laws made between Annual General Meetings shall be promulgated by notice displayed on the Notice Board of the Association as soon as practicable after the making of same and that notice shall remain on the Notice Board until the next Annual General Meeting.

Club Beenleigh

RULE 2.3

CHILDREN/MINORS ON PREMISES

- (a) All Minors shall vacate the premises by 10.00 pm with the exception of when attending a private function as approved by the Management Committee.
- (b) Minors must be accompanied by a parent/legal guardian or responsible adult as per the regulations in The Liquor Act 1992 (Qld). They must remain under the strict control of that parent/legal guardian or responsible adult at all times, as per the Liquor Act 1992 (Qld).
- (c) Minors are permitted only in designated areas.
- (d) Minors are not permitted in the gaming area at any time.



SECTION 3 MANAGEMENT COMMITTEE

3.1 Structure

3.2 Control

3.3 Election of members of the Management Committee

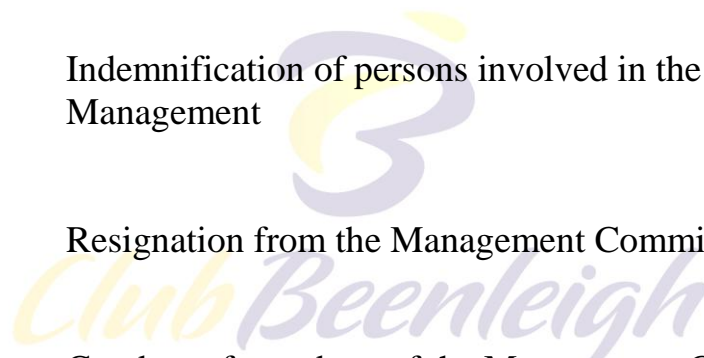
3.4 Functions of the Management Committee

3.5 Powers of the Management Committee

3.6 Indemnification of persons involved in the Associations
Management

3.7 Resignation from the Management Committee

3.8 Conduct of members of the Management Committee



RULE 3.1

ORGANISATIONAL STRUCTURE

3.1.1

The Organisational Structure of the Association shall consist of:-

- (a) The Management Committee, which is to consist of:
 - (i) President
 - (ii) Vice President
 - (iii) Secretary
 - (iv) Treasurer
 - (v) 3 (three) Committee persons as determined by the Ordinary Members.

- (b) The Executive Officers of the Sports Club shall be the President, Vice President, Treasurer and Secretary (who may only be members who do not receive remuneration from the Sports Club in any capacity, and who are not paid employees of the Sports Club at the time that they hold a position as Executive Officer) who shall meet as often as deemed necessary and make decisions in the case of an extraordinary or urgent nature between Management Committee meetings .

- (c) A General Manager shall be appointed by the Management Committee and shall be responsible to the Management Committee for the proper running of the Association.

RULE 3.2

No member shall be eligible for election or to continue their tenure of the management committee if that member is currently or has been within the previous two (2) years a paid employee of the association.

RULE 3.3

ELECTION OF MEMBERS OF THE MANAGEMENT COMMITTEE

3.3.1

Only Life members and Financial Ordinary members shall be eligible for election as members of the Management Committee in accordance with rule 3.3.2(j). Such members wishing to nominate for election to a position as an executive officer should state their desired position in their nomination.

A member will not be eligible to nominate themselves for a position as an executive officer within the Management Committee unless that member has been previously appointed to the management committee and held such position for at least one (1) complete term (two (2) years) prior to their nomination as an executive officer.

If all executive officer positions cannot be filled due to a lack of eligible members able to nominate as per this Rule, then such requirement may be waived by the present members of the management committee (in their sole discretion).

- (a) The President, Treasurer will retire from office on the odd numbered years irrespective of the time they have held the position, however they will be eligible to nominate for re election.
- (b) The Vice President and Secretary will retire from office on the even numbered years irrespective of the time they have held the position; however they will be eligible to nominate for re election.
- (c) Two (2) Committee Members will retire on odd numbered years and one (1) Committee Member would retire on even numbered years irrespective of the time they have held a Committee position. Should circumstances arise whereby the Constitution does not clearly define the Committee Member or Members that will stand down then the selection will be determined by ballot, however they will be eligible to nominate for re election.

- (d) Notwithstanding anything contained in the above no Committee Member can serve more than 2 consecutive years on the Committee without retiring from office, however they will be eligible to nominate for re election

3.3.2

The members of the Management Committee shall be elected by ballot at the Association's Annual General Meeting and subject to this Constitution shall hold office until the following Annual General Meeting when they shall retire from office in accordance with Rule 3.3.1 but shall be eligible for re-election (unless one of the circumstances described herein is present and precludes election). The election of Members of the Management Committee shall take place in the following manner:-

The Manager shall be the Returning Officer.

- (a) Not less than twenty-one (21) days before the Annual General Meeting of the Association notification shall be issued by the Secretary calling for nominations.
- (b) Nominations must be in writing, signed by not less than two financial Ordinary Members. Nominations must be received by the Returning Officer not later than seven (7) days prior to the Annual General Meeting. and must bear the nominee's written consent of the nominee to accept the office if elected
- (c) No members shall nominate for any position on the management committee if the person has been convicted.
 - i. on indictment; or
 - ii. summarily and sentenced to imprisonment, other than in default of payment of a fine; and
 - iii. the rehabilitation period in relation to the conviction has not expired.

- iv. a person is not eligible to be elected as a member of an incorporated association's management committee if
- a) under the *Bankruptcy Act 1966* (Cwlth) or the law of an external territory or another country, the person is an undischarged bankrupt; or
 - b) the person has executed a deed of arrangement under the *Bankruptcy Act 1966* (Cwlth), part X or a corresponding law of an external territory or another country and the terms of the deed have not been fully complied with; or
- v. the person's creditors have accepted a composition under the *Bankruptcy Act 1966* (Cwlth), part X or a corresponding law of an external territory or another country and a final payment has not been made under the composition.
- vi. All applicants seeking election to the Management Committee are required to affirm that they have no criminal convictions, and are not a bankrupt or an undischarged bankrupt, and to the best of their knowledge will not be the subject of any future legal actions against them. Should any false declaration be made, the Management Committee will meet to investigate the false declaration and take any action the Management Committee may deem necessary.
- (e) A list of candidates' names in alphabetical order, with the proposers' and seconders' names, shall be posted on the Notice Board in a conspicuous place in the Association for at least seven days immediately preceding the Annual General Meeting.

- (f) Should there be more than one nomination for any vacancy on Management Committee the Returning Officer shall cause ballot papers containing the names of the candidates in alphabetical order to be prepared and instructions for voting to be issued for those positions.
- (g) Voting shall be by a ballot and only Life Members and ordinary members present at the Annual General Meeting shall be entitled to vote for any number of such candidates not exceeding the number of vacancies. For the removal of doubt, votes in such case may not be made by proxy and the voting member must be present for their vote to be counted.
- (h) The ballot for election shall not be taken until after the adoption or rejection of the Annual Report, including a statement of accounts.
- (i) The Chairman of the meeting, for the purpose of conducting the ballot, shall appoint scrutineers.

The Chairman will announce the names of those elected when the count is received from the scrutineers.

In the event of equality in the ballot, the Chairman shall exercise a casting vote.

- (j) In the event of all vacancies on the Management Committee not being filled at the Annual General Meeting nominations may be taken from the floor of the meeting.
- (h) The composition of the Management Committee shall include the following:-
 - 1. President
 - 2. Vice President
 - 3. Secretary
 - 4. Treasurer
 - 5. 3 (Three) Committee Members

RULE 3.4

FUNCTIONS OF THE MANAGEMENT COMMITTEE

Except as otherwise provided in this Constitution and subject to resolutions of the members of the Association carried at any general meeting, the Management Committee:

- (a) shall have the general control and management of the administration of the affairs, property and funds of the Association;
- (b) shall have authority to interpret the meaning of this Constitution and any matter relating to the Association on which this Constitution is silent; and
- (c) Use their best endeavours to carry out the Objects and goals of the Association.

RULE 3.5

POWER OF THE MANAGEMENT COMMITTEE

3.5.1 The Management Committee may exercise all such powers as are within the scope of this Constitution and any other powers necessary for the management of the Association, which are not expressly required by this Constitution to be exercised in a General Meeting.

3.5.2 Without in any way whatsoever limiting the powers conferred upon the Management Committee, the Management Committee may exercise all the powers of the Association:-

- (a) to borrow or raise or secure the payment of money in such manner as the members of the Association may think fit and secure the same or the payment or performance of any debt, liability, contract, guarantee or other engagement incurred or to be entered into by the Association in any way and in particular by the issue of debentures perpetual or otherwise charged upon all or any of the Association's property, both present and future and to purchase redeem or pay off any such securities;
- (b) to borrow money from members at a rate of interest not exceeding interest at the rate for the time being charged by bankers in Brisbane for overdrawn accounts on money lent, whether the term of the loan be short or long, and to mortgage or charge its property or any part thereof and to issue debentures and other securities, whether outright or as security for any debt, liability or obligation of the Association, and to provide and pay off any such securities;
- (c) to invest in such manner as the members of the Association may from time to time determine;
- (d) to enter into contracts on behalf of the Association, such Contracts shall be subject where practicable to appropriate processes e.g. Tendering, quotations etc.
- (e) to expend the funds of the Association from time to time as may be necessary or expedient for carrying out the objects of the Association in accordance with the Rules of this constitution;
- (f) to appoint, dismiss and pay a Manager and to authorise him to carry out or cause to be carried out such functions as the Management Committee may from time to time direct;

- (g) at any time and from time to time determine the hours during which the Association shall be open to members and to close it for such time to carry out cleaning, painting, repairs or alterations or for any other reason whether of the same kind as the reasons before enumerated or not as it shall consider necessary;
- (h) to empower the Stewards to extinguish all lights at the appointed hour and report to the Management Committee any member who declines to leave the premises at such time;
- (i) to set apart any section of the Association premises as and when decided for any special meeting or other purposes by posting a notice of such decision in the Association and no member shall have the right of access to such area other than for the purpose prescribed and by payment of any fee charged for such meeting or purpose;
- (j) to restrict from time to time the admission of visitors if in the Management Committee's opinion the total accommodation is likely to be required by members;
- (k) to display in the Association from time to time a notice listing the prices to be paid for all games, meals, refreshments and other goods and amenities for the members;
- (l) to make such levies on members and collect such levies as are necessary or expedient for efficient operation of the Association;
- (m) to define the duties and responsibilities of the Manager and the Treasurer;
- (n) to keep such books and records as are required by any Act of the State of Queensland or the Commonwealth of Australia;

- (o) To prohibit the playing of any game forbidden by law or which may be considered injurious to the interests of the Association;
- (p) apart from the rules of the conduct of meetings and the By-laws of the Association the Management Committee shall not have the power to restrict communication between committee members.
- (q) no member of the Management Committee shall enter into any contracts or sponsorships on behalf of the Association, without the prior unanimous approval of the entire management committee.

3.5.3 The Management Committee may appoint such members as the Management Committee thinks fit to act in sub-committee. The powers and responsibilities of and reporting of such sub-committee will be determined by the Management Committee.

- 3.5.4**
- (a) The Management Committee shall have the power to appoint a Life member or financial Ordinary member to fill a casual vacancy in the Management Committee until the date of the next Annual General Meeting or a period of 6 months whichever is the lesser.
 - (b) The continuing members of the Management Committee may act notwithstanding any casual vacancy in the Management Committee, but if and so long as their number is reduced below the number fixed by or pursuant to this Constitution as the necessary quorum of the Management Committee, the continuing member or members may act for the purpose of increasing the number of members of the Management Committee to that number or of summoning a general meeting of the Association but for no other purpose.

- (c) The Management Committee may appoint only a person that has the approval of the respective representative group to which the vacancy relates as set out in rule 3.3.2 (j), by taking valid nominations from the floor of the meeting.

3.5.5 The Management Committee shall, in its sole discretion, be empowered to employ full-time or part-time staff to assist as required and as directed in the day to day management of the Association's affairs. Such powers of employment may be delegated to the Manager by the Management Committee if it so resolves.

RULE 3.6 INDEMNIFICATION OF PERSONS INVOLVED IN MANAGEMENT OF THE ASSOCIATION

All members of the Management Committee shall be indemnified out of the funds of the Association against all losses and expenses incurred in the discharge of his or her duties, except such as shall happen through his or her own wilful act or default, and each one shall be responsible only for so much money or property as he or she actually receives for or in the discharge of the business of the Association and each one shall be answerable only for his or her own acts, neglects or defaults, and not for those of any other person, nor for the insufficiency of any security for money invested or of title to any estate or property acquired nor for any loss or damage which may happen in the discharge of his or her duties unless the same shall happen through his or her own wilful neglect or default.

RULE 3.7 RESIGNATIONS FROM THE MANAGEMENT COMMITTEE

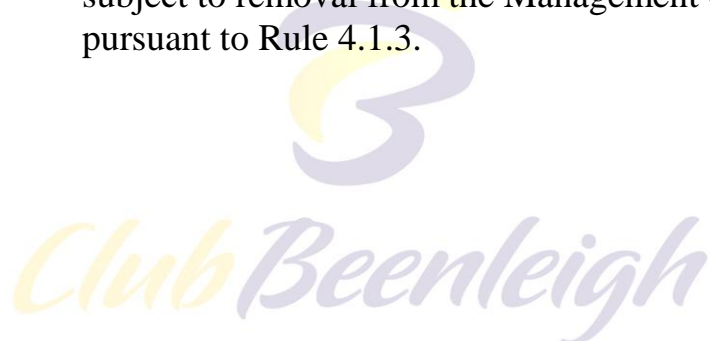
3.7.1 Any member of the Management Committee may resign at any time from membership of the Management Committee by notice in writing delivered to the Secretary. Such resignation shall take effect at the time when such notice is received by the Secretary unless some later date is specified in the notice when it shall take effect on that later date.

3.7.2 Notices shall be deemed to be received in the ordinary course on the day next following in the case of postal delivery.

**RULE 3.8 CONDUCT OF MEMBERS OF THE
MANAGEMENT COMMITTEE**

Management Committee members will be required at all times to maintain the highest standards of behaviour, to be attired appropriately at all times, and to strictly maintain the confidentiality of all Committee discussions.

If, in the opinion of the majority of the remaining Management Committee members, a member of the Management Committee fails to adhere to the requirements of this Rule 3.8, then such member may be subject to removal from the Management Committee pursuant to Rule 4.1.3.



SECTION 4 DISCIPLINE

(REPRIMANDS, SUSPENSIONS, REMOVALS, EXPULSIONS)

- 4.1 Members of the Management Committee
- 4.2 Servants of the Association
- 4.3 Removal of Persons
- 4.4 Suspension of Members
- 4.5 Inquiry into conduct of Members
- 4.6 Suspension of Members by Management Committee
- 4.7 Expulsion of Members
- 4.8 Notification of Suspension or expulsion by Management Committee
- 4.9 Appeals against expulsion
- 4.10 Return of membership badge and Association property

RULE 4.1 MEMBERS OF THE MANAGEMENT COMMITTEE

4.1.1 Should a member of the Management Committee be absent from two consecutive ordinary meetings of the Management Committee, his position may be declared vacant by the Management Committee and he shall thereupon cease to hold office, provided however that the Management Committee, acting as a majority, may grant a member leave of absence for good and sufficient reason.

4.1.2 If any member of the Management Committee shall have been duly expelled from the Beenleigh Sports Club in accordance with its Constitution and Rules and By-laws, then immediately on such expulsion the member shall cease to be a member of the Management Committee.

4.1.3 Other than as provided in Rule 4.1.1 and Rule 4.1.2 a member of the Management Committee may only be removed from office at a special general meeting of the Association convened for that purpose. At any such special general meeting, the member of the Management Committee shall be given the opportunity to fully present his case either orally or in writing or partly by either of these means. The question of removal from office shall be determined by majority vote of members present at that meeting and there shall be no right of appeal against such determination.

RULE 4.2 EMPLOYEES/CONTRACTORS OF THE ASSOCIATION

No member of the Association, other than the President, or the Manager, shall reprimand an employee, staff member or contractor engaged by the Association. If a member has any cause of complaint, he or she shall only make such complaint in writing to the Management Committee, in writing.

RULE 4.3 REMOVAL OF PERSONS

Any person infringing this Constitution or the By-laws made hereunder or whose conduct is in the opinion of the President, Manager or Manager's agent not in the interests of the Association or of the members may be immediately removed from the Association or from the vicinity of the Association or of any premises used by or being the property of the Association and the President, Manager or Manager's agent may obtain such assistance, including assistance from members of the Police Force, and may use such reasonable force as may be necessary to effect that person's removal.

RULE 4.4 SUSPENSION OF MEMBERS

The President, Manager or Manager's agent may temporarily suspend for such time, not being later than the time at which the next meeting of the Management Committee is held, as the President, Manager or Manager's agent considers appropriate the membership of any member removed pursuant to Rule 4.3, upon giving verbal notice of such temporary suspension to the member.

A member whilst so suspended shall be excluded from the Association and any premises used by or being property of the Association.

Where a member has been suspended pursuant to this Article, the President, Manager or Manager's agent shall report the circumstances thereof, forthwith, to the Executive Committee and to the next meeting of the Management Committee.

RULE 4.5

INQUIRY INTO CONDUCT OF MEMBERS

If a member:-

- (i) is convicted of an indictable offence;
- (ii) does not continue to fulfil the membership requirements of the Constitution;
- (iii) fails to comply with any of the provisions of this Association or the By-laws;
- (iv) conducts himself or herself in a manner considered to be injurious or prejudicial to the character or interests of the Association; or
- (v) or if the Executive Committee considers it necessary in the interests of the Association and its members to do so;

the Management Committee may inquire into the conduct of such member to determine whether it is appropriate to suspend or terminate that person's membership.

The Manager shall give such member seven days' notice in writing of the proposed inquiry, delivered by ordinary post to that person's last known address informing them of their right to attend and to submit a response to the inquiry.

RULE 4.6

SUSPENSION OF MEMBERS BY MANAGEMENT COMMITTEE

The Management Committee may, acting as a majority and after due inquiry, suspend the membership of any member whose conduct is, in the opinion of the Management Committee such as to be injurious to the character or interests of the Association or the comfort and welfare of its members or such as to render him unfit to associate with members of the Association for such period as the Management Committee may in their discretion determine and during such period may exclude the member from the Association and all premises used by or being property of the Association.

If the Management Committee determines that the conduct of the member does not call for his suspension the Management Committee may impose a caution, a reprimand or a severe reprimand.

RULE 4.7

EXPULSION OF MEMBERS

4.7.1 The Management Committee shall, after due inquiry, terminate the membership of and expel from the Association any member, who it is satisfied, does not continue to fulfil the membership requirements of this Constitution.

A person whose membership has been terminated for any reason set forth in this Rule shall not have a right of appeal under Rule 4.9.

4.7.2 The Management Committee may, after due inquiry, terminate the membership of and expel from the Association any member whose conduct is considered to or has been such as to render him, in the absolute discretion of the Management Committee, unfit to continue as a member of the Association.

**RULE 4.8 NOTIFICATION OF SUSPENSION OR EXPULSION
BY MANAGEMENT COMMITTEE**

The Secretary shall forthwith forward to a member suspended or expelled by the Management Committee a notice in writing of such suspension or expulsion.

RULE 4.9 APPEALS AGAINST EXPULSION

4.9.1 Any person whose membership of the Association has been terminated for any reason other than a reason set forth in Rule 4.7.1, may within seven days of receipt of notice of his expulsion lodge with the Secretary a written appeal against the decision of the Management Committee.

4.9.2 The Secretary shall convene a meeting of the Management Committee, within two months of the date of receipt by him of a notice of appeal against termination of membership, to determine the appeal. At that meeting the appellant and/or his representative shall be given the opportunity to fully present his case in person or by written submission.

4.9.3 The appeal shall be determined by the vote of the members of the Management Committee present at that meeting and:-

- (i) if a majority vote for the dismissal of the appeal, the expulsion shall continue in force and effect; or
- (ii) otherwise, the decision to terminate the membership of the appellant may be revoked or varied in such manner as the Management Committee may, in its absolute discretion, determine.

RULE 4.10**RETURN OF MEMBERSHIP BADGE AND
ASSOCIATION PROPERTY**

Any member whose membership has been terminated under Rule 4.7 shall forthwith deliver up to the Secretary or his agent his Membership badge, Membership card and any property of the Association in his possession.



SECTION 5 MEETINGS

5.1 Meetings of the Management Committee

5.2 Annual General Meetings

5.3 Notice of Meetings

5.4 Chairman

5.5 Quorums

5.6 Voting at Meetings

5.7 Minutes



**RULE 5.1 MEETINGS OF THE MANAGEMENT COMMITTEE
AND SUB-COMMITTEES**

- 5.1.1** The Management Committee shall meet at least once in every calendar month to exercise its functions.
- 5.1.2** A special meeting of the Management Committee shall be convened by the Secretary at the direction of the President or on the requisition in writing of not less than one-third of the members of the Management Committee which requisition shall clearly state the reasons why such special meeting is being convened and the nature of the business to be transacted thereat.
- 5.1.3** Subject as previously provided in this Rule, the Management Committee may meet together and regulate its proceedings as it thinks fit.
- 5.1.4** Copies of the Minutes of all proceedings of the Management Committee together with copies of monthly financial accounts and statements of the Association prepared by the Treasurer shall be provided to all members of the Management Committee as soon as practicable after each meeting.
- 5.1.5** (a) Any sub-committee appointed pursuant to Rule 3.5.3 shall report their proceedings to the Management Committee periodically and as required by the Management Committee.
- (b) Any sub-committee so formed shall in the exercise of its powers conform to any regulations that may be imposed on it by the Management Committee.
- (c) A sub-committee is to elect a Chairman of its meetings. If at any meeting the Chairman is not present within ten minutes after the time appointed for holding the meeting, the members present may choose one of their number to be Chairman for that meeting.

- (d) A sub-committee may meet and adjourn as it thinks proper. Questions arising at any meeting shall be determined by a majority of votes of the members present and, in the case of an equality of votes, the questions shall be deemed to be decided in the negative.

5.1.6 All acts done by any meeting of the Management Committee or of a sub-committee or by any person acting as a member of the Management Committee shall, notwithstanding that it is afterwards discovered that there was some defect in the appointment of any such member of the Management Committee or person acting as aforesaid, or that the members of the Management Committee or any of them were disqualified, be as valid as if every such person has been duly appointed and was qualified to be a member of the Management Committee.

5.1.7 A resolution in writing signed by all the members of the Management Committee for the time being entitled to receive notice of a meeting of the Management Committee shall be as valid and effectual as if it had been passed at a meeting of the Management Committee duly convened and held. Any such resolution may consist of several documents in like form, each signed by one or more members of the Management Committee.

RULE 5.2 ANNUAL GENERAL MEETINGS

5.2.1 The Annual General Meeting shall be held within three months of the close of the financial year.

5.2.2 The business to be transacted at every Annual General Meeting shall be:-

- (a) Apologies.
- (b) Obituaries.
- (c) The President Report
- (d) The receipt and adoption of the minutes of the previous Annual General Meeting
- (e) The receipt and adoption of Audited Financial Statement
- (f) Election of Office Bearers as per Rule 3.3.1
- (g) Set Annual fees for membership of the Beenleigh Sports Club
- (h) Appointment of Beenleigh Sports Club Auditor
- (i) Appointment of the Beenleigh Sports Club Solicitor
- (j) Other matters deemed necessary by the Management Committee

RULE 5.3 NOTICE OF MEETINGS

5.3.1 The Management Committee or any sub-committee may, by resolution, determine to meet at regular times and places or determine, at any meeting, the time and place of the next meeting, in which event no notice shall be required to convene a meeting.

5.3.2 Notice of a special meeting of the Management Committee or of a sub-committee shall be given by the Secretary or someone duly authorised by him, to the members of the Management Committee or sub-committee as the case may be at least one (1) day prior to the meeting

5.3.3 Notice of the Annual General Meeting shall be given by notice displayed in a conspicuous place in the Association and on the notice board of the Association, and shall be available to members together with the financial statement for the year upon request from the doorman or the office of the Association not less than ten (10) days prior to the date selected by the Management Committee for such Annual General Meeting. The notice shall specify the day, hour and place of the meeting and the business to be transacted thereat.

5.3.4 The Secretary shall convene a Special General Meeting:-

- (a) when directed to do so by the Management Committee, or
- (b) on the requisition in writing signed by not less than one-third of the members of the Management Committee or not less than 10 percent of financial Ordinary members so long as the number of such Members of the Association is less than 500, and 100 members if and when the number of such members of the Association shall be 500 or more. Such requisition shall clearly state the reasons why such Special General Meeting is being convened and the nature of the business to be transacted thereat.

- 5.3.5** The Secretary shall convene all general meetings of the Association, other than the Annual General Meeting, by giving not less than fourteen (14) days' notice of any such meeting to the members of the Association. Such notice shall be given by notice displayed in a conspicuous place in the Association and on the notice board of the Association, and shall be available to members upon request from the doorman or office of the Association. Notice of a general meeting shall clearly state the nature of the business to be discussed.

RULE 5.4 CHAIRMAN

- 5.4.1** At all general meetings of the Association and of the Management Committee the President or, if he be not present or if he be unwilling to do so, the Vice-President, or if he be not present or if he be unwilling so to, the members who are present shall appoint one of their number to be Chairman of the meeting.
- 5.4.2** The Chairman shall maintain order and conduct the meeting in a proper and orderly manner.

RULE 5.5 QUORUMS

- 5.5.1** At every meeting of the Management Committee half of the Management Committee plus one shall constitute a quorum.
- 5.5.2** If within half an hour from the time appointed for commencement of a Management Committee meeting a quorum is not present, the meeting, if convened upon the requisition of members of the Management Committee, shall lapse. In any other case it shall stand adjourned to the same day in the next week at the same time and place, and if at the adjourned meeting a quorum is not present within half an hour from the time appointed for the meeting, the members present shall be a quorum.

5.5.3 At any General Meeting the number of members required to constitute a quorum shall be double the number of members presently on the Management Committee plus one.

5.5.4 If within half an hour from the time appointed for the commencement of a general meeting a quorum is not present, the meeting, if convened upon the requisition of members of the Management Committee, shall lapse. In any other case it shall stand adjourned to the same day in the next week at the same time and place or to such other day and at such other time and place as the Management Committee may determine, and if at the adjourned meeting a quorum is not present within half an hour from the time appointed for the meeting, the members present shall be a quorum.

5.5.5 The Chairman may, with the consent of any meeting at which a quorum is present (and shall if so directed by the meeting), adjourn the meeting from time to time and from place to place, but no business shall be transacted at any adjourned meeting other than the business left unfinished at the meeting from which the adjournment took place.

When a meeting is adjourned for thirty days or more, notice of the adjourned meeting shall be given as in the case of an original meeting. Save as aforesaid it shall not be necessary to give any notice of an adjournment or of the business to be transacted at an adjourned meeting.

RULE 5.6 VOTING AT MEETINGS

5.6.1. MANAGEMENT COMMITTEE

- (a) The right to vote at these meetings will be restricted to the members of that Committee.
- (b) The Chairman shall have a deliberate vote and, in the event of equality of votes, a casting vote.

- (c) Voting will be by show of hands unless a ballot be called for by the Chairman or be demanded by a simple majority of those present and entitled to vote at the meeting.
- (d) A member of the Management Committee shall not vote in respect of any contract or proposed contract with the Association in which he is interested or any matter arising thereout, and if he does so vote his vote shall not be counted.

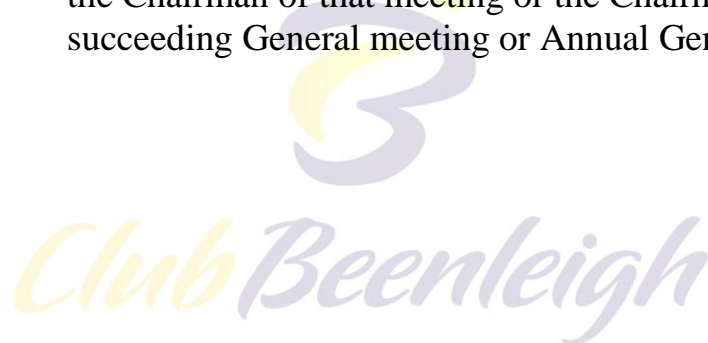
5.6.2 GENERAL MEETINGS

- (a) The right to vote at these meetings will be exercised by Life and financial Ordinary members only. Social members shall not be entitled to be present at any general meeting as observers.
- (b) Voting shall be by show of hands or a division of members, unless not less than one-fifth of the members present demand a ballot, in which event there shall be a secret ballot. The Chairman shall appoint two members to conduct the secret ballot in such manner as he shall determine and the result of the ballot as declared by the Chairman shall be deemed to be the resolution of the meeting at which the ballot was demanded.
- (c) In the case of a tied vote at any general meeting other than as provided in Rule 3.3(h), the motion under discussion will be declared lost.

RULE 5.7

MINUTES

The Secretary shall cause full and accurate Minutes of all questions, matters, resolutions and other proceedings of every Management Committee meeting and general meeting to be entered in a book to be open for inspection at all reasonable times by any financial member who previously applies to the Secretary for that inspection. For the purposes of ensuring the accuracy of the recording of such Minutes, the Minutes of every Management Committee meeting shall be signed by the Chairman of that meeting or the Chairman of the next succeeding Management Committee meeting verifying their accuracy. Similarly, the Minutes of every general meeting shall be signed by the Chairman of that meeting or the Chairman of the next succeeding general meeting: Provided that the Minutes of any Annual General Meeting shall be signed by the Chairman of that meeting or the Chairman of the next succeeding General meeting or Annual General Meeting.



**SECTION 6 ASSOCIATION ASSETS:
FINANCIAL AND MATERIAL**

6.1 Financial Year

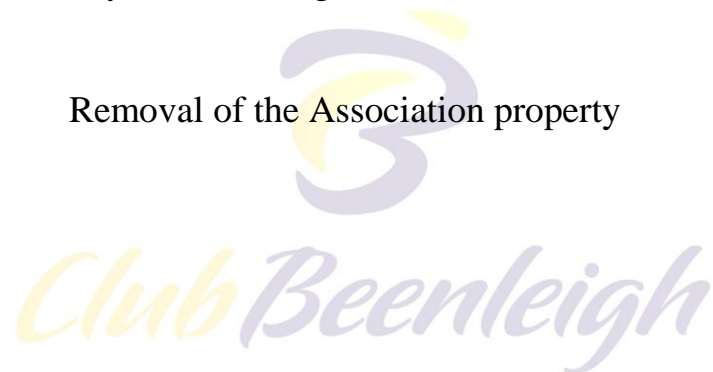
6.2 Funds and Accounts

6.3 Common Seal

6.4 Documents

6.5 Payment of charges incurred

6.6 Removal of the Association property



RULE 6.1 FINANCIAL YEAR

The financial year of the Association shall conclude on 30th June in each year.

RULE 6.2 FUNDS AND ACCOUNTS

- 6.2.1** The funds of the Association shall be banked in the name of the Association in such bank as the Management Committee may from time to time direct.
- 6.2.2** Proper books and accounts shall be kept and maintained either in written or printed form in the English language showing correctly the financial affairs of the Association and the particulars usually shown in books of a like nature.
- 6.2.3** All moneys shall be banked as soon as practicable after receipt thereof.
- 6.2.4** All amounts over one hundred dollars (\$100.00) shall be paid by cheque signed by any two of the President, Vice President, Secretary, Treasurer, Manager or other member authorised from time to time by the Management Committee or paid by EFT and authorised by two (2) members or employees of the association from time to time duly authorised by the Management Committee.
- 6.2.5** Cheques shall be crossed "not negotiable" except those in payment of wages, allowances or petty cash recoupments which may be open.
- 6.2.6** The Management Committee shall determine the amount of petty cash which shall be kept on the impress system.
- 6.2.7** All expenditure including refunds, advances, or any other monies whatsoever paid to Members of the Association excluding wages to servants of the Association, are to be approved, ratified and recorded in the minutes of proceedings of the Management Committee.

6.2.8 As soon as practicable after the end of each financial year the Treasurer shall cause to be prepared a statement containing particulars of:-

- (a) income and expenditure for the financial year just ended;
- (b) assets and liabilities and of all mortgages, charges and securities affecting the property of the Association at the close of that year.

6.2.9 All such statements shall be examined by the Auditor who shall present his report upon such audit to the Manager prior to the holding of the Annual General Meeting next following the financial year in respect of which such audit was made.

6.2.10 The income and property of the Association whencesoever derived shall be used and applied solely in promotion of its objects and in the exercise of its powers as set out herein and no portion thereof shall be distributed, paid or transferred directly or indirectly by way of dividend, bonus or otherwise by way of profit to or amongst the members of the Association:

Provided that nothing herein contained shall prevent the payment in good faith of interest to any such member in respect of moneys advanced by him to the Association or otherwise owing by the Association to him or of remuneration to any officers or servants of the Association or to any member of the Association or other person in return for any services actually rendered to the Association: Provided further that nothing herein contained shall be construed so as to prevent the payment or repayment to any member of out of pocket expenses, money lent, reasonable and proper charges for goods hired by the Association, reasonable and proper rent for premises demised or let to the Association.

RULE 6.3

COMMON SEAL

- (1) The Management Committee shall provide for a Common Seal and for its safe custody. The Common Seal shall only be used by the authority of the Management Committee and every instrument to which the seal is affixed shall be signed by a member of the Management Committee and shall be countersigned by the Manager or by a second member of the Management Committee or by some other person appointed by the Management Committee for the purpose.
- (2) A record of all use of the common seal shall be kept by the General Manager and such use shall be presented to the Management Committee meeting each month.

RULE 6.4

DOCUMENTS

The Management Committee shall provide for the safe custody of books, documents, instruments of title and securities of the Association.

RULE 6.5

PAYMENT OF CHARGES INCURRED

Before leaving the Association premises, each member shall pay all charges incurred by him on his own account or for his visiting guest. A member shall not be entitled to credit for goods or refreshments supplied or for games played, by him or his visiting guest.

RULE 6.6

REMOVAL OF THE ASSOCIATION PROPERTY

Property of the Association of any nature shall not be removed by any member without the prior authority of the Management Committee. Any member or visitor introduced by a member, who shall damage, destroy or injure any property shall pay such sum for the repair and restoration thereof as the Management Committee shall decide.



SECTION 7 GUESTS

7.1.1 Introduction of Guests

7.1.2 Member's responsibility for conduct of guest/s

7.1.3 Refusal of admission to guest



RULE 7.1 GUESTS

- 7.1.1** Guests may be introduced to the Association by members, other than Honorary Members, and the guest's name and address shall be printed in the Visitor's Book alongside the member's signature and the member's Association membership number in as per the Liquor Act 1992 (Qld).
- 7.1.2** The member shall be responsible for the conduct of the guest whilst on the Association premises and a guest must not remain on the Association premises after the member who introduced him has departed unless the guest's name has been printed in the Visitor's Book as signed by the member pursuant to Rule 7.1.1.
- 7.1.3** The Manager or his agent may in his discretion refuse admission to any guest at any time if in his opinion such admission is not in the best interests of the Association.



SECTION 8

SALE OR SUPPLY OF ALCOHOL

8.1

Sale or Supply of Alcohol



RULE 8.1 SALE OR SUPPLY OF ALCOHOL

8.1.1 The Management Committee, acting through the Manager, must ensure that any and all alcohol is supplied **only in accordance** with the Liquor Act 1992 (Qld) and the Liquor Licence applicable to the association's premises, including ensuring that the association (whether through its members or employees) does not—

(a) supply liquor to, or permit or allow liquor to be supplied to; or

(a) allow liquor to be consumed by;

a person who—

(b) is a minor; or

(c) is unduly intoxicated or disorderly.

8.1.2 The association not, on a street or place adjacent to premises to which the relevant Liquor Licence or permit relates, or in a public place, supply liquor or cause or permit liquor to be supplied, to a minor.

8.1.3 The association must ensure that alcoholic liquor shall not be sold or supplied to any person under eighteen (18) years of age or such other age as may be prescribed from time to time by the relevant liquor legislation in the State of Queensland or the Commonwealth.

8.1.4 Alcoholic liquor shall not be sold or supplied to any person outside of the hours permitted and appearing on the association's relevant liquor licence document.

SECTION 9 INTERPRETATION

In these rules, unless a contrary intention appears:-

"Manager" means the person appointed to the position having the job description "General Manager"

"Male/Female Gender" means in every case where the male gender is mentioned then the female gender also applies

"Rehabilitation period" has the meaning given in the *Criminal Law (Rehabilitation of Offenders) Act 1986*.

