



**Ku-ring-gai & District Football
Referees Association**

*Ku-ring-gai and District Football Referees
Association Inc.*

CONSTITUTION & RULES

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RULES

PART I

PRELIMINARY

1. *Definitions*

- (1) In these rules, except in so far as the context or subject matter otherwise indicates or requires: -

"ordinary member" means - a member of the committee who is not an office-bearer as described in clause 16 (2);

"secretary" means -

- (a) the person holding office under these rules as secretary of the association; or
- (b) where no such person holds that office – the public officer of the association;

"the Act" means - the Associations Incorporation Act 1984;

"the Regulation" means - the Associations Incorporation Regulation, 1999;

"the Commissioner" means – the Commissioner of the Office of Fair Trading.

- (2) In these rules: -

- (a) a reference to a function includes a reference to a power, authority and duty; and
- (b) a reference to the exercise of a function includes, where the function is a duty, a reference to the performance of the duty.
- (c) The provisions of the Interpretation Act, 1987, apply to and in respect of these rules in the same manner as those provisions would so apply if these rules were an instrument made under the Act.

INTRODUCTION

2. *Name*

The organisation shall be known as the KU-RING-GAI AND DISTRICT FOOTBALL REFEREES ASSOCIATION INCORPORATED (KDFRA Inc), hereinafter known as "the association".

3. Affiliation

The association may affiliate with any appropriate football association and any appropriate referees' body. Such affiliations shall be determined at the annual general meeting of the association or at any special general meeting called for that purpose.

4. Objects

The objects of the association shall be: -

- (1) to develop the art of refereeing association football; and
- (2) to assist in the promotion of association football.

PART II

MEMBERSHIP

5. Membership qualifications

A person is qualified to be a member of the association if and only if: -

- (1) the person is a person referred to in section 15 (1), (a), (b), or (c) of the Act and has not ceased to be a member of the association at any time after incorporation of the association under the Act; or
- (2) the person is a natural person who: -
 - (a) has been appointed a life member of the association; or
 - (b) has applied for membership of the association under rule 6; and
 - (c) has been approved for membership of the association by the committee of the association.

6. Application for Membership

An application for membership of the association:

- (1) shall be made in writing in the form agreed by the committee of the association; and
- (2) shall be lodged with the secretary of the association with the amount payable under these rules as entrance fee and annual subscription; and : -

- (a) as soon as practicable after receiving a nomination for membership, the secretary of the association shall refer the nomination to the committee which shall determine whether to accept or reject the application; and
- (b) where the committee determines to approve an application for membership, the secretary shall, as soon as practicable after that determination, notify the applicant of the approval; and
- (c) the secretary shall enter the applicant's name in the register of members and, upon the name being so entered, the applicant becomes a member of the association.

7. Cessation of Membership

A person ceases to be a member of the association if the member: -

- (1) dies; or
- (2) resigns that membership in accordance with rule 9; or
- (3) fails to pay any amount required to be paid under rule 11 or rule 13 or otherwise, within 28 days of notification of the amount payable; or
- (4) is expelled from the association in accordance with rule 13.

8. Membership Entitlements Not Transferable

A right, privilege or obligation, which a member has by reason of being a member of the association: -

- (1) is not capable of being transferred or transmitted to another person; and
- (2) terminates upon cessation of the person's membership.

9. Resignation of Membership

- (1) A member of the association is entitled to resign that membership in accordance with this rule.
- (2) A member of the association who has paid all amounts payable by the member to the association in respect of the member's membership may resign from membership of the association by giving notice in writing to the secretary of the member's intention to resign and, upon receipt by the secretary of such notice, the member ceases to be a member.
- (3) Where a member of the association ceases to be a member pursuant to clause (2), and in every other case where a member ceases to hold membership, the secretary shall make an appropriate entry in the register of members recording the date on which the member ceased to be a member.

10. Register of Members

- (1) The secretary of the association shall establish and maintain a register of members of the association specifying the name and address of each person who is a member of the association together with the date on which the person became a member.
- (2) The register of members shall be kept at the principal place of administration of the association and shall be open for inspection, free of charge, by any member of the association at any reasonable hour.

11. Fees, Subscriptions, etc

In addition to any amount payable by the member under clause 6(2), a member of the association must pay to the association an annual membership fee of two (2) dollars or, where some other amount is determined by the committee, that other amount: -

- (1) except as provided by paragraph (b), before 1 April in any calendar year; or
- (2) where the member becomes a member on or after 1 April in any calendar year - upon becoming a member and before 1 April in each succeeding calendar year.

12. Members' Liabilities

The liability of a member of the association to contribute towards the payment of the debts and liabilities of the association or the cost, charges and expenses of the winding up of the association is limited to the amount if any, unpaid by the member in respect of membership of the association as required by rule 11 or any fine imposed on the member under rule 13.

13. Disciplining of Members

- (1) Where the committee is of the opinion that a member of the association: -
 - (a) has refused or neglected to comply with a provision or provisions of these rules, or the Laws of the Game of association football, or decisions of the International Football Association Board, as published from time to time by the Federation Internationale de Football Association; or
 - (b) has wilfully acted in a manner prejudicial to the interests of the association,
the committee may, by resolution: -
 - (c) expel the member from the association, or
 - (d) suspend the member from membership of the association for a specified period, or

- (e) fine the member an amount not exceeding the match fees accrued to the member's credit at the date of the resolution.
- (2) A resolution of the committee under clause (1) is of no effect unless the committee, at a meeting held not earlier than 14 days and not later than 28 days after service on the member of a notice under clause (3), confirms the resolution in accordance with this rule.
- (3) Where the committee passes a resolution under clause (1), the secretary shall, as soon as practicable, cause a notice in writing to be served on the member: -
- (a) setting out the resolution of the committee and the grounds on which it is based;
 - (b) stating that the member may address the committee at a meeting to be held not earlier than 14 days and not later than 28 days after service of the notice;
 - (c) stating the date, place and time of that meeting; and
 - (d) informing the member that the member may do either or both of the following:-
 - (i) attend and speak at that meeting;
 - (ii) submit to the committee at or prior to the date of that meeting written representations relating to the resolution.
- (4) At a meeting of the committee held as referred to in clause (3), the committee shall: -
- (a) give to the member an opportunity to make oral representations; and
 - (b) give due consideration to any written representations submitted to the committee by the member at or prior to the meeting; and
 - (c) by resolution determine whether to confirm or to revoke the resolution.
- (5) Where the committee confirms a resolution under clause (4), the secretary shall, within 28 days after that confirmation, by notice in writing inform the member of the fact and of the member's right of appeal under rule 14.
- (6) A resolution confirmed by the committee under clause (4) does not take effect; -
- (a) until the expiration of the period within which the member is entitled to appeal against the resolution where the member does not exercise the right of appeal within that period; or
 - (b) where within that period the member exercises the right of appeal, unless and until the association confirms the resolution pursuant to rule 14 (4).

14. *Right of Appeal of Disciplined Member*

- (1) A member may appeal to the association in a general meeting against a resolution of the committee, which is confirmed under rule 13 (4), within 7 days after notice of the resolution is served on the member by lodging with the secretary a notice to that effect.
- (2) Upon receipt of a notice from a member under clause (1), the secretary shall notify the committee, which shall convene a general meeting of the association to be held within 28 days after the date on which the secretary received the notice.
- (3) At a general meeting of the association convened under clause (2);
 - (a) no business other than the question of the appeal shall be transacted; and
 - (b) the committee and the member shall be given the opportunity to state their respective cases orally or in writing, or both; and
 - (c) the members present shall vote by secret ballot on the question of whether the resolution should be confirmed or revoked.
- (4) If at the general meeting the association passes a special resolution in favour of the confirmation of the resolution, the resolution is confirmed.

PART III

THE COMMITTEE

15. *Power of Committee*

The committee shall be called the committee of management of the association and, subject to the Act, the Regulation and these rules and to any resolution passed by the association in general meeting: -

- (1) shall control and manage the affairs of the association; and
- (2) may exercise all such functions as may be exercised by the association other than those functions that are required by these rules to be exercised by a general meeting of members of the association; and
- (3) has power to perform all such acts and do all such things as appear to the committee of management to be necessary or desirable for the proper management of the affairs of the association.

16. *Constitution and Membership*

- (1) Subject in the case of the first members of the committee of management appointed pursuant to section 21 of the Act, the committee shall consist of: -

- (a) the office-bearers of the association; and
 - (b) 4 ordinary members, each of whom shall be elected at the annual general meeting of the association pursuant to rule 17.
- (2) The office-bearers of the association shall be: -
- a) the president;
 - b) the senior vice-president;
 - c) the junior vice-president;
 - d) the treasurer;
 - e) the secretary; and
 - f) the assistant secretary
- (3) Each member of the committee is, subject to these rules, to hold office in accordance with the following: -
- (a) the president, junior vice president and secretary are to hold office for two-year terms commencing in even numbered years, until the conclusion of the annual general meeting following this term, but are eligible for re-election; and
 - (b) the senior vice president, treasurer and assistant secretary are to hold office for two-year terms commencing in odd-numbered years until the conclusion of the annual general meeting following this term, but are eligible for re-election; and
 - (c) all other members of the committee are to hold office until the conclusion of the annual general meeting following the date of the member's election, but are eligible for re-election.
- (4) In the event of a casual vacancy occurring in the membership of the committee, the committee may appoint a member of the association to fill the vacancy and the member so appointed shall hold office, subject to these rules, until all positions are declared vacant at the annual general meeting next following the date of the appointment.

17. Election of Members

- (1) Nominations of candidates for election as office-bearers of the association or as ordinary members of the committee: -
- (a) shall be made in writing, signed by 2 members of the association and accompanied by the written consent of the candidate (which may be endorsed on the form of nomination); and
 - (b) shall be delivered to the secretary of the association not less than 7 days before the date fixed for the holding of the annual general meeting at which the election is to take place.
- (2) If insufficient further nominations are received to fill all vacancies on the committee,

the candidates nominated shall be deemed elected and further nominations shall be received at the annual general meeting.

- (3) If insufficient further nominations are received, any vacant positions remaining on the committee of management shall be deemed to be casual vacancies.
- (4) If the number of nominations received is equal to the number of vacancies to be filled, the person nominated shall be deemed elected.
- (5) If the number of nominations received exceeds the number of vacancies to be filled, a secret ballot shall be held.
- (6) The ballot for the election of office-bearers and ordinary members of the association shall be conducted at the annual general meeting in such usual and proper manner as the committee may direct.
- (7) A person shall not be permitted to hold more than one office of the association at any time.

18. Secretary

- (1) The secretary of the association shall, as soon as practicable after being appointed as secretary, lodge notice with the association of his or her address.
- (2) It is the duty of the secretary to attend to all incoming and outgoing correspondence, and to keep minutes of: -
 - (a) all appointments of office-bearers and ordinary members of the committee; and
 - (b) the names of members of the committee present at a committee of meeting or a general meeting; and
 - (c) all proceedings at committee meetings and general meetings.
- (3) The chairperson of the next proceeding meeting shall sign minutes of proceedings at a meeting.

19. Treasurer

It is the duty of the treasurer of the association to ensure that: -

- (a) all money due to the association is collected and received and that all payments authorised by the association are made; and
- (b) correct books and accounts are kept showing the financial affairs of the association, including full details of all receipts and expenditure connected with the activities of the association; and
- (c) adequate reports thereon are provided to the annual general meeting,

general meetings and committee meetings.

20. Casual Vacancies

For the purpose of these rules, a casual vacancy in the office of a member of the committee of management occurs if the member: -

- (a) dies; or
- (b) ceases to be a member of the association in accordance with rule 7; or
- (c) becomes insolvent under administration within the meaning of the Corporation's Act 2001 (Commonwealth); or
- (d) resigns office by notice in writing given to the secretary; or
- (e) is removed from office under rule 21; or
- (f) becomes of unsound mind or a person whose person or estate is liable to be dealt with in any way under the law relating to mental health; or
- (g) is absent without the consent of the committee from all meetings of the committee held during a period of 6 months.

21. Removal of Committee Member

- (1) The association in a general meeting may by resolution remove any member of the committee from the office of member before the expiration of the member's term of office and may by resolution appoint another person to hold office until the expiration of the term of office of the member so removed.
- (2) Where a member of the committee to whom a proposed resolution referred to in clause (1) relates makes representations in writing to the secretary or president (not exceeding a reasonable length) and requests that the representations be notified to the members of the association, the secretary or the president may send a copy of the representations to each member of the association or, if they are not so sent, the member is entitled to require that the representations be read out at the meeting at which the resolution is considered.

22. Meetings and Quorum

- (1) The committee shall meet at least 3 times in each period of 12 months at such place and time as the committee may determine.
- (2) Additional meetings of the committee may be convened by the president or by any member of the committee.

- (3) Oral or written notice of a meeting of the committee shall be given by the secretary to each member of the committee at least 48 hours (or such other period as may be unanimously agreed upon by the members of the committee) before the time appointed for the holding of the meeting.
- (4) Notice of a meeting given under clause (3) shall specify the general nature of the business to be transacted at the meeting and no business other than that business shall be transacted at the meeting, except business that the committee members present at the meeting unanimously agree to treat as urgent business.
- (5) Any 3 members of the committee constitute a quorum for the transaction of the business of a meeting of the committee.
- (6) The committee shall transact no business unless a quorum is present and if within half an hour of the time appointed for the meeting a quorum is not present the meeting stands adjourned to the same place and at the same hour of the same day in the following week.
- (7) If at the adjourned meeting a quorum is not present within half an hour of the time appointed for the meeting, the meeting shall be dissolved.
- (8) At a meeting of the committee: -
 - (a) the president or, in the president's absence, the senior vice-president, or in his absence the junior vice-president, shall preside; or
 - (b) if the president, the senior vice-president and the junior vice-president are absent or unwilling to act such one of the remaining members of the committee as may be chosen by the members present at the meeting shall preside.

23. *Delegation by Committee to Sub-Committee*

- (1) The committee may, by instrument in writing, delegate to one or more sub-committees (consisting of such member or members of the association as the committee thinks fit) the exercise of such of the functions of the committee as are specified in the instrument, other than: -
 - (a) this power of delegation; and
 - (b) a function which is a duty imposed on the committee of management by the Act or by any other law.
- (2) A function, the exercise of which has been delegated to a sub-committee under this rule may, while the delegation remains unrevoked, be exercised from time to time by the sub-committee in accordance with the terms of the delegation.
- (3) A delegation under this section may be made subject to such conditions or limitations as to the exercise of any function the subject thereof, or as to time or circumstances, as may be specified in the instrument of delegation.

- (4) Notwithstanding any delegation under this rule, the committee may continue to exercise any function delegated.
- (5) Any act or thing done or suffered by any sub-committee acting in the exercise of a delegation under this rule has the same force and effect as it would have if it had been done or suffered by the committee.
- (6) The committee may, by instrument in writing, revoke wholly or in part any delegation under this rule.
- (7) A sub-committee may meet and adjourn as it thinks proper.

24. *Voting and Decisions*

- (1) Questions arising at a meeting of the committee or of any sub-committee appointed by the committee shall be determined by a majority of the votes of members of the committee or sub-committee present at the meeting.
- (2) Each member present at a meeting of the committee or of any sub-committee appointed by the committee (including the person presiding at the meeting) is entitled to one vote but, in the event of an equality of votes on any question, the person presiding may exercise a second or casting vote.
- (3) The committee may act notwithstanding any vacancy on the committee.
- (4) Any act or thing done or suffered, or purporting to have been done or suffered, by the committee or by a sub-committee appointed by the committee, is valid and effectual notwithstanding any defect that may afterwards be discovered in the appointment or qualification of any member of the committee or sub-committee.

PART IV

GENERAL MEETINGS

25. *Annual General Meetings - Holding of*

- (1) With the exception of the first annual general meeting of the association, the association shall, at least once in each calendar year and within the period of six (6) months after the expiration of each financial year of the association, convene an annual general meeting of its members.
- (2) The association shall hold its first annual general meeting: -
 - (a) within the period of eighteen (18) months after its incorporation under the Act;
and

- (b) within the period of two (2) months after the expiration of the first financial year of the association.
- (3) Clauses (1) and (2) have effect subject to any extension or permission granted by the Director-General under section 26(3) of the Act.

26. Annual General Meetings - Calling Of and Business At

- (1) The annual general meeting of the association shall, subject to the Act and to rule 25, be convened on such date and at such place and time as the committee thinks fit.
- (2) In addition to any other business which may be transacted at an annual general meeting, the business of an annual general meeting shall be: -
 - (a) to confirm the minutes of the last preceding annual general meeting and of any special general meeting held since that meeting; and
 - (b) to receive from the committee, reports upon the activities of the association during the last preceding financial year; and
 - (c) to elect office-bearers of the association and ordinary members of the committee; and
 - (d) to receive and consider the statement which is required to be submitted to members pursuant to section 26(6) of the Act.
- (3) An annual general meeting shall be specified as such in the notice convening it.
- (4) Subject to this rule the provisions of rules 28 to 35 inclusive apply mutatis mutandis to an annual general meeting.

27. Special General Meetings - Calling of

- (1) The committee may, whenever it thinks fit, convene a special general meeting of the association.
- (2) The committee shall, on the requisition in writing of not less than 5 per cent of the total number of members, convene a general meeting of the association.
- (3) A requisition of members for a general meeting: -
 - (a) shall state the purpose or purposes of the meeting; and
 - (b) shall be signed by the members making the requisitions; and
 - (c) shall be lodged with the secretary; and
 - (d) may consist of several documents in a similar form, each signed by one or more of the members making the requisition.

- (4) If the committee fails to convene a general meeting to be held within 1 month after the date on which a requisition of members for the meeting is lodged with the secretary, any one or more of the members who made the requisition may convene a general meeting to be held not later than 3 months after that date.
- (5) A general meeting convened by a member or members as referred to in clause (4) shall be convened as nearly as is practicable in the same manner as the committee of management convenes general meetings, and any member who thereby incurs expense is entitled to be reimbursed by the association for any expense so incurred.

28. Notice

- (1) Except where the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the association, the secretary shall, at least fourteen (14) days before the date fixed for the holding of the general meeting, cause a notice to be sent to each member at the member's address appearing in the register of members, specifying the place, date and time of the meeting and the nature of the business proposed to be transacted at the meeting.
- (2) Where the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the association, the secretary shall, at least twenty-one (21) days before the date fixed for the holding of the general meeting, cause notice to be sent to each member in the manner provided in clause (1) specifying, the intention to propose the resolution as a special resolution.
- (3) No business other than that specified in the notice convening a general meeting shall be transacted at the meeting, except, in the case of an annual general meeting, business that may be transacted pursuant to rule 29(2).
- (4) A member desiring to bring any business before a general meeting may give notice in writing of that business to the secretary who shall include that business in the next notice calling a general meeting given after receipt of the notice from the member.

29. Procedure

- (1) No item of business shall be transacted at a general meeting unless a quorum of members entitled under these rules to vote is present during the time the meeting is considering that item.
- (2) Nine members present in person (being members entitled under these rules to vote at a general meeting) constitute a quorum for the transaction of the business of a general meeting.
- (3) If within half an hour after the appointed time for the commencement of a general meeting a quorum is not present, the meeting if convened upon the requisition of members shall be dissolved and in any other case shall stand adjourned to the same day in the following week at the same time and (unless another place is

specified at the time of adjournment by the person presiding at the meeting or communicated by written notice to members given before the day to which the meeting is adjourned) at the same place.

- (4) If at the adjourned meeting a quorum is not present within half an hour after the time appointed for the commencement of the meeting, the members present (being not less than 3) constitute a quorum.

30. *Presiding Member*

- (1) The president or, in the president's absence, the senior vice-president, shall preside as chairperson at each general meeting of the association.
- (2) If the president and the senior vice-president are absent from a general meeting or unwilling to act, the members present shall elect one of their number to preside as chairperson at the meeting.

31. *Adjournment*

- (1) The chairperson of a general meeting at which a quorum is present may, with the consent of the majority of members present at the meeting, adjourn the meeting from time to time and place to place, but no business shall be transacted at an adjourned meeting other than the business left unfinished at the meeting at which the adjournment took place.
- (2) Where a general meeting is adjourned for 14 days or more, the secretary shall give written or oral notice of the adjourned meeting to each member of the association stating the place, date and time of the meeting and the nature of the business to be transacted at the meeting.
- (3) Except as provided in clauses (1) and (2), notice of an adjournment of a general meeting or of the business to be transacted at an adjournment meeting is not required to be given.

32. *Making of Decisions*

- (1) A question arising at a general meeting of the association shall be determined on a show of hands and, unless before or on the declaration of the show of hands a poll is demanded, a declaration by the chairman that a resolution has, on a show of hands, been carried or carried unanimously or carried by a particular majority or lost, an entry to that effect in the minute book of the association, is evidence of the fact without proof of the number or proportion of the votes recorded in favour of or against that resolution.
- (2) At a general meeting of the association, a poll may be demanded by the chairperson or by not less than 3 members present in person at the meeting.
- (3) Where a poll is demanded at a general meeting, the poll shall be taken: -

- (a) immediately in the case of a poll which relates to the election of the chairperson of the meeting or to the question of an adjournment; or
- (b) in any other case, in such manner and at such time before the close of the meeting as the chairperson directs, and the resolution of the poll on the matter shall be deemed to be the resolution of the meeting of that matter.

33. Special Resolution

A resolution of the association is a special resolution if: -

- (1) it is passed by a majority which comprises not less than three quarters of the votes of the members entitled to vote cast in person or by proxy at a general meeting of which not less than 21 days written notice specifying the intention to propose the resolution as a special resolution was given in accordance with these rules; or
- (2) where it is made to appear to the Commissioner that it is not possible or practicable for the resolution to be passed in the manner specified in paragraph (a) the resolution is passed in a manner specified by the Commissioner.

34. Voting

- (1) Any question arising at a general meeting of the association shall be determined by a vote of members entitled to vote. Members entitled to vote shall be those persons whose names appear on the register of members maintained by the secretary pursuant to rule 10 of these rules and who have: -
 - (a) attained the age of 16 years at the date of the meeting; and
 - (b) completed 4 official appointments during the preceding 12 months.
- (2) Except as provided in rule 34(4) a member has one vote only.
- (3) All votes shall be given personally or by proxy but no member may hold more than 5 proxies.
- (4) In the case of an equality of votes on a question at a general meeting, the chairperson of the meeting is entitled to exercise a second or casting vote.
- (5) A member or proxy is not entitled to vote at any general meeting of the association unless all money due and payable by the member or proxy to the association has been paid, other than the amount of the annual subscription payable in respect of the current year.

35. Appointment of Proxies

- (1) Each member shall be entitled to appoint another member as proxy by notice given to the secretary no later than 24 hours before the time of the meeting in respect of which the proxy is appointed.

- (2) The notice appointing the proxy shall be in such form as the committee determines.

PART V

MISCELLANEOUS

36. Insurance

- (1) The association shall effect and maintain insurance pursuant to section 44 of the Act.
- (2) In addition to the insurance required under clause (1), the association may effect and maintain other insurance.

37. Funds - Source

- (1) The funds of the association shall be derived from entrance fees and annual subscriptions of members, donations and, subject to any resolution passed by the association in a general meeting, such other sources as the committee determines.
- (2) All money received by the association shall be deposited as soon as practicable and without deduction to the credit of the association's bank account.
- (3) The association shall, as soon as practicable after receiving any money, issue an appropriate receipt.

38. Funds - Management

- (1) Subject to any resolution passed by the association in a general meeting, the funds of the association shall be used in pursuance of the objects of the association in such manner as the committee of management determines.
- (2) All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments shall be signed by any two (2) of president, vice-president, treasurer or secretary or employees of the association, being members or employees authorised to do so by the committee.

39. Alteration of Objects and Rules

The statement of objects and these rules may be altered, rescinded or added to only by a special resolution of the association.

40. Common Seal

- (1) The common seal of the association shall be kept in the custody of the public officer.
- (2) The common seal shall not be affixed to any instrument except by the authority of the committee of management and the affixing of the common seal shall be attested by the signatures either of 2 members of the committee or of 1 member of the committee and of the public officer or secretary.

41. Custody of Books

Except as otherwise provided by these rules, the secretary and the treasurer shall keep in their custody or under their control all records, books and other documents pertaining to their areas of responsibility under these rules, relating to the association.

42. Inspection of Books, etc

The records, books and other documents of the association shall be open to inspection, free of charge, by a member of the association at any reasonable hour.

43. Service of Notices

- (1) For the purpose of these rules, a notice may be served by or on behalf of the association upon any member: -
 - (a) by delivering it to the member personally; or
 - (b) by sending it by pre-paid post to the member's address shown in the registry of members; or
 - (c) by sending it by facsimile transmission or some other form of electronic transmission to an address specified by the member for giving or serving the notice.
- (2) For the purpose of these rules, a notice is taken, unless the contrary is proved, to have been given or served: -
 - (a) in the case of a notice given or served personally, on the date on which it is received by the addressee; and
 - (b) in the case of a notice sent by pre-paid post, on the date when it would have been delivered in the ordinary course of post; and
 - (c) in the case of a notice sent by facsimile transmission or some other form of electronic transmission, on the date it was sent or, if the machine from which the transmission was sent produces a report indicating that the notice was sent on a later date, on that date.

44. *Surplus Property*

In the event of the winding up or the cancellation of the incorporation of the association, the property of the association shall vest in the Ku-ring-gai and District Soccer Association Incorporated to the intent that it shall be used as far as reasonably practicable to further the objectives set out in rule 4.

45. *Resolution of Internal Disputes*

- (1) Disputes between members (in their capacity as members) of the association, and disputes between members and the association, are to be referred to a community justice centre for mediation in accordance with the Community Justice Centre Act 1983.
- (2) At least 7 days before a mediation session is to commence, the parties are to exchange statements of the issues that are in dispute between them and supply copies to the mediator.

APPENDIX

Formal Disciplinary Procedures provided for under Rules 13 and 14

Action	Rule
Committee resolves to discipline member, and: - <ul style="list-style-type: none"> ◆ expel; or ◆ suspend for a nominated period; or ◆ fine – an amount not exceeding accumulated match fees. 	13 (1)
Committee (<i>as soon as practicable after making a resolution</i>) serves notice on member: - <ul style="list-style-type: none"> ◆ outlining the resolution and the grounds for making it; ◆ advising that member may address a committee meeting to be held between 14 and 28 days after service of notice; ◆ stating date, time and place of meeting; ◆ advising that member may attend meeting and speak and/or make written submission. 	13 (3)
Committee confirms resolution <i>between 14 and 28 days after service of notice</i> on member.	13 (2)
Committee holds meeting and, <i>at the meeting</i> : - <ul style="list-style-type: none"> ◆ considers any oral or written submissions from member; and ◆ decides whether to revoke or confirm resolution. 	13 (4)
If committee confirms resolution, Secretary notifies member <i>within 28 days of confirmation</i> and advises member of right of appeal.	13 (5)
Confirmation under 13 940 not effective until later of: - <ul style="list-style-type: none"> ◆ expiration of appeal period; or ◆ if member appeals resolution confirmed by association general meeting. 	13 (6)
If resolution confirmed, member may appeal <i>within 7 days after service of notice under rule 13 (5)</i>	14 (1)
Secretary convenes general meeting <i>within 28 days of receipt of notice of appeal</i> .	14 (2)
At general meeting: - <ul style="list-style-type: none"> ◆ no other business transacted; and ◆ member and committee may present cases orally and/or in writing; and ◆ secret ballot of members to confirm or revoke original committee resolution (member appealing and committee members entitled to vote) 	14 (3)
Decision of general meeting final.	14 (4)