

**Lanyon Little Athletics Association Incorporated**

**CONSTITUTION**

**Lodged with the Registrar-General**

By

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## **LANYON LITTLE ATHLETICS ASSOCIATION INCORPORATED**

### **1 Name of the Association**

- 1.1 The name of the Association shall be Lanyon Little Athletics Association Incorporated, herein referred to as the 'Centre'.
- 1.2 All correspondence issued or executed by or on behalf of the Centre shall bear the name of Lanyon Little Athletics Association Incorporated in legible characters.

### **2 Office of the Centre**

- 2.1 The office of the Centre shall be at such place as the Centre may determine from time to time.

### **3 Objectives of the Centre**

- 3.1 The objectives of the Centre are:
  - 3.1.1 To assist children to complete in athletics for the sake of recreation, and to provide a suitable environment which will assist the development of the children.
  - 3.1.2 To promote recreational, social and community activities with emphasis on family involvement.

### **4 Powers of the Centre**

- 4.1 The powers of the Centre are:
  - 4.1.1 To organise and control those Little Athletes registered with the Centre, hereinafter referred to as 'registered members', in competitions arranged under the auspices of the Little Athletics Association of the Australian Capital Territory, hereinafter referred to as the A.C.T.L.A.A.
  - 4.1.2 To organise coaching and education for registered members.
  - 4.1.3 To appoint officials to act as representatives of the Centre in any competitions organised under the auspices of the A.C.T.L.A.A.
  - 4.1.4 To take whatever steps are considered necessary in order to ensure that the interests and rights of all registered members, regardless of race, gender, ability or background, are in no way hindered or jeopardised.
  - 4.1.5 To impose and collect fees, dues, levies and other charges as determined by the committee.
  - 4.1.6 To buy, sell and supply goods of all kinds provided that it is not for the purpose of trading or securing pecuniary profit for the Centre's members.

- 4.1.7 To refuse registration to any person.
- 4.1.8 To cancel registration for any person without necessarily reimbursing fees.

## **5 Membership**

- 5.1 Membership of the Centre shall be open to any child provided that:
  - 5.1.1 The child has attained five (5) years of age and not seventeen (17) years of age on the 30<sup>th</sup> of September each season or a date as determined by A.C.T.L.A.A.
  - 5.1.2 The parents or guardians of the child have registered the child and paid all fees as specified by the Committee.

## **6 Management**

- 6.1 The management of the Centre shall be vested in a Committee of not less than six (6) adults who shall be elected by a simple majority at the Annual General Meeting of the Centre.
- 6.2 The committee shall include the following positions, each of which shall be elected at the Annual General Meeting after nominations have been called for:
  - 6.2.1 President
  - 6.2.2 Vice President
  - 6.2.3 Secretary
  - 6.2.4 Treasurer
  - 6.2.5 Registrar
- 6.3 The Committee may include any other positions that it considers necessary.
- 6.4 Each member of the committee shall, subject to these rules, hold office until the conclusion of the annual general meeting following the date of the member's election, but is eligible for re-election.

## **7 Powers of the Committee**

- 7.1 The Committee having regard to this Constitution and the Constitution of the A.C.T.L.A.A., shall plan and implement the competitive requirements of the registered members and any other related or social activities that it thinks fit for the benefit of the Centre. The Committee may also determine the filling of casual vacancies on the Committee as notified in accordance with Section 22 of this Constitution.

- 7.2 The Committee shall have the power to make such payments from the funds of the Centre as are from time to time considered necessary to the good management of the Centre for furthering of its objectives.
- 7.3 The Committee shall determine the investment of the Centre moneys in such a manner as is deemed appropriate.
- 7.4 The Committee shall in accordance with the *Associations Incorporation Act 1991 (ACT)*, appoint a public officer who shall undertake such duties as are required by the laws of the Australian Capital Territory. If that office at any time becomes vacant, the Committee shall appoint within 14 days, a person resident in the ACT to fill that vacancy.

## **8 Annual General Meeting**

- 8.1 The Annual General Meeting shall be held once in each calendar year, within the period five (5) months, beginning at the end of the Centre's most recently ended financial year and shall be open to any adult interested in furthering the objectives of the Centre. Adults present at the meeting shall be entitled to debate and to vote on the business of the meeting.

## **9 Committee Meetings**

- 9.1 The Committee shall meet at least once within a two (2) calendar month period at a date, time and place to be decided and advised by the Secretary, unless agreed by the Committee that such a meeting is not required, and shall be a valid meeting if attended by not less than four (4) of the elected members.
- 9.2 All Committee members in attendance will each have a vote.
- 9.3 The Chairperson shall have an ordinary and casting vote if necessary at all meetings.

## **10 Special General Meetings**

- 10.1 A Special General Meeting shall be called at any time when ten (10) or more interested adults request the Secretary to call such a meeting or when the Committee decides that such a meeting is necessary.
- 10.2 Except where the nature of the business proposed to be dealt with at a Special General Meeting requires a special resolution of the Centre, at least fourteen (14) days written notice, specifying the place, date, time of the meeting and the nature of the business to be transacted shall be given to members of the Centre.
- 10.3 Where the nature of the business proposed to be dealt with at a Special General Meeting requires a special resolution, at least twenty one (21) days notice, in the manner provided in Rule 10.2 specifying, in addition to the matter required under that rule, the intention to propose the resolution as a special resolution.

10.4 A resolution shall be passed by not less than three quarters of those members present.

## **11 Quorum**

11.1 Ten (10) adults shall constitute a quorum at any Annual or Special General Meeting. Four (4) members shall constitute a quorum of the Committee.

## **12 Amendments to the Constitution**

12.1 Amendments to the Constitution shall be in writing and proposed and seconded by adults who are parents or guardians of the registered members and shall be forwarded to the Secretary at least seven (7) days prior to the Annual General Meeting or Special General Meeting called for that purpose.

12.2 For the purpose of amending the Constitution, it will be necessary for not less than three quarters of those members present at the Annual General Meeting or Special General Meeting called for the purpose to consider any such proposed amendment.

## **13 Finance**

13.1 The financial year of the Centre will end on the 31<sup>st</sup> March each year.

13.2 The Centre shall derive income from activities and grants approved by the Committee.

13.3 All monies received by the Centre shall be deposited to the credit of the Centre with a banking institution, or other financial institution in the ACT approved by the Committee.

13.4 All payments made for the Centre shall be by cheque with the exception being payments processed by the Treasurer's petty cash.

13.5 At each Annual General meeting, an Auditor shall be appointed in accordance with the *Associations Incorporation Act 1991 (ACT)* to audit all accounts of the Centre, including special and trust accounts and report on such at the next Annual Meeting. The appointed auditor shall be a recognised Accountant or person qualified in business practice and not a member of the Committee.

13.5.1 In the case of an appointed Auditor being unavailable for the entire year or that it is necessary to replace an appointed Auditor, the Committee shall have the power to appoint a replacement Auditor for the period up until the next Annual General Meeting.

13.6 The income and property of the Centre whencesoever derived, shall be applied solely towards the promotion of the objectives of the Club and no portion thereof shall be transferred directly or indirectly by the way of dividend, bonus or otherwise howsoever by the way of profit to the members of the Centre. Nothing herein shall prevent the payment in good faith of remuneration to any officer or servant of the Centre in return for any services actually rendered to

the club, or reasonable and proper rent for premises let by any member of the Centre.

**14 Annual Report and Balance Sheet**

- 14.1 The audited Annual General Report and Balance Sheet shall be presented at the Annual General Meeting by the Treasurer and shall be debated and received or otherwise by a simple majority of those adults present.
- 14.2 The Committee shall ensure that copies of the Audited Annual General Report and Balance Sheet are available for perusal by members immediately before and during the Annual General Meeting.

**15 Affiliation**

- 15.1 The Centre shall affiliate with A.C.T.L.A.A. each year, paying the necessary affiliation fees set down in the rules of the A.C.T.L.A.A. and notifying the A.C.T.L.A.A. Secretary of the names, addresses and positions of the Centre Committee on the Centre affiliation form.

**16 Members' Liability**

- 16.1 No registered member of committee member shall be liable for any claim whatsoever, monetary or otherwise in the event claims by persons whether they be members or non-members.
- 16.2 Where a debt has incurred through the illegal action of a member or members, or without authority of the Committee, that member or members will be liable for the debt.

**17 Disciplining of members**

- 17.1 Where the Committee is of the opinion that a member:
  - 17.1.1 has persistently refused or neglected to comply with a provision of these rules;  
or
  - 17.1.2 has persistently and wilfully acted in a manner prejudicial to the interests of the Centre,  
  
the Committee may, by resolution:
    - 17.1.3 expel the member from the Centre; or
    - 17.1.4 suspend the member from the rights and privileges of membership of the Centre as the Committee may determine for a specified period.
- 17.2 Where the Committee passes a resolution under Rule 17.1 the Secretary shall provided a notice in writing to the member stating:
  - 17.2.1 the resolution of the Committee and the grounds upon which it was based;

- 17.2.2 that the member may address the Committee at a meeting to be held no earlier than fourteen (14) days and no later than twenty eight (28) days after service of the notice;
- 17.2.3 the date, time and place of the Committee meeting;
- 17.2.4 that the member may do either or both of:
- (i) attend and speak at the meeting
  - (ii) submit to the Committee at or prior to the date of that meeting written representation relating to the resolution
- 17.3 Subject to section 50 of the *Associations Incorporation Act 1991 (ACT)*, at the meeting of the Committee convened under Rule 17.2 the Committee shall:
- 17.3.1 give to the member an opportunity to make oral presentation;
- 17.3.2 give due consideration to any written representations submitted to the Committee by that member prior to or at the meeting; and
- 17.3.3 by resolution determine whether to confirm or to revoke the resolution of the Committee made under Rule 17.1
- 17.4 Where the Committee confirms a resolution under Rule 17.3, the Secretary shall within 7 days after that confirmation, by notice in writing inform the member of that confirmation and of the member's rights of appeal under Rule 18.
- 17.5 A resolution confirmed by the Committee under Rule 17.3 does not take effect:
- 17.5.1 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 the period; or
- 17.5.2 where within the period the member exercises the right of appeal, unless and until the Centre confirms the resolution in accordance with Rule 18.4

## **18 Right of appeal of disciplined member**

- 18.1 A member may appeal to the Centre in General Meeting against a resolution of the Committee which is confirmed under Rule 17.3, within seven (7) days after notice of the resolution is served on the member, by lodging with the Secretary a notice to that effect.
- 18.2 Upon receipt of a notice under Rule 18.1, the Secretary shall notify the Committee which shall convene a Special General Meeting of the Centre to be held within twenty one (21) days after the date on which the Secretary received the notice or as soon as possible after that date.
- 18.3 Subject to section 50 of the *Associations Incorporation Act 1991 (ACT)*, at a Special General Meeting of the Centre convened under Rule 18.2:

- 18.3.1 no business other than question of the appeal shall be transacted;
- 18.3.2 the Committee and the member shall be give the opportunity to make representations in relation to the appeal orally or in writing, or both; and
- 18.3.3 the members present shall vote by secret ballot on the question of whether the resolution made under Rule 17.3 should be confirmed or revoked.
- 18.4 Should the Special General Meeting pass a special resolution in favour of the confirmation of the resolution made under Rule 17.3, that resolution is confirmed.

## **19 Dissolution of the Centre**

- 19.1 The Centre may be wound up voluntarily whenever a resolution is passed requiring the Centre to be wound up or dissolved at a Special General Meeting of the Centre called for this purpose.
- 19.2 If upon winding up or dissolution of the Centre after the satisfaction of all its debts and liabilities any moneys or property whatsoever remaining shall not be paid or distributed among the registered members but may be offered to the Board of Management of the A.C.T.L.A.A. This course of action will be determined by parents and / or guardians of registered members of the Centre at a meeting held prior to, or at the same time, as the motion of dissolution or winding up.

## **20 Common Seal**

- 20.1 The seal of the Centre, hereinafter known as 'the Seal', shall be in the form of a rubber stamp inscribed with the name of the Centre encircling the word 'seal'.
- 20.2 The Seal of the Centre shall not be affixed to any instrument except by the authority of the Committee and the affixing thereof shall be attested by the signatures either of two (2) members of the Committee or of one member of the Committee and of the Public Officer of the Centre or such other person as the Annual General Meeting may appoint for that purpose and that attestation is sufficient for all purposes and that the Seal was affixed by authority of the Committee.
- 20.3 The Seal shall remain in the custody of the Secretary.
- 20.4 The Secretary shall maintain a register of the use of the Seal recording date and purpose for which it was used and the authority by which it was used.

## **21 Responsibilities of Office Bearers**

### **21.1 President**

- 21.1.1 The President shall chair all meetings of the Centre Committee and General Meetings of the Centre. In the event of the President being absent from a

meeting the Vice President shall perform the duties of the Chairman for that meeting.

## 21.2 **Secretary**

21.2.1 The Secretary shall:

21.2.1.1 maintain the business records of the Centre;

21.2.1.2 provide for the custody of any books, documents or securities of the Centre;

21.2.1.3 provide for the inspection by members of any books or documents of the Centre;

21.2.1.4 act as minute secretary at each Centre meeting and maintain a true and proper record of each meeting;

21.2.1.5 receive correspondence forwarded to the Centre and present such to each Committee Meeting for consideration and maintain a file of all such correspondence;

21.2.1.6 be responsible for forwarding correspondence on behalf of the Centre and maintain a file of all such correspondence;

21.2.1.7 notify Committee members of the date of Committee meetings;

21.2.1.8 give notice of the Annual General Meeting and any other General Meeting of the Centre by the best possible means that will ensure that all interested parties are given notice of such meetings.

## 21.3 **Treasurer**

21.3.1 The Treasurer will:

21.3.1.1 keep a detailed record of all receipts and payments transacted for the Centre by the Committee. The record shall be in the form of a ledger book or similar system and shall comply with the requirements of the *Associations Incorporation Act 1991 (ACT)*;

21.3.1.2 maintain or delegate an imprest petty cash float as determined by the Committee;

21.3.1.3 pay on invoice only, all accounts approved for payment by the Committee and make all such payments by cheque;

21.3.1.4 arrange for two (2) or any four (4) of the Committee, one of whom must be the Treasurer, others to be determined by the Committee, to act as co-signees of all cheques on the Centre Bank Account ensuring that two (2) or more members of the same family cannot act as signees on the same cheque.

- 21.3.1.5 deposit fees and monies due to the Centre in the approved Centre Bank Account or other financial institution as approved by the Committee within seven (7) days of receipt;
- 21.3.1.6 present to the Auditor appointed by the Committee a summary of receipts and expenditure and a balance sheet together with supporting documents for auditing purposes.
- 21.3.1.7 present for approval the audited Summary of Receipts and Expenditure and Balance Sheet to the Committee meeting prior to the Annual General Meeting in order that it may be included in the Annual Report.

**21.4 Registrar**

- 21.4.1 The Registrar shall;
  - 21.4.1.1 issue to any person interested in becoming a registered member, an A.C.T.L.A.A. registration card to be completed by the parent or guardian;
  - 21.4.1.2 receive all correctly completed registration cards and affiliation fees;
  - 21.4.1.3 maintain a record of all registered members and forward such names on the appropriate form to the A.C.T.L.A.A. Registrar.
  - 21.4.1.4 maintain a record of all affiliation fees and forward all moneys promptly to the Centre Treasurer for banking.

**22 Casual Vacancies**

- 22.1 Any member of the Committee may submit his resignation in writing to a Centre meeting.
- 22.2 If any member of the Committee is absent from two (2) consecutive meetings of the Centre without the expressed permission of the Committee, the position may be declared vacant.
- 22.3 Vacant positions on the Committee shall be filled until the next Annual General Meeting by persons appointed by the Committee.

**23 Centre Uniform**

- 23.1 The approved Centre uniform is to be worn by all registered members in all official competitions at which the Centre will be represented and will be an aqua singlet with royal blue hoop and piping, and royal blue shorts or bike pants with aqua leg panel.

Date this ..... Day of ..... 2002

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Brent Fraser, President

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Dominica Walsh, Public Officer