

**CONSTITUTION AND RULES OF THE SOUTH GAWLER
FOOTBALL CLUB INC. AS FROM 13TH JANUARY 2012**

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1. **NAME OF THE CLUB**

- (1) The name of the Club shall be South Gawler Football Club Incorporated.
- (2) The Club shall not be dissolved or its name changed without the concurrence of 5/6ths of its financial members. A Special General Meeting shall be called for that purpose. At least one month's notice of such meeting shall be given to members.

2. **OBJECTS OF THE CLUB**

- (1) To foster Australian Rules Football
- (2) To encourage members
- (3) To conduct other sporting activities for the enjoyment of members according to the needs of the members. These other sporting activities to be collectively called "Affiliated Sports". These sporting groups to be named at each AGM and a list be displayed within the Club premises, and the Executive Management of the SGFC shall have the authority to include/exclude any groups applying to become affiliated between AGMs.

3. **ELECTION OF COMMITTEE**

- (1) The affairs of the Club shall be managed by a minimum of a 5 person Committee of Management of the Club (called the Executive) elected by the general body of members.
- (2) The elected Executive Committee to comprise a President and four Directors, named Financial Director, Administration Director, Senior Football Director, Junior Football Director, Colts Committee Director, Affiliated Sports Director and Netball Director.

(3) Broad responsibilities of the Executive:

- # President – Preside over the affairs of the Club
- # Director Administration – Bar, catering and asset management
- # Director Finance – Social/fundraising and all financial processes and accountabilities
- # Director Senior Football – A & B Grades
- # Director Junior Football – U17, 15, 13, 11 and 9 Grades
- # Under 13, 11 and 9 controlled by a junior manager reporting to Junior Director
- # Colts Committee Director – report on junior functions and finances
- # Netball Director – Netball
- # Affiliated Sports Director – Cricket, 8 ball, tennis and others

(4) Each Director to form sub-committees to assist them in their responsibilities. The chair of these sub-committees to be called Managers.

(5) The Honorary Officers holding positions in the Club shall consist of Patron/s, Presidents and Directors, (minimum of 4), and such office holders shall be appointed by the Club at its AGM and shall hold office during the pleasure of its members. Any vacancy can be filled at a special meeting of the Club.

(6) The elected members of the Executive shall hold office for a period of two (2) years, with the President and the Financial Director retiring in alternate years to the Administration Director.

(7) Retiring members of the Executive shall be eligible for re-election.

(8) Nominations for positions on the Executive may be either on the prescribed form and signed by two financial members of the Club or may be received from the floor.

(9) A deputy President shall be appointed by the Executive from its minimum of 5 Directors annually.

(10) Should the President, the Financial Director or the Administrative Director be absent for two consecutive meetings without a satisfactory explanation the position shall be declared vacant. A reasonable opportunity shall be afforded to the absentee to make a written explanation.

(11) Should any elected member of the Executive resign or become permanently incapable the remaining members of the Executive have the power to elect a successor.

(12) Any member of the Executive or sub-committee divulging the confidences of the committee meetings unless otherwise authorised, shall be dealt with by the Executive.

(13) The Executive shall meet monthly, or at any other time as deemed necessary. The Directors shall form the nucleus of management and shall attend meetings through their entirety. The sub-committee managers need only attend at designated times to discuss their portfolios only. Should they be unable to attend such meetings personally, they may submit a written report on their respective portfolio to the meeting. The Executive and the sub-committee shall meet at least twice a year in its entirety.

4. POWERS OF THE EXECUTIVE

(1) Without limiting the General Authority of the Executive to manage the whole of the affairs of the Club it shall have power to frame by-laws, conduct all matches, to settle all disputes, and the Executive's decision thereupon shall be final. If any case arises which is in the opinion of the Executive not provided for by these rules, it shall be determined by the Executive in such a manner as it shall think fit. The Executive's decision thereupon shall be final subject however to any decision arrived at by any Special General Meeting which may be called herein after provided.

(2) The Executive shall be empowered to retain a qualified accountant for the purpose of proper accounting of the Club's books of account. The accountant shall report on the affairs of the Club to the Executive as required on a regular basis and cause the books to be audited annually (or otherwise as directed by the Executive) by a qualified Auditor appointed by the Club.

(3) The Executive shall recommend an Auditor/Auditors to the Annual General Meeting of the Club.

(4) The Executive is empowered, in the name of the Club, to borrow money for special purposes as deemed necessary. The limit on the amount borrowed in excess of \$20,000 (Twenty thousand dollars) shall be fixed by the members in a General or Special Meeting.

(5) The Executive is further empowered in the name of the Club to raise finance by means of debenture from among the members.

(6) Any members may be expelled by the Club Executive through misconduct. Any members so expelled shall forfeit all interest in the Club.

5. **SECRETARY/MANAGER**

A person shall be appointed by the Executive of the Club and shall be named the Secretary/Manager of the Club and shall be a paid employee. He/she will have no voting rights at Executive or management meetings. His/her remuneration and conditions of employment will be determined by the Executive. This position must be advertised, as it becomes vacant, in the appropriate newspapers as to attract the best possible applicant. Should the need arise the Executive Committee has the power to appoint a temporary Secretary/Manager for a period not exceeding 2 (two) months.

6. **DUTIES OF OFFICE BEARERS**

(1) The President shall preside at all meetings of the Club, but if absent the Deputy President shall preside. If neither of these officers be present at the appointed time of the meeting a presiding officer may be elected from the members of the Club. The presiding officer shall have a deliberate as well as a casting vote. The President shall have full power at any meeting presided over and may reject or admit any evidence or summon any witness to be present. If the President is unable to adjudicate on any matter it shall be dealt with as Club members think best.

(2) The Secretary/Manager shall convene and attend all meetings of the Executive, and General Meetings and keep regular and correct Minutes of same, conduct the correspondence according to the directions of the Executive and attend generally to all clerical duties in connection with the Club.

(3) The Secretary/Manager shall be responsible for the collection and banking (as applicable) of all monies raised in the name of the Club after ratification by the Executive.

(4) The Secretary/Manager shall maintain correct books of account showing the financial affairs of the Club.

(5) The Executive shall, in the name of the "South Gawler Football Club Inc" open an account or accounts at a bank to be named by the Committee, and all monies received shall be deposited to the credit of that/those accounts. Such account/accounts to be operated upon by the President, Financial Director and

Secretary/Manager, two signatures of such three to be sufficient for attaching to all cheques drawn on such bank accounts. The Secretary/Manager shall be required to submit to the Annual General Meeting a statement of the Club's accounts for the past year ended, during the term of office which shall have been duly audited and certified correct by the Auditor/Auditors appointed for the purpose at the preceding Annual General Meeting.

(6) The Secretary/Manager shall, if called upon by the Executive at any time produce the Club's books and submit a statement of income and expenditure, or place statement, duly made up, on the table at each meeting or at times as requested by the Executive.

(7) The Assistant Secretary shall assist the Secretary/Manager in all duties and undertake any other duties as thought fit by the Executive.

(8) The Managers of the sub-committees as described in Rule 4 shall be responsible for the running and managements of that portfolio during their term in office. The Managers may form further sub-committees to assist them, subject to the Executive approval. The various duties and responsibilities of these portfolios shall be set down from time to time by the Executive. These duties and responsibilities shall be recorded and filed by the Secretary/Manager for future reference.

7. MEETINGS

(1) The Executive shall meet monthly or at any other time deemed necessary by the Executive.

(2) The Annual General Meeting of the Club shall be held not later than the 30th day of November in each year.

(3) General meetings of the body of members shall be held from time to time.

8. QUORUM

The number of Life, Club, Pensioner and Student Members to form a quorum at a General or Special Meeting of the Club shall be 25.

9. **BALLOT**

The election to all offices shall be by ballot or a show of hands. The Presiding Officer shall deem which.

10. **SPECIAL GENERAL MEETING**

(1) A Special General Meeting of the Club shall be convened by the Secretary/Manager at any time upon the direction of the President or Executive or within ten (10) days after receipt of a requisition in writing signed by not less than 10 members who have complied with the rule and who, in their application shall state clearly the object and business to be dealt with at such Special Meeting, and no business shall be brought forward or discussed except that for which purpose such Meeting was convened.

(2) At least seven (7) days notice of such meeting shall be given to members. No technical objection shall be raised against the form of notice if the majority of the members present consider that the meaning was plain.

11. **COLOURS**

The colours of the Club shall be Royal Blue and White and shall be registered as same to the appropriate football Association.

12. **CLAIMS**

No member of the Club can hold the Club responsible for any injury received or debts incurred.

13. **POSTED LIST**

A list of office bearers and officials of the Club shall be posted in the Clubrooms each year.

14. **LIFE MEMBERS**

Life members shall be appointed by the Executive. Any member may nominate another member for Life Membership to the Executive. Eligibility for Life Membership is ten years service to the Club.

15. **FUNDRAISING**

No money shall be raised in the name of the Club unless approved by a meeting of the Club or Executive. All money raised shall be paid into the Club and recorded in the Club books before being used for any purpose. Affiliated Sports Committees shall obtain approval of the Executive for all their fundraising activities.

16. **MEMBERSHIP OF THE CLUB**

- (1) Financial and Life Members shall be deemed Members of the Club.
- (2) Such members to be liable for payment of annual subscriptions as fixed at the Annual General Meeting.
- (3) A current register of financial members shall be kept by the Secretary/Manager and posted in a conspicuous position in the Clubrooms.
- (4) Persons may become financial members of the Club by completing an application form and accompanied by the annual subscription fee. The application to be displayed in the Club for a minimum period of seven days.
- (5) The Executive shall have the power to accept or reject any such applications for membership.
- (6) In the event of any application being rejected by the Executive the subscription fee shall be refunded.
- (7) The Secretary/Manager of the Club shall keep a record of the number of Executive members voting on proposals for membership.

(8) The subscription fee for members of the Club for each year shall be fixed at the Annual General Meeting of the Club after consideration of recommendations from the Executive.

(9) All members shall be entitled to attend all General Meetings of the Club, however only financial members of the SGFC will be entitled to vote at those meetings. No person shall vote at any meeting of the Club unless his/her membership and any other dues fixed from time to time have been duly paid.

(10) Membership fees become due and payable immediately after the Annual General Meeting in each year. Failure to renew membership by the 31st day of December each year shall cause that membership to lapse.

(11) Membership shall close on the 31st day of August in each year.

(12) Only financial members of the South Gawler Football Club shall be eligible for nomination for any official position in the Club.

(13) The Executive shall have the power to admit various classes of members at its discretion as listed hereunder :

Student Members are those members over the age of 17 years on the 1st day of January and are still attending secondary school or university.

Club Members are those members having paid the full maximum fees and dues as set at AGM.

Concession Members are those members who at the time of membership application are the recipients of a Government Pension.

Life Members are those members appointed as such by the Executive.

Honorary Members

(a) The players of any other sporting club affiliated with the South Australian State Sport Authority who visit the Club on any day for the purpose of playing sport against the Club shall be Honorary Members of the Club for that day.

(b) The Officials of a club referred to in sub-paragraph (a) hereof provided that the maximum number of such officials shall not exceed ten (10) shall be honorary members of the Club that day.

© The President shall have the power to elect as Honorary Members for any period not exceeding one month any person who is a member of an interstate sporting club which is visiting Adelaide.

(d) The name of the Honorary Member and the name of the sporting club of which the Honorary Member is a member shall be recorded in a book known as "The Honorary Members Book".

(e) Honorary Members shall enjoy all the privileges of Full Members save and except as follows :

- (i) Honorary Members shall not be eligible to be elected as members of the Executive Committee.
- (ii) Honorary Members shall not be entitled to vote on any issue
- (iii) Honorary Members shall not be entitled to receive any notice required to be given to Full Members
- (iv) Honorary Members shall not be entitled to introduce visitors

(f) Honorary members shall not be liable to pay entrance fee or subscription.

17.

AUSTRALIAN RULES FOOTBALL

(1) Appointment of Coach

The Coach shall be appointed by the Executive for such period as the Executive shall decide. Such appointment shall be subject to contract with both parties retaining the right to terminate such contract provided sufficient notice is given. However all conditions of the coaching contract shall be drawn up and negotiated by the Executive Committee who shall at all times retain the best interests of the Club.

(2) Appointment of Captain and Vice- Captain

(1) The Captain and Vice-Captain of each grade team shall be selected prior to the first Association match in each year by the Executive in conference with the Football Manager.

(2) Any vacancy occurring in any of the positions of Captain or Vice-Captain shall be filled at a meeting of the Executive in conference with the Football Manager

(3) Selection Committee

The Executive shall appoint the Selection Committee for each grade annually in conference with the Football Manager.

(4) Inability to play after selection

Should any player selected to participate in either 'A' or 'B' grade teams find he is unable to attend, it is their duty to notify the Captain or Vice-Captain or Selection Committee of the team for which they are selected to play on the night before the match, unless exceptional circumstances occur to not permit such notice. Any member failing to report to the Captain in any official match arranged by the Association and thereby jeopardising the Club, shall be stood down from participation in either grade for one match or for such time as the Executive Committee decides, providing the member is given reasonable opportunity to present a satisfactory explanation.

(5) Player Refusing to Play

Any player chosen to play by the Selection Committee with the 'A' grade team or the 'B' grade team, in any official match arranged by the Association with which the Club is affiliated at the time, and refuses to play in such team for which they are selected, shall not be allowed to play that day and shall be called upon by the Executive to give reasonable excuse for making such a refusal, failing which the Executive is empowered to impose upon such defaulting player a form of discipline deemed appropriate by the Executive.

(6) Removal of Captain or Vice-Captain

The Secretary/Manager of the Club shall, on receiving a written report signed by at least twelve members of the team which played in the match previous to the date of such request forthwith call a meeting of such team and a 4/5 majority at

such meeting may remove from office the Captain or Vice-Captain, or both. Fifteen shall form a quorum and voting shall be by ballot.

(7) Registration

No player shall be registered with the Club after the 30th day of June in any year except at the invitation of the Club.

(8) Delegates to the Association or League

The Club Delegates (as determined by the Executive) or Proxy Delegates, shall regularly attend the Association meetings and keep the Executive informed as to business of the Association. Any copies of the Association meeting shall be the property of the Executive. The delegates shall at all times act under the guidance of the Executive.

(9) Clearance of Players

All applications for a clearance to players shall be dealt with by the Executive in conference with the Football Manager. The player to be financial and all property of the Club to be returned and all dues met before the clearance will be dealt with.

(10) Financial obligation of players

Players not having paid Club membership fee and the appropriate football fee by the date as determined by Executive shall not be eligible to play for the Club until fees have been paid.

18. **AFFILIATED SPORTS**

(1) Persons desirous of participating in other sporting activities under Rule 2 (3) may, with approval of the Executive, organise such activities as required, subject to any conditions imposed by the Executive.

(2) These activities shall be referred to as Affiliated Sports and shall include the words "South Gawler" in any name.

(3) Such activities shall be conducted by those persons concerned without direct involvement by the Executive of the AGFC unless deemed to be necessary by the Executive.

- (4) The Constitution of Affiliated Sports must be ratified by the Executive of the South Gawler Football Club Inc. A current copy of the Constitution of Affiliated Sport must be retained by the South Gawler Football Club Inc.
- (5) The Constitution of the South Gawler Football Club Inc. shall be binding to and override the Constitution of the affiliated
- (6) A Treasurer's report on income and expenditure for each Affiliated Sport shall be presented to the South Gawler Football Club Executive
- (7) The President and Affiliated Sports Manager of the South Gawler Football Club Inc shall be deemed fully paid members of each affiliated sporting body associated with the South Gawler Football Club Inc.
- (8) All registered playing members of an affiliated club shall become financial members of the South Gawler Football Club Inc. These membership fees to be payable to the SGFC at the commencement of the affiliate Club's playing season, but shall be no later than the 31st December of each year (summer sport) and 30th April of each year (winter sport). NB – A person playing both a summer sport and a winter sport will only need to pay a once only SGFC membership fee.

19. **LICENSING ACT PROVISIONS**

- (1) The Club about to apply for a Certificate of Registration under the Licensing Act Rules shall be deemed to include all such rules as may be required by the said Act to exist with regard to the Club for the purpose of registration of the Club under the said Act.
- (2) Without limiting the generality of the Rule (1a) hereof, the following shall be rules of the Club. (1) No payment or part payment of any Secretary, Manager or other officer or servant of the Club shall be made by way of commission or allowance from or upon the receipts of the Club for liquor supplied.
- (3) The books of accounts, minute books or other records of the Club and all Committees thereof, the register of members and all other books relating to the transactions, business rules and management of the Club shall be kept in the English language.
- (4) A record shall be kept by the Secretary of the number of members of the Executive voting upon every election of members.
- (5) The minimum subscription for which any class of member shall be liable shall be 75 cents per annum payable annually in advance.

(6) No liquor shall be sold or supplied to any person under 18 years of age.

(7) No liquor shall be sold or supplied for consumption elsewhere than within the Licensed Club premises.

20. **COMMON SEAL**

The Common Seal of the Club shall be affixed to any contract or legal document raised on behalf of the Club. The Officers authorised to affix and witness the Common Seal shall be the President, Financial Director and the Secretary/Manager. The signature of the President and one other of the above shall be sufficient for the purpose of affixing.

21. **ALTERATION TO RULES (or special)**

None of these rules shall be amended, added to, or rescinded except by a two-thirds majority at an Annual General Meeting of the financial members of the Club, or a Special Meeting duly called for that purpose as provided for under these rules. Any proposal for any such alteration shall be deemed to be Special Business.