



Associations Incorporation Act 2009 (NSW)

Penrith Valley Figure Skating Club Inc (PVFSC) Constitution

July 2021

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ASSOCIATIONS INCORPORATION ACT 2009 (NSW)
CONSTITUTION
of
PENRITH VALLEY FIGURE SKATING CLUB INCORPORATED (PVFSC)

Part 1 Preliminary

1 Name

The name of the club is **Penrith Valley Figure Skating Club Inc**, hereinafter referred to as the club.

2 Objects

The objects of the Club are to:

- a) conduct, encourage, promote, advance and administer the sport of Ice Skating in the local area;
- b) act, at all times, on behalf of, and in the interest of the Members and the Club;
- c) affiliate and otherwise liaise with the State Sport Organisation, being NSW Ice Skating Association (NSWISA), and/or the National Sporting Organisation, being Ice Skating Australia (ISA), of which the club is a member and adopts their rules and policy frameworks to further these Objects;
- d) abide by, promulgate, enforce and secure uniformity in the application of the rules and regulations of the sport as may be determined from time to time;
- e) establish social or educational undertakings for the benefit of members;
- f) organise ice skating competitions as required;
- g) undertake and/or do all such things or activities which are necessary, incidental or conducive to the advancement of these Objects.

3 Definitions and Interpretation

1) Definitions

The Act means the Associations Incorporation Act 2009 (NSW).

Committee means the combined Executive Committee and Ordinary Committee.

Annual general meeting means a mandatory yearly meeting of the club for the purpose of holding elections for the office bearers and reporting on the year's events.

General meeting means a general meeting of the club other than an annual general meeting.

Resolution means a formal decision passed by the club in accordance with this constitution.

2) Interpretation

In this constitution:

- a) a reference to a function includes a reference to a power, authority and duty;
- b) a reference to the exercise of a function includes, where the function is a power, authority or duty, a reference to the exercise of the power or authority of the performance of the duty;

The provisions of the *Interpretation Act 1987* apply to, and in respect of this constitution, in the same manner as those provisions would apply if this constitution were an instrument made under the Act.

Part 2 Membership

4 Membership in general

- 1) The membership of the club shall consist of:
 - a) **Ordinary members:**
 - i) may be active or non-skating and are divided into categories, which are defined by the committee;
 - (i) Single Membership;
 - (ii) Family membership;
 - (iii) Volunteer membership;
 - (iv) Coach membership.
 - b) **Life members:**
 - i) may be approved via a general meeting which may confer by simple majority, life membership, on a member who has served the club in an exceptional manner.
- 2) A person is eligible to be a member of the club if:
 - a) the person is a natural person, and
 - b) the person has applied and been approved for membership by the committee as per clause 5 or 6.
- 3) All skaters must be current financial members of the club in order to represent the club in any figure skating competition.
- 4) An adult member, (ordinary or life), aged 18 years or over, has the right to vote at an Annual General Meeting but not at a general meeting unless they also hold a position as a current committee member.
- 5) A child member, under 18 years of age, does not have the right to vote.
- 6) A right, privilege or obligation which a person has by reason of being a member of the club:
 - a) is not capable of being transferred or transmitted to another person, and
 - b) terminates on cessation of the person's membership.

5 Application for membership

- 1) An application by a person for membership of the club must be made in writing (including by electronic means) in the format determined by the committee, lodged with the club's Executive Committee and accompanied by the appropriate fee.
- 2) By applying, an applicant acknowledges and accepts that they voluntarily agree to be bound by this constitution and any rules, regulations, policies or resolutions determined by the Club committee, New South Wales Ice Skating Association (NSWISA) and Ice Skating Australia (ISA).
- 3) The Executive Committee may, acting in the best interests of the Club and in good faith, accept or reject an application whether the applicant has complied with the requirements in sub-clause 1) or not. The committee shall not be required or compelled to provide any reason for such acceptance or rejection.
- 4) Where the Executive Committee accepts an application, the applicant shall be deemed a member of the club with membership commencing as at the date of the application and expiring on the 31st December in the same calendar year. As soon as practicable, the Secretary, or committee member/s nominated to process memberships, must (including by electronic means):
 - a) amend the register accordingly;
 - b) notify the applicant in writing; and
 - c) issue a receipt for the fee paid.

- 5) Where the Executive Committee rejects an application, any fees paid will be refunded to the applicant and the applicant will be notified in writing (including by electronic means) that the application has been rejected by the Club.
- 6) There is no right of appeal where the Executive Committee rejects an application for membership.

6 Renewal of membership

- 1) Members (other than life members) must renew their membership annually to retain membership of the club.
- 2) Renewal of club membership is due on the 1st January each calendar year with membership expiring on the 31st December in the same calendar year.
- 3) A request for a renewal of membership of the club must be made in writing (including by electronic means) in the form determined by the committee, lodged with the club's Executive Committee and accompanied by the appropriate fee.
- 4) Members acknowledge and agree that membership renewal is not automatic. Clause 5 sub-clause 2 to 6) also applies to renewals of memberships.
- 5) Upon renewal a member must provide details of any change in their personal details and any other information reasonably required by the club and/or requested in the application.

7 Fees and subscriptions

- 1) A member of the club must, on application or renewal of membership, pay to the club an annual membership fee or subscription.
- 2) Membership fees or subscriptions are determined by the committee and can be reviewed and amended from time to time as deemed necessary.
- 3) Membership fees or subscriptions are due on 1st January each calendar year and expire on 31st December in the same calendar year.
- 4) Membership fees are non-refundable, except in the case of the membership application or renewal being rejected by the Executive Committee.

8 Register of members

- 1) The Secretary must establish and maintain a register of members of the club (whether in written or electronic form) specifying:
 - a) the full name, address and email address of the member;
 - b) the category of membership;
 - c) the date on which the person became a member;
 - d) and any other information determined by the Executive Committee.
- 2) Subject to the Act, confidentiality considerations and privacy laws, the register may be used by the club committee solely to further the objectives of the club and as the Executive Committee considers appropriate.
- 3) Having regard to privacy and confidentiality considerations, inspection of the register of members will only be available as required by the Act.

9 Cessation of membership

- 1) A person ceases to be a member of the club if the person:
 - a) dies;
 - b) resigns membership;
 - c) is expelled from the club.

- 2) A member of the club may resign from membership by giving to the Secretary written notice (including by electronic means) of their intention to resign. Such resignations shall not relieve a member of their duty to pay any outstanding fees, subscriptions or other monies owed to the club.
- 3) A member may be expelled from the club, terminating their membership, by a decision of the Executive Committee as stated in clause 10.
- 4) If a person ceases to be a member of the club, for whatever reason, they shall forfeit all membership rights, fees paid and claims upon the club and its property. Any club documents, records or other property in the possession, custody or control of that member must be returned to the club immediately.

10 Disciplining of members

- 1) A member may be expelled from the club, terminating their membership, by a decision of the Executive Committee, if at a general meeting the committee consider:
 - a) that there has been a breach of any clause in this constitution;
 - b) that the conduct of the member, whether at the club or elsewhere, is likely to be injurious to the interests and welfare of the club;
 - c) that the member has wilfully acted in a manner unbecoming of a member or prejudicial to the interests of the club and/or the sport, or has brought themselves, the club or any other member into disrepute.
- 2) If the Executive Committee terminates a membership, the Secretary must, within 7 days after the decision is made, give written notice to the member of the termination of their membership, including the reasons and the member's right of appeal under clause 11.
- 3) The termination of membership will take effect at the expiration of the members right of appeal, or if an appeal is made by the member, after the committee has formed their decision in regards to the appeal, whichever is later.
- 4) If a termination does in fact take effect, the register of members is to be noted with the date and reason for the membership termination and the Secretary must, within 7 days after the final decision is made, give written notice to the member of the decision to terminate their membership.
- 5) A membership may be reinstated at the discretion of the Executive Committee, with such conditions as deemed appropriate.

11 Right of appeal of a disciplined member

- 1) A member shall not be expelled from the club, or their membership terminated, without being given the opportunity to explain or remedy the breach.
- 2) A member may appeal the expulsion, in writing (including by electronic means), to the Secretary, within 7 days after a notice of the termination of membership is served.
- 3) On receipt of a written appeal from a member, the Secretary must notify the committee, which is to convene a general meeting of the club, to be held within 28 days after the date on which the Secretary received the written appeal.
- 4) After reviewing the written appeal, the committee members present at the general meeting held for the appeal, are to vote by secret ballot, on the question of whether the membership should be terminated or remain active.
- 5) Where a member fails, in the committee's view, to adequately explain or remedy the breach, the membership of that person will be terminated by the Executive Committee.

12 Internal disputes

- 1) The procedures set out in this clause apply to disputes arising, under this constitution, between a member and another member or a member/s and the club. They do not, however, apply to any appeal by a member against a decision made in accordance with the disciplinary proceedings described in clause 10.
- 2) It is recommended that a dispute between a member and another member, or a dispute between a member/s and the club, are handled as far as possible at an informal level.
- 3) A complaint may be made to the committee by any member that a member of the club:
 - a) has neglected to comply with one or more clauses of this constitution or any rules, regulations, policies or resolutions determined by the committee, New South Wales Ice Skating Association (NSWISA) or Ice Skating Australia (ISA);
 - b) has wilfully acted in a manner unbecoming of a member or prejudicial to the interests of the club and/or the sport, or has brought themselves, the club or any other member/s into disrepute.
- 4) The complaint must be lodged in writing (including by electronic means) with the Secretary of the club, and will NOT be considered anonymous.
- 5) The Executive Committee may refuse to deal with a complaint if it considers the complaint to be trivial or vexatious in nature.
- 6) If the Executive Committee decides to deal with the complaint:
 - a) a written notice of the complaint, (including by electronic means), must be served to the member/s concerned;
 - b) the member/s concerned must be given the right of reply, which must be received by the committee within 21 days from the time the notice is served.
 - c) on receipt of the response, the committee shall call a general meeting, to be held within 14 days of the response being received, to discuss the complaint and any submissions received by member/s, and form a decision of the action (if any) to be taken;
 - d) all parties involved in the dispute will be notified in writing (including by electronic means) of the decision made, and any action (if any) to be taken, within 14 days of the meeting.
- 7) The Executive Committee may take whatever action it considers appropriate in regard to the dispute in the best interests of the club and the members concerned, including expulsion or suspension from the club.
- 8) If however, the Executive Committee are unable to resolve the dispute at this general meeting, the dispute may be referred to a Community Justice Centre for mediation under the *Community Justice Centres Act 1983*.

Part 3 The Committee

13 Powers of the committee

Subject to the Act, this constitution and any resolution passed by the club in general meeting, the committee:

- a) is to govern, control and manage the affairs of the club, and
- b) may exercise all the functions and acts as appear to the committee to be necessary or desirable for the proper management of the affairs of the club.

14 Composition of the committee

- 1) The committee is to consist of:
 - a) The following elected Executive Committee members:
 - i) President
 - ii) Vice President
 - iii) Secretary
 - iv) Treasurer
 - b) and may include any of the following elected ordinary committee members:
 - i) Test Coordinator
 - ii) Competition Convenor
 - iii) Assistant Competition Convenor
 - iv) Publicity & Public Relations Coordinator
 - v) Fundraising Coordinator
 - vi) NSWISA delegate
 - vii) Member Protection Information Officer (MPIO)
 - viii) Aussie Skate Liaison Officer
- 2) A committee member may hold more than 1 position (other than both the positions of President and Vice President).
- 3) A committee member must be elected at the annual general meeting of the club as per clause 17 of this constitution.
- 4) Each member of the committee is, subject to this constitution, to hold office until the election of committee members at the next annual general meeting and is eligible for re-election.
- 5) There is no maximum number of consecutive terms for which a committee member may hold a position.

15 Duties of the Executive Committee

President and Vice President,

The President shall preside at all meetings. In his/her absence the Vice President shall preside. At meetings where the President and Vice President are absent, one of the remaining members of the committee chosen by the members present at the meeting are to preside.

Secretary,

- 1) It is the duty of the Secretary to keep minutes (whether in written or electronic form) of:
 - a) all appointments of Executive Committee and ordinary committee members, and
 - b) the names of members of the committee present at all meetings, and
 - c) All proceedings at meetings.
- 2) The Secretary is responsible for the performance of all secretarial duties required by the club including the preparation of an agenda for the meetings.

Treasurer,

It is the duty of the Treasurer of the club to ensure:

- 1) that all money due to the club is collected and received and that all payments authorised by the club are made;
- 2) that correct books and accounts are kept (including by electronic means) showing the financial affairs of the club, including full details of all receipts and expenditure connected with the activities of the club.
- 3) that a report showing the club's financial position is provided to the members at the Annual General meeting or general meetings of the club in accordance with this constitution and the Act.

16 Delegation by committee to sub-committee

- 1) The executive committee may delegate to one or more sub-committees appointed to manage specific duties or functions of the club that the committee deems necessary, other than:
 - a) this power of delegation, and
 - b) a function which is a duty imposed on the committee by the Act or by any other law.
- 2) A duty or function, the exercise of which has been delegated under this clause, may, while the delegation remains unrevoked, be exercised from time to time in accordance with the terms of the delegation.
- 3) A sub-committee:
 - a) may consist of one or more members of the club that the committee deems appropriate.
 - b) may meet as often as is deemed necessary by the sub-committee.
 - c) may make decisions in accordance with the objects, subject to this constitution, clause 23 and any amendment deemed necessary by the Executive Committee, and promptly provide the club committee with details of such decisions.
 - d) Must provide any reports, minutes and information as required by the club committee from time to time.
 - e) May elect their chairperson for each meeting from the committee members present.
- 4) A delegation under this clause may be made subject to certain conditions or limitations regarding the exercise of any function that may be specified in the delegation.
- 5) Despite any delegation under this clause, the club committee may continue to exercise any function delegated and may revoke wholly or in part any delegation under this clause.
- 6) The club committee may also amend or repeal any decision made under this clause.

17 Election of committee members

- 1) Nominations for election as committee members:
 - a) must be made in writing, on the form determined by the committee, signed by 2 financial members of the club and certified by the nominee expressing their willingness to accept the position for which they are nominated;
 - b) must be delivered to the Secretary of the club at least 7 days prior to the date fixed for the holding of the annual general meeting at which the election is to take place.
- 2) Nominees:
 - a) must be current financial members of the club;
 - b) must be eighteen years of age or over at the time of nomination to the committee;
 - c) must have a current NSW Working With Children Check (WWCC), or be in the process of obtaining one, and supply their WWC number and expiry date to the Secretary to be recorded on their file within 1 month of election.

- 3) If insufficient nominations are received to fill all vacancies on the committee, the candidates nominated are taken to be elected and further nominations for the remaining positions are to be taken from the floor at the annual general meeting.
- 4) If insufficient further nominations are received, any vacant positions remaining on the committee are to be declared casual vacancies.
- 5) If the number of nominations received exceeds the number of vacancies to be filled, a ballot is to be conducted at the annual general meeting. The ballot is to be conducted in any format deemed appropriate by the Executive Committee. In the case of a tied vote, the successful candidate will be decided by a draw from the hat by the chair.
- 6) Only financial members 18 years of age or over can cast a vote for the election of committee members and no proxy, absentee or postal votes will be accepted.

18 Casual Vacancies

- 1) In the event of a casual vacancy occurring in the committee, the committee may appoint a member of the club to fill the vacancy and the member so appointed is to hold office, subject to this constitution, until the annual general meeting next following the date of the appointment.
- 2) A casual vacancy of the committee occurs if the member:
 - a) dies;
 - b) ceases to be a member of the club;
 - c) resigns from their position by notice in writing (including by electronic means) given to the Secretary;
 - d) is removed from being a member of the committee under clause 19;
- 3) In the event that the number of committee members is less than the number required to constitute a quorum, the remaining committee may appoint a sufficient number of members of the club as committee members to enable a quorum to be constituted and the member/s so appointed shall hold office, subject to this constitution, until the annual general meeting next following the date of the appointment.

19 Removal of committee members

- 1) The club in general meeting may remove any member of the committee before the expiration of the member's term of office if the member:
 - a) is absent without the consent of the committee from 3 consecutive meetings of the committee;
 - b) in the reasonable opinion of the Executive Committee, has acted in a manner unbecoming or prejudicial to the Objects and interests of the club or brought themselves or the club into disrepute;
 - c) In the reasonable opinion of the Executive Committee, has become a mentally incapacitated person;
 - d) is convicted of an offence involving fraud or dishonesty for which the maximum penalty on conviction is imprisonment for not less than 3 months;
 - e) is prohibited from being a director of a company under Part 2D.6 (Disqualification from managing corporations) of the *Corporations Act 2001* of the Commonwealth;
 - f) is or becomes an insolvent under administration within the meaning of the *Corporations Act 2001* of the Commonwealth;
- 2) If the removal of a committee member occurs, the position is to be considered a casual vacancy and the provisions set out in clause 18 sub-clause 1) apply.

Part 4 Meetings

20 Annual general meeting (AGM)

- 1) The club's annual general meeting:
 - a) shall be held in accordance with the Act and this constitution;
 - b) must be held within 3 months after the close of the club's financial year;
 - c) is to be convened on the date and at the place and time agreed by the committee;
 - d) must be specified as that type of meeting in the notice convening it.
- 2) Notice of the Annual general meeting must be given by the Secretary in writing (including by electronic means) to each member of the club at least 4 weeks before the date and time appointed for the holding of the meeting.
- 3) The business of an annual general meeting is to include:
 - a) confirmation of the minutes of the last preceding Annual General Meeting;
 - b) annual reports from the President and Treasurer;
 - c) any additional annual reports required to summarise the activities of the club since the last Annual General Meeting;
 - d) the election of the Executive and Ordinary Committee members of the club for the coming year.
- 4) On request, the minutes taken at the Annual general meeting may be provided, by electronic means, to any current financial member of the club.

21 General meetings

- 1) All meetings of the club other than the Annual General meeting shall be general meetings.
- 2) All general meetings shall be held:
 - a) in accordance with this constitution;
 - b) a minimum of 4 times per calendar year, however the committee may meet more often if deemed appropriate;
 - c) for the dispatch of club business;
 - d) at the place, date and time agreed by the committee.
- 3) Notice of a general meeting:
 - a) must be given by the Secretary in writing (including by electronic means) to each member of the committee at least 7 days before the date and time appointed for the holding of the meeting.
 - b) must specify the place, day and time of the meeting and the business to be transacted at the meeting.
- 4) A general meeting may be called by any committee member by notifying the club Secretary and stating the purpose of the meeting.
- 5) A member desiring to bring any business before a general meeting may give notice in writing of that business to the Secretary who must include that business in the next notice calling a general meeting.

22 Presiding member

- 1) The President or, in the President's absence, the Vice President, is to preside as chairperson at each Annual General meeting or general meeting of the club.
- 2) If the President and the Vice President are absent or unwilling to act, the committee members present must elect one of their number to preside as chairperson for that meeting only.
- 3) At each meeting of a sub-committee, the chairperson shall be decided on by the committee members present.

23 Making of decisions / voting

- 1) Resolutions arising at any meeting of the club are to be determined by the members present at the meeting:
 - a) by a show of hands, or
 - b) by a written ballot (if deemed necessary by the chairperson of the meeting).
- 2) There are two types of resolutions:
 - a) Ordinary - which is determined by a majority of the votes;
 - b) Special - which must be determined by at least three quarters of the votes.
- 3) If the resolution is to be determined by a written ballot, the ballot is to be conducted in accordance with the directions of the chairperson or the President of the club.
- 4) A declaration by the chairperson of the result of the resolution must be recorded in the minutes of the meeting, however, it does not need to record the number of votes in favour of or against the resolution.
- 5) No decision of the committee shall be invalid merely because of a failure to give proper notice under this constitution, or other irregularity in procedure required by this constitution, unless a person suffers substantial prejudice as a result of that failure to give proper notice, or irregularity in procedure.
- 6) Any current financial member of the club, who does not have any outstanding fees, and is 18 years of age or over, is entitled to cast one vote at an Annual General Meeting, if present at the meeting.
- 7) Only current financial members of the club committee or sub-committee, who do not have any outstanding fees, are entitled to cast a vote at a General Meeting or sub-committee meeting, if present at the meeting, however, where a committee position is shared, only one person shall cast the vote.
- 8) In the event of an equality of votes on any resolution, at any meeting of the club, the chairperson may exercise a second or casting vote.
- 9) Absentee, proxy or postal votes are NOT permitted.
- 10) Direct voting or Electronic votes are only permitted if deemed necessary by the Executive Committee if it is not practicable to hold a meeting or subject to clause 26.

24 Quorum

- 1) At meetings of the club, the number of committee members whose presence is required to constitute a quorum, for the transactions of the business of a meeting, are set out below:
 - a) Annual General Meeting - 4 members of the club committee, two of whom must be on the Executive Committee.
 - b) General meeting - 4 members of the club committee, one of whom must be on the Executive Committee.
 - c) Sub-committee meeting - more than half of the sub-committee.
- 2) A quorum must remain present for the entire meeting.
- 3) No item of business is to be transacted at a meeting unless a quorum of members is present.

25 Adjournment

- 1) If within half an hour after the appointed time for the commencement of a meeting a quorum is not present, the meeting shall be adjourned until the committee sets a new time and place for the meeting.
- 2) 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.

- 3) No business shall be transacted at an adjourned meeting other than the business left unfinished at the meeting from which the adjournment took place.
- 4) Notice of an adjournment of a general meeting or of the business to be transacted at an adjourned meeting is not required to be given.

26 Use of technology

- 1) A meeting of the club may be held where one or more of the committee members is not physically present at the meeting provided that all persons participating in the meeting are able to communicate with each other effectively, simultaneously and instantaneously by means of any technology approved by the Executive Committee that gives each of the members a reasonable opportunity to participate.
- 2) Any committee member who participates in a meeting using technology referred to in sub-clause 1) is taken to be present at the meeting and, if the member votes at the meeting, is taken to have voted in person.
- 3) Notice of the meeting referred to in sub-clause 1) must be made in accordance with this constitution as per any other general meeting or Annual General Meeting.
- 4) If a failure in communications or technology prevents sub-clause 1) from being satisfied by the number of committee members constituting a quorum, then the meeting shall be suspended until sub-clause 1) can be satisfied, however if a quorum can still be satisfied, the meeting may continue.
- 5) A resolution in writing that has been assented to by any form of electronic communication by the club committee shall be as valid and effectual as if it had been passed at a meeting of the club duly convened and held. Any such resolution shall be documented in the minutes of the meeting.
- 6) Any resolution made by the Executive Committee outside of a general meeting shall be presented at the following general meeting and documented in the minutes.

Part 5 Miscellaneous

27 Records

1) Establishment and maintenance:

The club shall establish and maintain proper records, books and minutes (including by electronic means) concerning all of its transactions, business and meetings. It shall produce these, as appropriate, at each Annual General meeting or general meeting.

2) Custody of:

Except as otherwise provided by this constitution, all records, books and other documents relating to the club must be kept in the custody of the club's committee (as determined by the Executive Committee).

3) Inspection of:

- a) Subject to the Act, the Executive Committee may determine whether and to what extent, and at what times and place and under what conditions, the financial records, accounts, books, or other relevant documents of the club will be open for inspection by the members.
- b) The Executive Committee may refuse to permit a member of the club to inspect or obtain a copy of records of the club that relate to confidential, personal, employment, commercial or legal matters or where to do so may be prejudicial to the interests of the club.
- c) If approved by the Executive Committee, a member may obtain a copy of a document on payment of a fee of not more than \$1 per page issued.

28 Funds

1) Source

- a) The funds of the club are to be derived from annual fees and subscriptions of members, donations, competition entry fees and any other sources that the committee determines are appropriate subject to the Act and this constitution.
- b) The club must, as soon as practicable after receiving any money, issue an appropriate receipt if required.

2) Management

- a) A banking account shall be maintained by the Treasurer and all monies received by the club must be deposited as soon as practicable to the credit of the club's bank account.
- b) All disbursements (including by electronic means) must be approved by two of the Executive Committee prior to being processed. After approval, such disbursements may be processed by any one of the signatories recorded on the club's bank account.
- c) Subject to the Act and the Associations Incorporation Regulation, the club, being NOT FOR PROFIT, must apply its funds and assets solely in pursuance of the objects of the club in the manner that the committee determines appropriate and must not conduct its affairs so as to provide a pecuniary gain for any of its members.
- d) Nothing in sub-clause 2) shall prevent the payment to any member for:
 - i) any services actually rendered to the club;
 - ii) goods supplied to the club in the ordinary and usual course of operation;
 - iii) rent for premises demised or let by any member to the club;
 - iv) any out of pocket expenses incurred by a member on behalf of the club.
 - v) provided that any such payment shall not exceed the amount ordinarily paid in a similar transaction and an invoice is issued to the club.

- e) Sub-committee's may at the discretion of the club keep a separate set of accounts. These will be subject to the scrutiny of the Treasurer and the full extent of this constitution and shall be provided in the annual report.

29 Club Property

- 1) All property or assets of the club shall be held by the committee in trust for the club.
- 2) The Executive Committee may add to the property from time to time for the benefit of the club, but shall not dispose of any of the property without the sanction of the committee at a general meeting.

30 Winding up of the club

- 1) Subject to the Act and this constitution, in a winding up of the club, any surplus assets or property of the club is to be transferred to another organisation that has objects similar to those of the club and which is not carried on for the profit or gain of its individual members.
- 2) In this clause, a reference to the surplus assets or property of the club is a reference to those assets or property remaining after satisfaction of the debts and liabilities of the club and the costs, charges and expenses of the winding up of the club.
- 3) The organisation receiving the transfer of the surplus assets or property will be determined by the committee at or before the time of winding up. If this does not occur, the decision will be made by a judge of the supreme court of New South Wales or other court as may have jurisdiction in the matter.

31 Members Liabilities

The liability of a member of the club to contribute towards the payment of the debts and liabilities of the club or the costs, charges and expenses of the winding up of the club is limited to the amount, if any, unpaid by the member in respect of membership of the club as required by clause 7.

32 Service of notices

- 1) For the purpose of this constitution, a notice may be given by the club to any member:
 - a) by electronic mail to the electronic mail address recorded on the club's register of members;
 - b) by posting it on the club's website and social media platforms.
- 2) For the purpose of this constitution, where a notice is sent in accordance with sub-clause 1), service of the notice shall be deemed to be effected the next business day after it was sent or posted.

33 Financial year

The financial year of the club is each period of 12 months commencing on 1 January and ending on 31 December.

34 Changes to the constitution

- 1) Any changes to this constitution must be approved by the Executive Committee with a special resolution put to a vote of eligible members.
- 2) An application to register the change of objects or constitution in accordance with section 10 of the Act is to be made by an Executive Committee member.

35 Privacy statement

- 1) Personal information supplied for membership application will be collected and retained by the Club and shall be used by Officers of the Club, from time to time, for purposes of Club activities, management (without limitation), and mailing (including by electronic form) of Club information.
- 2) Such information will not be sold or otherwise passed on to organizations other than for specific Club management purposes.
- 3) Members' personal records are held on the club register.