



Gaza Sports and Community Club Inc  
Constitution 2013

# **Gaza Sports and Community Club Incorporated**

**2013**

## **Constitution**

### NAME

1. 1.The name of the club shall be “GAZA SPORTS AND COMMUNITY CLUB INCORPORATED” and throughout this Constitution and Rules the word “the Club” shall mean “GAZA SPORTS AND COMMUNITY CLUB INCORPORATED”
  - (a) The colours of the Club shall be Blue and Gold
2. The Club shall not be dissolved unless a poll of all members be taken and dissolution be approved by half plus one of all members of the Club and no such poll shall be taken except after one calendar month’s notice in writing to all members of the intention to take such poll.
  - (a) Where the context so admits the singular shall include the plural and vice versa and any gender shall include all other genders.

### OBJECTS

3. The objects of the Club shall be :
  - (a) To provide social and sporting amenities and facilities for the members of the Club.
  - (b) To promote and foster the game of Australian Rules Football, cricket, darts, eight ball and other sports.
  - (c) To do all things which the Club or the Committee of Management there of may think necessary or desirable for promoting the recreation, accommodation and convenience of its members.
  - (d) To provide the members of the Club with facilities for playing football, cricket, darts, eight ball and other sports.
  - (e) To purchase, take on lease, and exchange or otherwise lands, buildings, easements of real or personal nature which may be required for the purpose of or conveniently used in connection with any objects of the Club and to sell, demise, mortgage, give in exchange or dispose of the same or any part or parts thereof from time to time and to grant easements in, through, over or upon any land and acquire easements or rights over any other land and to deal with moneys of the Club not immediately required upon such security and in such manner as from time to time may be determined by the Executive Committee of the Club.
  - (f) To hire and employ clerks, managers, servants and work persons and to pay them and to other persons in return for services rendered to the Club, salaries, wages, gratuities or pensions.
  - (g) To establish, promote or assist in establishing or promoting and to subscribe or become a member of or associated or amalgamated with any other association or club whose objects of the Club or the establishment or promotion of which may be beneficial to the Club.
  - (h) To borrow or raise money with or without giving security and particular by the issues of or upon bonds, debentures (redeemable on dates to be determined by yearly ballot or otherwise at the discretion of the Committee of the Club) bills of exchange, promissory notes or other obligations or securities of the Club or by mortgage or charge upon all or any part of the property of the Club.
  - (i) To support and subscribe to any charitable, athletic or public body.
  - (j) To do all such other lawful things as are incidental or conducive to the attainment of the above objects.

### MEMBERSHIP

4. Three categories of membership shall be available: Full membership, Sporting membership.
5. Each application must be in the form prescribed by the Committee, and such form shall contain the candidate’s full name, profession or occupation and usual residential address, together with their signature.
6. Upon completion of the application form the applicant shall be required to pay the prescribed fee.

7. When the prescribed fee is paid by the applicant they shall be deemed to be a member in the category selected.
8. The Secretary shall keep a register of the members of the Club.
9. Every person who becomes a member of the Club shall remain a member until death, resignation or expulsion, provided that should a member lose their eligibility of qualification for membership of the Club at any time even if the person has been a member of the Club they shall forthwith cease to be a member of the Club.
10. Any member intending to resign their membership of the Club shall give written notice thereof to the Secretary, but no such resignation shall relieve any member from payment of any monies due or payable by them to the Club at the time of such resignation, or exempt them from any punishment or penalty in any way arising from or connected with their conduct prior to resignation. Any person ceasing to be a member of the Club shall forfeit all their share and interest in its property, and shall forthwith return all property of the Club they may have in their possession to the Secretary.
11. All notices sent by post or otherwise to a member to the last address given by them shall be deemed to have been duly given to such member.

#### ACTING HONORARY MEMBERS

12. (a) The Executive Committee shall have the power to provide honorary or temporary membership on such terms as the Executive Committee may determine for any period not exceeding two months any person who may temporarily engaged in business in South Australia or any person who is a visitor to Adelaide, or any person who is a member of any sporting team visiting Adelaide or any visitor of prominence in any class of sport who may temporarily in Adelaide.  
(b) The players and officials of any other club affiliated with the GAZA Sports and Community Club who visit the Club on any day for the purpose of playing sport against the GAZA Sports and Community Club shall be honorary members of the Club for that day.  
(c) Honorary members shall enjoy all the privileges of full members save and except as follows:
  - (1) Honorary members shall not be eligible to be elected as members of the Executive Committee.
  - (2) Honorary members shall not be entitled to vote on any issue.
  - (3) Honorary members shall not be entitled to receive any notice required to be given to full members.  
(d) Honorary members shall not be liable to pay a subscription.  
(e) No persons shall become an honorary member or temporary member of the Club or be relieved of the payment of the regular subscription except those possessing the qualifications referred to above.

#### HONORARY LIFE MEMBERS

13. (a) No more than five Honorary Life Members shall be appointed in any one year.  
(b) Any member who has been financial for ten (10) years or more and has given ten (10) years of active service to the Club shall become eligible for Honorary Life Membership.
  - (1) An Associate member shall not be entitled to qualify for Honorary Life Membership.  
(c) Honorary Life Members may only be elected at a Special General Meeting or Annual General Meeting of the Club on a Recommendation of the Committee that a particular member is in the opinion of the Committee eligible and deserving to be an Honorary Life Member of the Club by a Resolution carried by two-thirds majority of those present.  
(d) Honorary Life Members shall be entitled to speak and vote at any Annual General or Special Meeting of the Club.  
(e) The Secretary of the Club shall keep a record of each member's service to the Club.



(2) All officers shall be elected annually or when the office is due for election at the Annual General Meeting.

(3) Seal holders of the Club shall be the President and Club Secretary of the day.

(c) EXECUTIVE COMMITTEE

(1) The management of the Club shall be vested in the Executive Committee consisting of

President

Vice President

Club Treasurer

Club Chairperson

Club Secretary

(2) In order to constitute a quorum to enable an Executive Committee meeting to be held there shall be at least three members of the Executive Committee present.

(3) The Executive Committee shall meet at least once every eight weeks and minutes of all resolutions and proceedings of such Executive Committee shall be kept in a legally acceptable format. The Licensed Club Manager may take part in all discussions of the Executive Committee but shall not be entitled to vote.

(4) The Executive Committee may from time to time appoint such Sub-Committees as it may deem necessary or expedient and may depute or refer to them such powers and duties of the Executive Committee as the Executive Committee may determine. Such Sub-Committee shall conduct their business in accordance with and be bound by the directions of the Executive Committee.

(5) At any meeting of the Executive Committee or appointed Sub-Committee each duly elected or appointed committee member present shall be entitled to cast one (1) vote on any question before that meeting. In the case of an equality of votes the President/Chairperson shall be entitled to the casting vote.

(d) COMMITTEE

The Committee shall consist of

President

Cricket Director

Vice President

Junior Cricket Director

Club Chairperson

Junior Football Director

Club Secretary

Affiliated Sports Director

Club Treasurer

Social Director

Football Director

POWERS FUNCTIONS AND DUTIES OF THE EXECUTIVE COMMITTEE

20. (a) The Executive Committee shall be subject to any directions of the members in General Meeting have power to carry into effect the Objects of the Club and to do all such acts, matters or things as may in the opinion of the Committee seem to be incidental or conducive to attaining of the foregoing and merely by way of example shall have full authority.

(b) The Executive Committee shall have the power to:

(1) Control the funds and finance

(2) Act on all emergencies within the Club

- (3) Act on any misconduct matters relating to the Club
- (4) Control all matters relating to the Bar.
- (5) Oversee general running of the Club
- (6) Approve budgets
- (7) Set policy Guidelines

#### POWERS FUNCTIONS AND DUTIES OF THE COMMITTEE

- 21. The Committee shall subject to any directions of the members in General Meeting have power to carry into effect the Objects of the Club and to do all such acts, matters or things as may in the opinion of the Committee seem to be incidental or conducive to attaining of the foregoing and merely by way of example shall have full authority:
  - (a) To call Special Meetings of the Club
  - (b) To make by-laws for the general management of the Club provided they are not consistent within the rules.
  - (c) To fill any vacancy in the office bearers which occurs between the Annual General meetings of the Club.
- 22. The Committee may by by-law or by resolution duly entered in its Minutes delegate at all or any of its powers to a sub-committee or sub-committees consisting of one or more persons as it shall think fit to appoint and may revoke or recall at its pleasure any such delegation or appointment.
- 23. There shall be two (2) appointed sub committee's:
  - (a) Football Selection Sub Committee
  - (b) Cricket Selection Sub Committee
- 24. Any committee person who absents themselves from three (3) consecutive meetings without sending an explanation satisfactory to the committee shall cease to be a member of the committee.
- 25. The Committee shall meet at least once every month and at such other times as it may direct, and failing such direction at such other times as the Chairperson may direct.
- 26. Advice of every meeting shall be forwarded by post or as directed by the Chairperson to each of the committee at least twenty four (24) hours if practicable, prior to such meeting.

#### ELIGIBILITY FOR NOMINATION OF OFFICE

- 27. (a) Any person who is not a financial member of the Club shall not be eligible for nomination for or election to any office or Committee or to vote at the Annual General or Special Meeting.
  - (b) To nominate for a position on the Executive Committee a member must be able to comply with the provisions of the
    - (1) Associations Act
    - (2) Liquor Licensing Act
    - (3) Gaming Machine Act
    - (4) Any other Act which may apply to the operation of the Club.
  - (c) When nominating for a position on Executive Committee a nominee must complete all forms related to the legal requirements of the Club under the:
    - (1) Liquor Licensing Act 1997
    - (2) Gaming Machine Act 1992
  - (d) Failure to gain approval by the Liquor Licensing & Gaming Commissioner will render the said members election void.

## NOMINATIONS AND ELECTIONS

28. (a) Notice of nominations for positions on the Executive Committee and Committee must be advertised either in a daily newspaper circulating in Adelaide or by post to member's fourteen (14) days before the Annual General Meeting each year giving relevant details.
- (b) The term of office for each Executive Committee member shall be for a Period of two years. The longest serving members each year from the last election are required to stand down at the Annual General meeting. These Executive Committee members shall be eligible for re-election.
- (c) Each candidate for election shall be nominated in writing signed by the proposer and seconder and endorsed with the consent of the candidate to act duly signed by said person.
- (d) The nomination for Executive Committee must be accompanied by all completed forms required by legislation.
- (e) All nominations for Executive Committee or Committee shall be lodged with the Secretary of the GAZA Sports and Community Club Inc. seven (7) days prior to the Annual General Meeting.
- (f) If no more persons are nominated for any office than there are Vacancies the President at the Annual General Meeting shall declare such persons duly elected.
- If more candidates are nominated than there are vacancies, the such election shall be by ballot. Such ballot shall be subject to the direction of the President or Secretary.
- (g) Notwithstanding any herein contained all officers of the Club shall deemed to continue in office until their successors shall have been duly elected under these Rules and the results of such election have been declared by the President at the Annual General Meeting.
- (h) Where a vacancy shall occur in any elective office between two Annual General Meetings the Executive Committee shall have the power to appoint any eligible person to fill such vacancy until the next Annual General Meeting; and any person so appointed shall retire at such last mentioned Annual General Meeting but subject to Constitution of the Club shall be eligible for election at such meeting.

## CLUB PRESIDENT

29. The President of the Club shall at all times work with and under the direction of the Executive Committee.
30. The President shall perform the following duties:
- (a) Lead and direct the Club's Executive Committee and Committee, providing and ensuring that the Club is operated in accordance with the Legislation.
- (b) Generally undertake and perform all duties, as the Executive Committee shall direct.

## CLUB VICE PRESIDENT

31. The Vice President of the Club shall at all times work with and under the direction of the Executive Committee.
32. The Vice President shall perform the following duties:
- (a) Provide assistance to the President and the Club's Executive Committee and Committee, providing and ensuring that the Club is operated in accordance with the Legislation.
- (b) Generally undertake and perform all duties, as the Executive Committee shall direct.

## CLUB SECRETARY

33. The Secretary of the Club shall at all times work with and under the direction of the Executive Committee.
34. The Secretary shall perform the following duties:

(a) Conduct the affairs of the Club under the direction of the Executive Committee and keep in a book required for that purpose full and accurate Minutes of the proceedings at all meetings of members as well as at all meetings of the Committee.

Should the office of the Secretary be vacant or should the Secretary be unable or unwilling to act, the Executive Committee shall have the power to appoint any person to perform the duties required of the Secretary by their constitution.

(b) Generally undertake and perform all duties as the executive Committee shall direct.

(c) Keep an accurate record of members.

#### CLUB TREASURER

35. The Honorary Treasurer of the Club shall at all times work with and under the direction of the Executive Committee.

36. The Honorary Treasurer shall perform the following duties:

(a) Receive all the monies of the Club, and account for same, and the receipt therefore shall be a sufficient discharge. All monies shall as soon as practicable after the receipt thereof is paid into the Club's account at the bank at which the Club transacts its business. All payments shall be made under order of the Executive Committee by cheque and there shall be two (2) signatories to each such cheque being either President, Secretary or Treasurer.

(b) Keep in a book to be open to the inspection of the Committee or by the members at any time, an account of all monies received and disbursed.

(c) Submit at the Annual General Meeting a Balance Sheet signed by the Auditor and showing the financial position of the Club as at the 30th September last proceeding

(d) Submit to the Committee at each meeting a statement showing clearly the financial position and progress of the Club.

#### SOCIAL DIRECTOR

37. The Social Director shall at all times be under the control of the Committee. The Social Director shall form a Sub-Committee to assist in organising all social and fundraising events (subject to the control of the Committee), within the Club.

#### FOOTBALL DIRECTOR

38. The Football Director shall at all times be under the control of the Committee. The Football Director shall form a Sub-Committee to assist in organising all football requirements and fundraising within the Club.

#### CRICKET DIRECTOR

39. The Cricket Director shall at all times be under the control of the Committee. The Cricket Director shall form a Sub-Committee to assist in organising all cricket requirements and fundraising within the Club.

#### AFFILIATED SPORTS DIRECTOR

40. The Affiliated Sports Director shall at all times be under the control of the Committee. The Affiliated Sports Director shall form a Sub-Committee to assist in organising all affiliated sports requirements and fundraising within the Club.



### JUNIOR CRICKET DIRECTOR

41. (a) The Junior Cricket Director shall at all times be under the control of the Committee.
- (b) The Junior Cricket Director shall be responsible for the administration of all junior teams within the Club
- (c) The Junior Cricket Director shall hold a position in the Cricket Sub-Committee and assist with fundraising within the Club.

### JUNIOR FOOTBALL DIRECTOR

42. (a) The Junior Football Director shall at all times be under the control of the Committee.
- (b) The Junior Football Director shall be responsible for the administration of all junior teams within the Club.
- (c) The Junior Football Director shall hold a position in the Football Sub-Committee and assist with fundraising within the Club.

### AUDITORS

43. The accounts of the Club shall be audited by an Auditor approved by the Executive Committee.
44. The audited annual account shall be submitted to the following Annual General Meeting.

### ANNUAL GENERAL MEETING

45. The Annual General Meeting of members shall be held not later than the 30th day of November in each year, for the purpose of receiving the reports of the Committee, the Balance Sheet duly audited, the election of Patron, President, Vice-President, Club Chairperson, Club Secretary, Club Treasurer, Football Director, Cricket Director, Affiliated Sports Director, Junior Football Direct, Junior Cricket Director, Social Director and any other general business submitted to the meeting.

### SPECIAL MEETINGS

46. The Secretary shall call a Special Meeting whenever directed by the Executive Committee or upon receiving a requisition signed by not less than fifteen (15) member of the Club setting out the objects of the proposed meeting.
47. No business shall be transacted at a Special Meeting other than that specified in the notice convening such meeting.
48. No amendment or alteration of substance to any motion set out in such notice shall be allowed unless the same is permitted by the majority of members at such meeting.

### ANNUAL GENERAL OR SPECIAL MEETINGS

49. The Annual General and all Special Meetings shall be called either by an advertisement in the daily press or by circular addressed to each member at least three (3) days prior to each such meeting.

## ELIGIBILITY TO VOTE

50. Any full member of the Club shall be entitled to vote at the Annual General and at all Special Meetings of the Club.
51. All propositions, questions and matters submitted in accordance with these rules to any Annual General or Special Meeting shall be decided by a majority of those present to be determined in the first instance by a show of hands.

## POLLS

52. Any five (5) members may demand a poll and if a poll is so demanded, the proposition, question or matter shall be finally decided by a division to be held and conducted in such a manner as shall be determined by the Club Chairperson.
53. All decisions arrived at and carried at any Special or Annual General meeting held in conformity with these rules shall be binding and conclusive upon all members of the Club and no notice of motion to reconsider any such decisions shall be received during the current year in which such decision has been so arrived at.

## QUORUM

54. The number of members and/or players required to be present to form a quorum shall be as follows:
  - (a) At all Annual General or Special Meetings: 30
  - (b) At all Players Meetings: 20
  - (c) At all meetings of Committee : 50 percent plus 1
  - (d) At all meetings of the Executive Committee : 3

## EXPULSION

55. If any member shall be guilty of an act, which in the opinion of the Committee renders it undesirable that they should continue to be a member, the Committee or a Special General meeting may expel such offending member and strike their name off the list of membership PROVIDED THAT if the removal shall be by the Committee such member may appeal (a) firstly, to the Executive Committee, and (b) to a Special General Meeting and the decision of the Committee shall not be interfered with unless by a vote of two-thirds of the members present at such Special General Meeting. Written notice of such appeal must be made to the Secretary within seven (7) days of the notification of expulsion to such member.

## INTERPRETATION OF RULES

56. The interpretation of these rules, or of any question arising out of or not provided for in these rules, shall be in the discretion of the Committee whose decision shall be final and binding on all the members.

## ALTERATION OF RULES

57. No rule of the Club shall be altered, amended or rescinded without the concurrence of a majority of members present at the Annual General Meeting or at a meeting specially called for the purpose.
58. Notice of the motion to pass a new rule or to alter, amend or rescind any rule must be received by the Secretary seven (7) days prior to the Annual General Meeting and any notice received other than that for the Annual General Meeting shall be dealt with within fourteen (14) days by a Special Meeting.

## CONDUCT OPPOSED TO RULES

59. Notwithstanding anything to the contrary in these rules contained, the Executive Committee of the Club, by notice in writing addressed or handed to any member of the Club, require such member to appear before it to answer a charge of having been guilty of conduct detrimental to the best interest of the Club.
60. After hearing such matter, and any evidence which may be given before it the Committee may, if such charge be proved to its satisfaction, cancel membership of such member, fine, impose suspended sentences or may disqualify such member for such a period as the Committee see fit.
61. If such member fails to attend after having received such notice the Committee may hear and determine such charges in their absence.
62. Any member may appeal to a Special General Meeting if aggrieved by any decision of the Executive Committee and shall lodge a notice of appeal within seven (7) days of such decision with the Club Secretary.

## AGE LIMIT

63. No liquor or tobacco shall be sold or supplied to any person under eighteen (18) years of age.
  - (a) Persons failing to adhere to this rule will be required to attend a meeting of the Executive Committee.
  - (b) No persons under eighteen (18) years of age except persons who are being trained as waiters or messengers shall be allowed to serve behind the bar or be employed in the premises of the Club.
  - (c) No persons under the age of eighteen (18) years of age shall be permitted in the Gaming Room of the Club at ANY time.
  - (d) Parents shall be responsible for their children at all times, both within and within the surrounds of the Club.

## WINDING UP THE CLUB

64. (a) The Club shall only be wound up by a resolution of a Special General Meeting of the Club convened solely for the purpose of considering a resolution that the Club be wound up. The resolution shall be passed by not less than fifty (50) members in person present and voting and the numbers of members voting in favour of the resolution shall be a majority of three quarters of the members present and voting on the resolution.
  - (b) On Winding Up of the Club any surplus assets remaining after paying all the liabilities of the Club and the expenses of the Winding Up shall be applied for such one or more purposes of advancing the sports and the playing of the sports decided upon by the Committee of the Club at the time the resolution to wind up is passed may determined. If the Committee shall not make a determination within one (1) calendar month of the date of which the Club is wound up then the surplus assets shall be applied for such charitable purposes in South Australia as the Attorney General for South Australia may direct.

## INDEMNITY

65. As far as may be legally permissible, every officer and every employee of the club shall be indemnified by the club against all claims for damages whether of a special, general, pecuniary or exemplary nature and for losses or expenses or costs arising by reason or any contract properly entered into or act or thing properly done by such officer or employee or in any way in the discharge of his duties and it shall be the duty of the Executive Committee out of the funds of the club to pay all damages, costs, losses and expenses which any officer or employee may properly incur or become liable.