



GOSNELLS CITY FOOTBALL, SPORTING & SOCIAL CLUB INC

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Constitution and Rules of the Gosnells City Football, Sporting and Social Club Incorporated.

Contains all amendments up to and including A.G.M. 2007

The original constitution was issued circa 1960.

Amended, rewritten, approved and reissued in this edition circa 1991.

1. NAME

The name of the Club shall be Gosnells City Football, Sporting and Social Club Incorporated.

2. AIMS AND OBJECTS

- a. To foster and encourage the game of Association football at all its levels for the benefit and enjoyment of club members and the residents of the local community.
- b. To encourage participation in other sports and pastimes for the benefit and enjoyment of club members.
- c. To obtain and maintain club premises within Western Australia for the use by members and their guests.
- d. To cause the club to be registered as a club under the “ Liquor Licensing Act 1988” and its amendments. To renew such registration when necessary as required by the “ Liquor Licensing Act 1988” .
- e. To improve the financial status of the club by means of sponsorship, donations or by any other legal means as may be appropriate.
- f. To enter into such agreements as are necessary for the proper utilisation of the clubs assets and the achievement of “ Aims and Objects” here stated.

3. CLUB ADMINISTRATION

- a. The club shall be administered by a group of elected members here after called “ The Committee.”
- b. Election of the committee shall be in accordance with the “ Rules of the Club” as detailed in subsequent paragraphs.

- c. The committee shall not have the power to raise any loan, for any purpose, without the authority of an annual general meeting or of a special general meeting called for the specific purpose of giving authorisation to a proposal to raise a loan.
- d. The property and income of the club shall be applied solely towards the promotion of the aims and objects of the club and no part of that property or income shall be paid, directly or indirectly, to members of the club except in good faith in promotion of these aims and objects.
- e. Subject to a written request being received by the committee all past and present records of the club shall be made available for perusal by any club member at any time.

4. DATE OF EFFECT

The constitution and rules shall become effective from the date on which they are accepted by the club members (See also “ Rules of the Club” 5B).

RULES OF THE CLUB

SECTION ONE - GENERAL

1. AFFILIATIONS

The club shall be affiliated with the governing bodies of any of the sports or pastimes in which the club may participate.

2. CLUB COLOURS

The colours of the club shall be mainly blue and white. Alternative club colours shall be as agreed by the committee.

3. INSURANCE

The club shall maintain a current “ Public Liability” insurance policy. The choice of insurance company and the size of the policy shall be agreed as by the committee from time to time but must not be allowed to lapse.

4. COMMON SEAL

The use of the club common seal shall be restricted to only those documents which legally require the use of the common seal. The affixing of the common seal to any documents must be witnessed by at least two (2) members of the committee plus club secretary. The common seal shall be kept in a safe place by the club secretary at all times when not in use.

5. AMENDMENTS TO THE CONSTITUTION

- a. Any amendments or additions to the club constitution or rules of the club shall only be as a result of a decision taken by members at an annual general meeting or at a special meeting called for that purpose.
- b. As soon as possible after the submission of any proposal for change to either the club constitution or rules of the club, the secretary shall provide to the Director of Liquor Licensing certified particulars of the proposed change and no effect shall be given to the change without the written approval of the Director. A copy of the proposed change shall also be provided to the Ministry of Fair Trading (Associations) as a notice of “ Special Resolution” .

Note: This rule does not override the authority of the committee to implement “ Special Purpose” by-laws. Any such by-laws maybe amended at any time by the committee.

6. INTERPRETATION

The interpretation of these rules or any question arising out of them shall be at the committee’ s discretion. Any such interpretation shall be final and binding on all members.

7. DISSOLUTION OF THE CLUB

In the event of any future circumstances arising, which may prevent the club from carrying out its agreed aims and objectives, a special meeting of members will be called to discuss possible dissolution. If it is agreed that the club shall be dissolved all relevant facts shall be reported to the governing body and the dissolution of the club will be conducted in accordance with the advice and directions of the governing body. The final beneficiary of any such distribution must be an incorporated “ Not for profit” association whose aims and objects are compatible with the aims and objects of this club OR a registered charitable institution.

8. CONTRACTS

The recruitment of players, coaches or trainers shall be at the discretion of the committee. Any contracts involving remuneration for services to be rendered shall be in the form of a legally enforceable document.

9. LICENSED AREA

In addition to the statutory requirements of the “ Liquor Licensing Act 1988” the committee may impose any additional restrictions on the use of the licensed area as they deem necessary for a particular occasion.

SECTION TWO – MEMBERSHIP

10. LIABILITY OF MEMBERS

Any member causing loss or damage to the club, its building, or property, shall be fully liable for such loss or damage.

11. CLASSIFICATION

- a. Members shall be classified as;
 - i. Ordinary Members
 - ii. Junior Members

- iii. Life Members
 - iv. Associate Members (non-voting)
 - v. Temporary Members
- b. Every new candidate for membership shall be proposed and seconded by (separate) current financial or life members. All applications shall be posted on the club notice board for a period of not less than seven (7) days before election provided also that a period of not less than fourteen (14) days elapses between nomination and election.
- c. Names and addresses of all members shall be entered in a register of members kept by the club secretary. The register must be kept up to date at all times. A list of current ordinary and life members shall be available at the clubrooms for the purpose of identification.

12. MEMBERSHIP YEAR

The membership year for ordinary and junior members shall be from 1st January to 31st December annually.

13. MEMBERSHIP FEES

- a. The membership fees shall be such an amount as decided by the committee and shall be due on or before 1st of January annually. The committee may, at its discretion, decide upon a reduced fee to be payable by old age pensioners or any member perceived to be financially disadvantaged.
- b. Any person wishing to represent the club in organised competition in any sport or pastime shall;
- i. Be a current financial (or life) member.
 - ii. Pay all necessary fees, as notified by the committee, for their participation in their desired competition before they may be eligible for registration with the governing body of that competition.
 - iii. Members wishing to play in more than one competition must also pay registration and insurance fees as required for that extra competition.

Note: That at the discretion of the committee, life members need only pay such fees as are necessary for their registration and insurance within their desired competition.

14. ORDINARY MEMBERS

Any person over the age of eighteen (18) years may, on written application, be accepted by the committee as an ordinary member. On such acceptance the applicant shall then be required to pay the membership fee currently in force.

The committee shall retain the right to refuse any application but the committee must notify the applicant of its reason for refusal.

Note: The written application for membership referred to above applies only to initial application and does not require renewal for continuing membership.

15. JUNIOR MEMBERS

Any person under the age of eighteen (18) years may, on written application, be accepted by the committee as a junior member. On such acceptance the applicant shall then be required to pay the membership fee currently in force.

The committee shall retain the right to refuse any application but the committee must notify the applicant of its reason for refusal.

Note: The written application for membership referred to above applies only to initial application and does not require renewal for continuing membership. Junior members shall not be entitled to hold office in the club and shall cease to be a junior member upon reaching the age of eighteen (18) years but shall then be eligible for ordinary membership.

16. LIFE MEMBERS

Life membership is usually offered as a token of respect in recognition of outstanding service to the club over a long period of time. Normally the number of life members would be a small percentage of club members but the committee retains the right to regulate the number of life members. The names of life members shall permanently remain on the list of club members.

The committee may, at its discretion, offer a life membership to any member provided that such offer shall be approved by members at an annual general meeting.

All life members will be exempt from having to pay annual membership fees.

17. ASSOCIATE MEMBERS (NON VOTING)

Any person over the age of eighteen (18) years whose spouse is an ordinary, or life member, may be admitted as an associate member. Associate members shall not be eligible to hold any office within the club.

18. TEMPORARY MEMBERS

A person who is on any day visiting the club as a member of, an official of, or a person assisting, a team that is to contest a prearranged event in that sport on that day or at the invitation of a member to engage in that sport on that day, may be taken to be a person who is afforded temporary membership on that day only.

19. MEMBERSHIP CARD

A membership card, in such form as the committee may decide, will be issued to each ordinary, junior and associate member on payment of the current membership fee. The members card is not transferable and the committee shall have the right to request any person on the club premises to produce their membership card.

Life members will also be issued with a membership card.

20. SUSPENSION OF MEMBERSHIP

The committee shall have the power to suspend, at any time, the membership of any person who, in their opinion, has committed an action detrimental to the club or its aims and objects.

21. EXPULSION

If any member shall be, in the opinion of the committee, guilty of any act which renders it undesirable that they continue as a member of the club that member may be expelled and their name removed from the register of members.

Note: Any suspension or expulsion of a member will deny that person the right of entry to the clubrooms, grounds, functions and facilities whilst the areas are hired as per the governing local council by-laws.

22. RIGHT OF APPEAL

Any member suspended or expelled in accordance with sections twenty (20) or twenty one (21) above shall have the right of appeal to a meeting of the full club committee. Notice of intention to appeal must be made, in writing, within seven (7) days for the date of notification of suspension or expulsion. The decision of the full committee shall be final.

23. RESIGNATION

Any member may, at any time, notify the committee in writing of the intention to resign their membership. The committee may accept such resignation or impose conditions on its acceptance as they deem necessary. The resignation shall not be effective until any conditions imposed have been fulfilled to the satisfaction of the committee.

SECTION THREE – ADMINISTRATION

24. THE COMMITTEE

The committee shall be elected annually at the annual general meeting (AGM) and shall assume full responsibility for the conduct of the clubs affairs in accordance with the constitution and rules of the club.

The committee will consist of:

- i. President
- ii. Deputy President

- iii. Secretary
- iv. Treasurer
- v. A minimum of four (4) and a maximum of eight (8) members
- vi. One (1) representative from each of any sub-committees which may be authorised by the committee.

The term of office for all committee members shall be one (1) year from the date of election by annual general meeting (AGM). Retiring committee members shall be eligible (subject to nomination) to serve on the in-coming committee, in the same, or any other, position.

All candidates nominated for office, their proposers and seconders, must be current financial (or Life) members of the club. Any candidate for the positions of President, Secretary or Treasurer must have been a fully financial member of the club for a continuous period of not less than one (1) year before nomination.

Nominations for committee and notices of motion must be received by the committee no later than seven (7) days before the annual general meeting (AGM). Should insufficient nominations for the committee be received in advance the chairman may allow nominations to be taken at the meeting.

Should a ballot be necessary during election of the committee the chairman shall appoint two (2) scrutineers to tally votes for and against. The appointed scrutineers shall not be candidates for any office.

The committee shall meet at least once per calendar month or more often, as deemed necessary, for transaction of club business.

Minutes of each meeting will be kept and entered into a book provided for that specific purpose.

The quorum for committee meetings shall be six (6) committee members.

Any committee member absent from three (3) consecutive meetings, without satisfactory explanation, will be deemed to have vacated their position and may be replaced.

The committee shall have the power to fill any casual vacancy occurring during their term of office.

Note: At its first meeting after election the committee should give priority to these decisions:

- i. Appoint as necessary, delegates to represent the club at meetings of the governing body and any other bodies to which the club has an affiliation.
- ii. Authorise the formation of such sub-committees, as deemed necessary, to fully represent the varied interests of club members.
- iii. Compile and authorise “ Specific purpose” by-laws as necessary for the efficient operation of such sub-committees.
- iv. Set scale of membership fees for the next membership year.

25. SECRETARY

The holder of this position will, in general, perform all functions relative to the position including:

- i. Receive all incoming mail for the club and present the same at the next committee meeting.
- ii. Originate all outgoing mail at the direction of the committee.
- iii. Keep an up to date register of all members.
- iv. Take and keep minutes of all meetings.
- v. Have custody of the club common seal.
- vi. Any other duties as directed by the committee.

26. TREASURER.

The holder of this position will perform all functions relating to the financial affairs of the club including:

- i. Receipt of all incoming monies (from whatever source) and the issue of receipts for all incoming monies.
- ii. Payment of all incoming monies into the general bank account of the club.
- iii. Originate all outgoing monies at the direction of the committee.
- iv. Keep a correct account of all income and expenditure.
- v. Submit to each committee meeting an up to date statement of income, expenditure, available funds and liabilities.
- vi. Prepare an accurate “ End of Season” balance sheet up to the 30th of September in a format suitable for audit and present the same at the annual general meeting (AGM).
- vii. Any other duties as directed by the committee.

Note: The “ End of Season” balance sheet must be inspected and checked by a firm of chartered or registered public accountants and their report shall be presented with the balance sheet at the annual general meeting.

27. MEETINGS (FREQUENCY AND PROCEDURE)

All meetings shall be chaired by the club President. If the President is unavailable, the chair shall be taken by the Deputy President. Should both be unavailable then a chairman shall be elected from the meeting. The chairman of any meeting will not have a primary vote but will have a casting vote if required.

An annual general meeting (AGM) must be held before the 30th of November annually. All available means of publicity should be used to inform all members, at least twenty one (21) days, in advance of the date set for the annual general meeting (AGM).

Order of Business:

- a. Adoption of minutes of previous annual general meeting (AGM).
- b. Presentation of Presidents annual report.
- c. Presentation of financial report and balance sheet.
- d. Notices of motion.
- e. Election of committee for subsequent year.
- f. Any other business as allowed by chairman.

Note: Only current financial and life members may vote at the annual general meeting (AGM).

All voting shall be by a show of hands.

Seventy five percent (75%) majority of members present and voting shall be needed to carry or defeat a proposition except in a case of ballot for election to committee when a simple majority shall be sufficient.

A special general meeting may be called at the direction of the committee, for urgent discussion of club matters or when a request is received from a minimum of ten (10) members for such a meeting. Any such requests must specify the matter for discussion. Notice of a special general meeting shall be given to all members at least seven (7) days before the meeting and must include the nature of business to be discussed. Only the advertised business (or matters relating to it) may be discussed at the special general meeting.

The Quorum for any annual general meeting (AGM) or for a special general meeting shall be fifty one percent (51%) of the current financial membership, or thirty (30) members, whichever ever shall be the lowest.

SECTION FOUR – CONDUCT OF LICENSED AREA

Note: This section has been included following advice received from the Director of “Liquor and Licensing” that these rules should be part of the club constitution and its rules.

28. SALE AND SUPPLY OF LIQUOR

The club shall only be open for the sale and supply of liquor during such hours (within hours permitted by “ Liquor and Licensing Act 1988”). As the club committee shall from time to time determine.

The club shall nominate a person as the approved manager pursuant to the provisions of section one hundred (100) of the “ Liquor Licensing Act 1988” .

Where a manager is ill, or is dismissed, or is absent for any other reason, a licensee may appoint any person (other than a person who has found been not fit and proper by the licensing authority) as a temporary manager, for a period not exceeding seven (7) days without notifying the licensing authority.

A licensee may, without notifying the licensing authority, appoint a person (other than a person who has found been not fit and proper by the licensing authority) who has been approved by the licensing authority within the last two (2) years, to act as a temporary manager for any period not exceeding thirty (30) days.

No payment or part payment shall be made to any Secretary, Treasurer, manager, officer or other servant of the club by way of an allowance or commission from the monies received by the club for liquor supplied to any members and their guests.

No liquor shall be sold or supplied to any juvenile (ie: Any person under the age of eighteen (18)).

No liquor shall be sold or supplied on Good Friday, Anzac Day or Christmas Day except as permitted under the provisions of the “ Liquor Licensing Act 1988” .

No stranger shall be permitted the use of the club premises and no member or other person shall admit any stranger to club premises.

29. GUESTS

Note: The maximum number of guests per member, per day, for the purposes of section 48 (4) (B) of the act is three (3).

Members may introduce guests to the club subject to the following conditions;

- i. No member may introduce more than three (3) guests to the club premises at any one time.
- ii. A guest shall not be supplied with liquor in the club premises except on the invitation, and in the company, of a member.
- iii. A guest shall be supplied with liquor to be consumed on the club premises only.
- iv. The member introducing the guest shall be responsible for the proper conduct of the guest while on the club premises.
- v. Any person who has been refused membership of the club or who is under suspension or expulsion of the club shall not be admitted as a guest of any member of the club.
- vi. A member may, at their expense, and with the approval of the club committee, supply liquor to guests, without limitation as to number, at a function held by or on behalf of that member, at the club premises.

30. NON-SMOKING POLICY

The club will strictly enforce the Health Department regulation “ No Smoking in Enclosed Public Places – issued 1999” . The club will also abide by the guidelines in the Healthways “ Healthy Clubs” programme issued 2001.