



CONSTITUTION

(Registered April 2004; Amendment registered July 2008; Amendment registered May 2013; Amendment registered September 2013)

This constitution is based on The Model Constitution as issued by the NSW Office of Fair Trading. Nowra Croquet Club Incorporated's size and the nature of the sport of Croquet have necessitated adjustments to "The Constitution".

PART 1 GENERAL

1. NAME

The club shall be known as Nowra Croquet Club Incorporated.

2. INTERPRETATION

- (a) "The Club " means the incorporated club referred to in clause 1.
- (b) "The Association" means the state parent body - Croquet NSW Inc.
- (c) "Croquet" means the game of association croquet and all other mallet sports.
- (d) "Croquet Club" means an incorporated body, which affords facilities for croquet to be played by its members and visitors on a regular basis.
- (e) "Affiliated Club" means a croquet club affiliated with the Association.
- (f) "member" means a member of the club.
- (g) "Financial member" means a member who has paid all due subscriptions.
- (h) "Officer" means an elected member of the Management Committee
- (i) "Committee" means the Management Committee of the Club.
- (j) "Visitor" means a croquet player from another club within Australia or overseas.
- (k)"Guest" means either a croquet player or non-croquet player invited to the club by a member.
- (k) "AGM" means the annual general meeting at which the election of officers occurs and which is especially noted as such.
- (l) "General Meeting" means an ordinary meeting held at a time and date to suit members.
- (m) "Special General Meeting" means a meeting called for by the committee or a number of members for a special agenda with notice given.
- (n) "Junior Member" a person between the ages of 12 and 18 years.

3. OBJECTIVES

- (a) to organise regular games of croquet.
- (b) To organise and promote competitions and special events.
- (c) To organise and promote croquet generally.
- (d) To provide and maintain facilities for the playing of croquet.

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PART 2

4. MEMBERSHIP

- (a) Any person is eligible to make application for membership of the club.
- (b) Application must be made on the prescribed form, nominated and seconded by existing financial members and lodged with the club.
- (c) Membership applications will be displayed in the club until the next Monthly Meeting.
- (d) All applications must be approved by the committee, it being in the absolute discretion of the club whether it accepts, rejects or defers any application. The club shall be under no obligation or duty to disclose or publish to the applicant or any other person the reason for its decision on any such application.
- (e) All members of the club will be affiliated with the Association and pay the prescribed fee. If a player is a member of more than one club, he or she shall nominate one of those clubs as his/her affiliating club and need not pay the fee twice.
- (f) Junior Memberships (under 18 years) will be accepted at a rate of 10% of the Annual Subscription, plus the Croquet New South Wales affiliation fee. They are to be charged full green fees, have no voting rights, no key and must be accompanied by an adult.
- (g) Life Membership can be bestowed, at the discretion of the Committee, upon any member who provides outstanding service to the club over a long period of time.

5. CESSATION OF MEMBERSHIP

A person ceases to be a member upon: -

- (a) Resignation, having notified the secretary in writing
- (b) Non-payment of annual fees, the member having received a written reminder and been given 28 days to pay.
- (c) Expulsion.

6. MEMBERSHIP RIGHTS NOT TRANSFERABLE

A right, privilege or obligation which a person has by being a member of the club -

- (a) cannot be transferred to another person
- (b) terminates upon cessation of the person's membership.

7. MEMBERS LIABILITIES

The liability of a member to contribute towards the payment of any 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.

8. DISCIPLINING OF MEMBERS

Where the Committee is of the opinion that a member has-

- (a) persistently and wilfully acted in a manner prejudicial to the interests of the Club
- (b) persistently refused or neglected to comply with a provision of these rules or policies of the club and if mediation between the parties fails, the committee may by resolution suspend the member from the club or expel the member.

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Such members shall have the right of appeal in writing to the Secretary, who shall as soon as practicable thereafter call a Special General Meeting of members for the purpose of considering such an appeal.

At any such meeting, the decision of the Committee shall be final unless a three-quarter majority of the members present and voting, decide that such a member's appeal be upheld.

9. REGISTER OF MEMBERS

The Public Officer (Secretary) is responsible for maintaining a Register of Financial members, specifying the name and address of each person. This register is to be available to the membership for inspection at any time.

10. FEES AND SUBSCRIPTIONS

- (a) The source of funds for the club are to be derived from entrance fees, annual subscriptions, playing fees, donations and, subject to any resolution passed by the members in a general meeting, such other sources as determined.
- (b) All money received must be deposited as soon as practicable and without deduction to the credit of the club's banking account.
- (c) The club must as soon as practicable after receiving any money, issue an appropriate receipt
- (d) The club's funds are to be used in pursuance of its objectives subject to any resolution passed in a general meeting.
- (e) All cheque and other negotiable funds transfers must be signed or authorised by 2 of 4 authorised signatories from the committee, these being, President, Secretary, Treasurer and one other Committee ie either Vice-President or Captain as selected by the Annual General Meeting. Three of the four must own a computer and be able to access Internet Banking.
- (f) The club's financial year is July 1- June 30.

PART 3

11. MANAGEMENT COMMITTEE

- (a) Subject to this Constitution the Committee shall make and carry out policy decisions for the furtherance of the objectives of the club, shall carry out the business of the club and receive and consider any complaints, claims or suggestions made by members, taking such action as necessary.

The management Committee is comprised of the following officers: -

- President
- Vice-President
- Secretary (also Public Officer)
- Assistant Secretary
- Treasurer
- Captain
- 3 Members.

- (b) The Management Committee shall be elected from the membership at the AGM and shall hold office until the next AGM. Members are eligible for re-election. In the event of a casual vacancy occurring for any reason, the committee may appoint or advertise for a member of the club to fill the vacancy and this member shall hold office until the next AGM.

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- (c) Nominations for election as office bearers must be made in writing, signed by 2 members and have the written consent of the candidate (which may be endorsed on the nomination form).

Nominations must be delivered to the secretary at least 7 days prior to the AGM. If insufficient nominations are received to fill all vacancies, further nominations may be called for at the AGM.

If the number of nominations received is equal to the number of vacancies to be filled, the persons nominated are taken as elected.

If the number of nominations received exceeds the number of vacancies to be filled, a ballot is to be held.

The ballot for the election of office bearers is to be conducted by secret ballot.

- (d) To hold a meeting of this committee a quorum of 50% of the committee should be present.

12. MEETINGS

(A) VOTING ELEGIBILITY

- i. Each financial member shall be entitled to one vote.
- ii. Non-financial members shall not be entitled to vote at any club meeting nor shall they be entitled to stand for election to committee.

(B) ANNUAL GENERAL MEETING

- i. The club shall hold an AGM within 6 months of its financial year ending.
- ii. If a member is unable to attend the AGM he/she may give a written proxy on the appropriate form in a sealed envelope to the Secretary.
- iii. Quorum shall be no less than 20% of total membership and present in person.
- iv. If a quorum is not formed then the AGM will be adjourned to the same day and time of the next week when it will proceed.
- v. Notice of the AGM shall be displayed on the club noticeboard at least 14 days prior, also nomination forms for office bearers shall be available.
- vi. In addition to any other business which may be transacted at an AGM, the business shall be:-
 - to confirm the minutes of the last AGM and any special meeting held since then
 - to receive reports from the committee on the activities of the club during the preceding financial year
 - to receive and consider the annual statement which is required to be submitted to members under section 26/6 of the Associations Incorporation Act of 1984.
 - to elect office bearers
 - to appoint an honorary auditor
 - to appoint a patron.

(C) GENERAL MEETINGS

General meetings of members are to be held on a day and at a time to suit the majority members. A quorum for general meetings will be 15% of total membership. Without a quorum the meeting is abandoned and the agenda transferred to the next called general meeting which will proceed regardless.

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(D) SPECIAL GENERAL MEETINGS.

- (1) The committee may, whenever it thinks fit, convene a special general meeting of the Club.
- (2) The committee must, on requisition in writing of at least 5% of the total membership, convene a special general meeting.
- (3) A requisition of members for a special general meeting: -
 - (a) must state the purpose or purposes of the meeting
 - (b) must be signed by the members making the requisition
 - (c) must be lodged with the secretary
 - (d) may consist of several documents in a similar form each signed by one or more of
 - (e) the members making the requisition.
 - (f) May be lodged by email or Fax.
- (4) At least 14 days notice must be given to all members specifying the date and time and purpose of the special meeting.
- (5) No business other than that specified in the notice is to be discussed or transacted at the special meeting.
- (6) The quorum for such a meeting will be 20% of total membership.

13 VOTING AND DECISIONS

After discussion, at any club or committee or subcommittee meeting decisions are to be governed by majority opinion this usually being indicated by a show of hands or a secret ballot, if requested by a member. Each member is entitled to one vote including the presiding person but in the event of an equality of votes on any question the person presiding may exercise a second or casting vote.

14. SPECIAL RESOLUTION

A special resolution, to be passed, requires a majority of at least 50% of the eligible members voting in person or by written proxy at a Special General Meeting of which at least 14 days notice specifying the motion has been given.

PART 4

MISCELLANEOUS

15. INSURANCE

The club shall effect and maintain insurance as required by our circumstances either by law or necessity.

16. SERVICE OF NOTICE

For the purpose of these rules, a notice may be served on or given to a person: -

- (a) by hand delivery
- (b) by sending it by post to the address of the person
- (c) by sending it by facsimile or some other form of electronic transmission to an address specified by the person for giving or serving the notice.

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For the purpose of these rules, a notice is taken to have been given or served as follows unless there is proof otherwise.

- (a) in the case of hand delivery, on the date when received by addressee
- (b) in the case of post, on the date it would have been delivered in normal circumstances
- (c) in the case of electronic means, on the date it was sent especially when the equipment used gives a record.

17. ALTERATION OF OBJECTIVES AND RULES.

The statement of objectives and this constitution may be altered, rescinded or added to only by a special resolution of the club.

18. PROVISIONS IN RULES

Where in relation to any matter the Model Constitution makes provision, but these rules of Nowra Croquet Club Inc. do not, the provision of the Model Constitution shall in relation to that matter be deemed to be included in these rules of Nowra Croquet Club Inc.

19. WINDING UP

The club may only be dissolved by a resolution passed by a majority of 75% of the membership voting at a Special General Meeting called for that purpose and of which thirty (30) days notice has been given to each member.

If, on the winding up or dissolution of the club, there remain after the satisfaction of all its debts and liabilities, any monies or properties, the same shall be transferred to other croquet clubs within the region.