

CONSTITUTION

of

**SWAN DISTRICTS JUNIOR
FOOTBALL UMPIRES
ASSOCIATION INCORPATED**

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1. Name of Association

- (a) The name of the Association shall be Swan Districts Junior Football Umpires Association Incorporated.

2. Objects

- (a) The principal objectives are to establish, maintain and conduct an association for a junior football umpiring programme within the Swans District zone in consultation with Umpiring WA (WAFC) and to support the recreational, social, sporting, cultural and community dimensions of that interest. These objects include the provision of facilities for the pursuit of literary, scientific, athletic, and professional and any other lawful purpose that provides benefits and enjoyment for the members of the Association.
- (b) To provide and maintain a clubhouse for the use of the members.
- (c) To foster community partnerships by providing a hub for well-being, interaction and engagement.
- (d) To advocate for, promote and support the ongoing development of the Swans District Zone and broader community through sport, recreation and leisure.

3. Not for Profit

- (a) The property and income of the Association shall be applied solely towards the promotion of the objects of the Association and no part of that property or income may be paid or otherwise distributed, directly or indirectly, to members, except in good faith in the promotion of those objects.

4. Definitions

In reading these rules, unless the context or such otherwise indicates or requires:

- i. “Act” means the Associations Incorporation Act 2015, its amendments and any other legislation that may come into force to replace or supplement this Act, and shall form part of these Rules.
- ii. “Annual Meeting” means an Annual General Meeting called in accordance with Section 9 hereunder.
- iii. “Books of the Association” means: the Members Register; the Record of Office Holders; and the Association Constitution.
- iv. “By-Laws” means the codes of rules made and adopted by the Association in accordance with Section 16(b)(xii).
- v. “Association” means Swan Districts Junior Football Umpires Association Incorporated.
- vi. “Association Premises” means all land, building and structures thereon of which the Association is the bona fide occupier.
- vii. “Commissioner” means: the person for the time being designated as the Commissioner under of the Act.
- viii. “Committee” means the Management Committee for the Association, duly elected or appointed for the time being in accordance with these Rules.

- ix. "Financial records" Includes: invoices, receipts, orders for the payment of money, bills of exchange, cheques, promissory notes and vouchers; documents of prime entry; working papers and other documents needed to explain the methods by which financial statements are prepared; and adjustments to be made in preparing financial statements;
- x. "Financial report" has the meaning given in Part 5 of the Act;
- xi. "Financial statements" means the financial statements in relation to the Association required under Part 5 of the Act;
- xii. "General Meeting" means a General meeting of the Association whether Annual or Special.
- xiii. "WAFC" means the West Australian Football Commission
- xiv. "Month" means a calendar month.
- xv. "Rules" means this constitution of the Association, as in force for the time being.
- xvi. "Special General Meeting" means a General Meeting as defined below, called in accordance with Section 10 hereunder, at which only business that has been described in the notice may be transacted.
- xvii. "Special Resolution" means a resolution passed by the members at a general meeting in accordance with Section 51 of the Act.
- xviii. "Usage Rights" mean the rights of any category of the membership or guest or visitor to use the sporting facilities as provided in these rules, in the By-Laws or as determined by the Committee, as the case requires.
- xix. "Voting rights" means the ability for a financial member to move or second a motion or special motion; speak at all general meetings; nominate for a position on the Committee; vote at all general meetings; and petition for a special general meeting.

5. Membership

- (a) The Association shall keep an up-to-date register of members in respect of Ordinary, Life, Junior, Social, Corporate and Honorary members.
 - 1. Residential, postal or email address; or information by means of which contact can be made with the member, can be nominated for the members register.
- (b) Membership of the Association shall consist of the following:
 - i. Ordinary Member – Persons who have attained sixteen (16) years of age and are an active umpire of the Association shall be eligible to apply for Ordinary membership. A small portion of the annual registration fee paid by each Junior Member will represent a nominal fee, for one (1) parent or guardian of that member, to join SDJFUA as an Ordinary Member, thereby providing the Ordinary Member with voting rights at an Annual General Meeting or Special General Meeting.
 - 1. Ordinary members shall be entitled to exercise all the rights and privileges of the Association, subject to limitations on that entitlement determined by the Committee under Section 7(f) and 16(b)(ii & iii).
 - 2. Ordinary Members shall have voting rights.

- ii. Life Member – the members may elect Persons who have rendered meritorious service to the Association as Life Members for such service. The procedure to elect a Life Member are contained at Annex 1 of this document.
 - 1. Life members shall be entitled to exercise all the rights and privileges of the Association, subject to limitations on that entitlement determined by the Committee under Section 7(f) and 16(b)(ii & iii).
 - 2. Life members shall have voting rights.
 - 3. Life Members shall be exempt from subscriptions but shall pay any levies and capitation fees. If a Life Member returns after a period of absence as a running member they are entitled to 50 % discount on their membership fees.
- iii. Junior Member – Persons who have attained thirteen (13) years of age and are under the age of sixteen (16) years at the commencement of the membership year and are an active umpire of the Association shall be eligible to apply for Junior Membership.
 - 1. Junior members shall have the use of the Association's amenities, subject to limitations on that entitlement determined by the Committee under Section 7(f) and 16(b)(ii & iii).
 - 2. Junior members shall not have voting rights except as below.
 - a. The Committee may determine by resolution that voting rights be conferred on a Junior Member as per the criteria contained in the By-Laws.
 - 3. Any Junior Member on attaining the age of sixteen (16) years of age wishing to remain a member of the Association shall apply for transfer of membership.
- iv. Social Member – Persons who have attained sixteen (16) years of age, interested in promoting the objects of the Association but does not wish to participate in any umpiring activities shall be eligible to apply for Social membership.
 - 1. Social members shall have the use of the Association's amenities, subject to limitations on that entitlement determined by the Committee under Section 7(f) and 16(b)(ii & iii).
 - 2. Social Members shall have voting rights.
- v. Corporate Member – organisations, restricted to senior management, conducting community or tourism related business in the Swans District and its surrounds that have made a contribution to the Association through business, sponsorship or donations may be granted Corporate Membership status by the Committee.
 - 1. Corporate members shall have the use of the Association's amenities, subject to limitations on that entitlement determined by the Committee under Section 7(f) and 16(b)(ii & iii).
 - 2. Corporate membership will be restricted at any one time to a level deemed appropriate by the Committee.
 - 3. Corporate members shall not have voting rights.
- vi. Honorary Member – Membership may be granted by the Committee to Association Patrons, Sponsors, Selected Government Officers and any other such persons as the committee may decide from time to time based on their relationship to the Association or community.

1. Honorary members shall have the use of the Association's amenities, subject to limitations on that entitlement determined by the Committee under Section 7(f) and 16(b)(ii & iii).
2. Honorary membership will be restricted at any one time to a level deemed appropriate by the Association.
3. Honorary Members shall not have voting rights.

(c) Cessation of Membership:

- i. A person ceases to be a member when any of the following takes place:
 1. For a member who is an individual, the individual dies;
 2. For a person whose title represents a corporate member, the body corporate is wound up;
 3. The person resigns from the Association;
 4. The person is expelled from the Association under Section 24;
- ii. The Secretary will keep a record on file of the date on which the person ceased to be a member and the reason why the person ceased to be a member.
- iii. A member may resign from membership of the Association by giving written notice of the resignation to the Secretary:
 1. The resignation takes effect when the Secretary receives the notice; or if a later time is stated in the notice, at that later time.
 2. A person who has resigned from membership of the Association remains liable for any fees that are owed to the Association (the owed amount) at the time of resignation.
 3. The owed amount may be recovered by the Association in a court of competent jurisdiction as a debt due to the Association.

6. Application to Become a Member

- (a) Subscriptions and any nomination fee shall be made at the time of application.
- (b) Any person desiring to become an Ordinary, Social, Junior or Corporate member of the Association shall apply on the form provided for the purpose from time to time by the Association:
 - i. When the application form and all subscriptions have been received by the Secretary, the person shall be a provisional member of the Association and exercise all of the privileges of a member excluding voting rights until such time as the next Committee meeting.
 - ii. At the next Committee meeting, the applicant will then be accepted or denied membership.
 - iii. If membership is denied, all subscriptions shall be refunded.
- (c) Transfer of Membership:
 - i. Any member wishing to transfer to a different membership category shall apply in writing on the form provided for the purpose from time to time by the Association.

1. The membership application will then be considered by the Committee as per Section 5.
 - ii. Any Junior Member on attaining the age of sixteen (16) years of age shall on application to the Committee be transferred to the appropriate Association membership.
- (d) No person shall be entitled to exercise any of the privileges of a member until they have paid all subscriptions due by them.
- (e) The Committee shall have the right to refuse to admit any person to membership without assigning any reason for doing so.
 - i. Applicants whose membership has been rejected shall not be eligible to reapply for membership for a period of one year (1) from the time of application.
 - ii. Applicants whose membership has been rejected shall not attend the Association as a guest of any member for a period of one year (1) from application.
- (f) On the acceptance of each applicant, the Secretary shall notify the same to them, and they shall be enrolled as a Member of the Association, and become entitled to the privileges and be bound by its rules and by all consequences resulting from breach or non-performance thereof, and shall thereby absolve every person concerned in carrying out enforcing such rules from all personal responsibility or legal liability on such account.
- (g) Life Member – A financial voting member may propose another member for Life Membership to the Committee in writing giving reasons as per the criteria contained in the By-Laws that Life Membership should be granted.

7. Member's Rights

- (a) The rights and privileges of every member shall be personal and shall not be in any manner transferable by their own act or through any other person on their behalf or by operation of law.
- (b) Voting rights for each membership category are as detailed in Section 5.
 - i. Only financial members may exercise voting rights.
- (c) Employees – Members who are employees of the Association are entitled to all the rights and privileges of membership excluding those rights concerned with the selection, election and holding of office with the Association.
- (d) All members, upon commencement of membership, will be supplied with an electronic copy of the Association Constitution or will be directed to obtain a copy of the Association Constitution from the Association's website.
- (e) Upon acceptance to membership, all members agree to be bound by the Association Code of Conduct as contained in the By-Laws.
- (f) Functions – Members are entitled to host functions on the Association premises after written application for said function has been considered and approved by the Committee.
 - i. The Secretary will furnish the applicant with a written copy of Association rules relating to functions after the application has been approved and any additional conditions and restrictions it shall see fit.

8. Subscriptions

- (a) The annual subscription and any nomination fee of the Association shall be set by majority vote of the Committee prior to the commencement of the financial year.
 - i. The Committee may determine discounted rates for social membership from time to time.
- (b) Notice of the subscriptions and any nomination fee shall be notified to the members via electronic platform.
- (c) All subscriptions are due as per By-Laws schedule.
 - i. Any member who, through absence; illness; financial difficulties; unemployment; physical disability or other distressful circumstances is unable to pay their full subscription but desires to retain participation with the Association may apply in writing to the Committee to relieve them of part of their liability, but not to make their total liability less than one third of the applicable subscription. The Committee will have discretion as to whether to accept the application and if accepted, any amount payable.
 - 1. All applications shall be made prior to registration night in the current year.
- (d) The Committee shall declare a member un-financial where the subscription is in arrears as at the first day of July in the current year.

9. General Meetings – Annual General Meeting

- (a) The Annual General Meeting of members shall be held every calendar year within four (4) months after the end of the Association's financial year, with the Committee to determine the date, time and place.
 - i. Ten (10) financial voting members shall constitute a quorum.
 - ii. In the case of insufficient members to form a quorum being present after 30 minutes following the advertised start time for an Annual Meeting, said meeting will be automatically adjourned to re-convene at the same time seven (7) days later and shall proceed with or without a quorum.
- (b) All Notices of Motion for consideration at the Annual Meeting must be handed to the Secretary in writing by 5pm no less than twenty-one (21) days prior to the date set for said meeting.
- (c) Notice of the meeting (including date, time and location) and agenda items, including wording of any Notices of Motion and Notices of Special Resolution, shall be provided via electronic communication fourteen (14) days before the date of the meeting for all members to read.
- (d) The order of business at the Annual Meeting shall be as follows:
 - i. Reading notice of meeting.
 - ii. Reading minutes of the last Annual Meeting and any other General Meeting not yet confirmed and confirming or amending same.
 - iii. Presentation of Annual Report, discussion and adoption or otherwise.

- iv. Presenting Financial Statements, discussion and adoption or otherwise.
- v. Election of Committee.
- vi. Special Business of which Notice of Motion has been given.

10. General Meetings – Special General Meeting

- (a) The Committee may at any time call a Special General Meeting.
 - i. Ten (10) financial voting members shall form a quorum.
 - ii. In the case of insufficient members to form a quorum being present after thirty (30) minutes following the advertised start time, the meeting shall automatically adjourn to re-convene at the same time seven days later and shall proceed with or without a quorum.
- (b) A Special General Meeting shall also be called by the Committee on a requisition signed by no less than twenty percent (20%) of financial members with voting rights, stating in detail the purpose of the meeting.
 - i. If the Committee does not convene a Special General Meeting within thirty-five (35) days of the date of the requisition being received, any signatory of the requisition shall have the power to convene the meeting as per 10(c).
 - ii. Twenty percent (20%) of financial voting members shall form a quorum.
 - iii. In the case of insufficient members to form a quorum being present after thirty (30) minutes following the advertised start time, the meeting shall automatically lapse.
- (c) Notice of the meeting (including date, time and location) and agenda items, including wording of any Notices of Motion and Notices of Special Resolution, shall be provided via electronic communication fourteen (14) days before the date of the meeting for all members to read.
- (d) Only business of which notice shall have been given as above, or in accordance with these rules, shall be transacted at a Special General Meeting.

11. General Provisions for General Meetings

- (a) General Meetings may take place:
 - i. Where the Members are physically present together; or
 - ii. Where the Members can communicate by using any technology that reasonably allows the Member to participate fully in discussions as they happen in the General Meeting and in making any decisions, provided that the participation of the Member in the General Meeting must be made known to all other Members.
- (b) A Member who participates in a meeting as set out in Section 11(a)(ii):
 - i. Is deemed to be present at the General Meeting; and
 - ii. Continues to be present at the meeting for the purposes of establishing a quorum until the Member notifies the other Members that they are no longer taking part in the General Meeting.
- (c) The Chair of the meeting shall be the President or if not available a person nominated and elected by the members present.

- (d) Only financial members with voting rights, as per these rules, will be permitted to vote on matters at a General Meeting.
 - i. All votes shall be cast by persons present at the General Meeting, including those persons considered present for the purposes of Section 11(a).
 - 1. Proxy votes shall be permitted and will be referenced in by-laws on how to submit these votes.
 - 2. Absentee votes will not be permitted except as provided for in Section 14(c)(i).
- (e) At any general meeting unless a poll is requested by at least three (3) members with voting rights, a declaration by the Chair that a resolution has been carried or lost, and an entry to that effect in the minutes of the Association shall be sufficient evidence of the decision.
- (f) The Chairperson shall have a deliberate and casting vote and shall decide all questions of order unless otherwise provided by these rules.

12. General Provisions

- (a) No member shall be entitled to take any legal action against the Association, other than a claim for goods sold and delivered and services rendered and must conform to the decisions of the Committee and in the case of an appeal, to the decision of the General Meeting to which they may appeal.
- (b) These rules shall be the rules of the Association and shall be binding on members.
- (c) The interpretation of these rules and any By-Laws of the Association shall, unless set aside by a general meeting called for that purpose, be in the sole determination of the Committee whose decision shall be binding on all members.

13. Management Committee

- (a) All positions are to be two (2) year terms, with half elected each year, then:
 - (a) The management of the Association shall be vested in the Management Committee consisting of the following nine (9) positions:
 - ii. President
 - iii. Umpire Manager
 - iv. Treasurer
 - v. Secretary
 - vi. Fundraising Officer
 - vii. Membership and Social Officer
 - viii. General Committee (max 3 positions)
- (b) The following Committee members are elected for a two (2) year term with half the Committee being elected at each Annual Meeting.
 - i. Treasurer, Secretary, Membership and Social Officer and one (1) General Committee member shall be elected in even years.
 - ii. President, Fundraising Officer and two (2) General Committee members shall be elected in odd years.

- (c) Elected Committee member terms commence at the conclusion of the Annual Meeting at which the election was held and ends at the conclusion of the Annual Meeting two (2) years after election.
 - 1. Elected Committee members may be re-elected.
- (d) The Umpire Manager shall be appointed by the WAFC for a two (2) year term in even years specifically designed to be alternate year to the President election.
- (e) Newly appointed Committee member terms commence at conclusion of the AGM and conclude two (2) years after appointment.
 - 1. Appointed Committee members may be re-appointed.
- (f) Committee members shall be a financial member with voting rights who are not ineligible as per Sections 18(g) and 18(h).
- (g) Committee members may only hold one position concurrently.
- (h) Committee Transition – upon acceptance of these rules the following shall apply:
 - i. All newly created positions shall be treated as a casual vacancy; and
 - ii. Terms of office for existing and new committee members expire at the Annual Meeting following approval of these rules.
 - iii. Treasurer, Secretary, Membership and Social Officer and one (1) General Committee member shall be elected for a two (2) year term.
 - iv. President, Fundraising Officer and two (2) General Committee members shall be elected for a one (1) year term and thereafter a two (2) year term.
 - v. Umpire Manager shall be appointed by the WAFC for a two (2) year term.
- (b) The quorum at all Committee meetings shall be half of the existing committee members plus one.
- (c) Committee Meetings may take place:
 - i. Where the Committee Members are physically present together; or
 - ii. Where the Committee Members can communicate by using any technology that reasonably allows the Committee Member to participate fully in discussions as they happen in the Committee Meeting and in making decisions, provided that the participation of the Committee Member in the Committee Meeting must be made known to all other Members.
- (d) A Committee Member who participates in a meeting as set out in Section 13(c)(ii):
 - i. is deemed to be present at the Committee Meeting; and
 - ii. continues to be present at the meeting for the purposes of establishing a quorum, until the Committee Member notifies the other Committee Members that they are no longer taking part in the Committee Meeting.
- (e) Committee meetings shall be held not less than six (6) times per year, with no longer than two (2) months between meetings unless in the official off season period, on the dates and at the times and places determined by the committee.

- i. The date, time and place of the first Committee Meeting must be determined by the committee members as soon as practicable after the annual general meeting at which the committee members are elected.
 - ii. Notice of each Committee Meeting must be given to each committee member at least seven (7) days before the time of the meeting stating the date, time and place of the meeting and must describe the general nature of the business to be conducted at the meeting.
 - iii. The only business that may be conducted at the meeting is the business described in the agenda except in the case of urgent business where committee members at the meeting unanimously agree to treat that business as urgent.
 - iv. The President shall preside at all meetings of the Committee of the Association and, in their absence, the Umpire Manager.
 - 1. Should neither be present, the meeting shall elect a Chairperson.
 - v. The procedure to be followed at a Committee Meeting must be determined from time to time by the committee.
 - vi. The order of business at a Committee Meeting may be determined by the committee members at the meeting.
 - vii. Special meetings may be called by the President or on the request of two members of the Committee.
- (f) The Committee can determine the distribution of Committee Meetings minutes to members, as detailed in the By-Laws.
- i. Where minutes are distributed to a member, all private and confidential information pertaining to another member shall be redacted.
 - ii. Minutes of Disciplinary Hearings as held under Section 24 shall not be distributed to any member.
- (g) All Members, or other guests, may attend Committee Meetings if invited by the Committee but the person shall not have any right to comment without invitation, or vote on any matter, or to be provided with copies of any agenda, minutes of meetings, or documents presented to such meetings.
- (h) Committee Vacancies
- i. Any vacancy occurring in the elected positions of the Committee as per Section 17 may be filled at a meeting of the Committee when a member may be elected to fill such a vacancy until the next election provided the member elected at such Committee meeting shall hold office in the place of, and upon the same terms and conditions as their predecessor, had the latter continued in the office.
 - ii. No member of the Committee shall be held to have resigned their seat until their resignation, in writing, has been accepted by the Committee.
 - iii. Any vacancy occurring in the position of Umpiring Manager shall be filled as per Section 15 and the office shall be held in the place of, and upon the same terms and conditions as their predecessor, had the latter continued in the office.
 - iv. If vacancies in the Committee result in the number of Committee Members being less than three (3), the continuing Committee Members may act to only:

1. increase the number of Members on the Committee; or
 2. convene a General Meeting of the Association
- (i) All resolutions of the Committee shall be decided by a majority vote of all those present except as provided for under Section 13(h)(iii).
- i. Each Committee member present shall have one vote.
 - ii. The Committee may pass a resolution outside of a committee meeting if:
 1. Identical copies of a document are circulated to each Committee Member detailing:
 - a. Motion
 - b. Mover
 - c. Seconder
 2. The document shall be circulated:
 - a. By email to address on Register of Members
 - b. In person
 3. All Committee Members shall:
 - a. Return circulated document through email or in person, indicating acceptance or rejection of the motion; or
 - b. Reply to email, quoting the motion and indicating acceptance or rejection of the motion.
 4. Taken together, all signed copies of the document will constitute the same document.
 5. The resolution shall be decided by a majority vote after all Committee Members have voted under Section 13.
 - iii. In the case of equality of votes, the proposal before the President shall have the casting vote.
- (j) The President or in their absence, the Umpire Manager shall be authorised to speak on behalf of the Association.
- (k) Any act performed by the Committee, a Sub-Committee or a person acting as a Committee Member is deemed to be valid even if the act was performed when:
- i. There was a defect in the appointment of a Committee Member, Sub-Committee or person holding a subsidiary office; or
 - ii. A Committee Member was disqualified from being a Committee Member as per Sections 18(g) or 18(h) as a result of bankruptcy or conviction of a relevant criminal offence.

14. Management Committee Elections

- (a) The Secretary shall post the Committee member elected positions becoming vacant on the Association Noticeboard not less than fourteen (14) days before the Annual Meeting.

- (b) Nominations for all elected positions on the Committee must be in writing signed by the proposer and nominee and must be in the hands of the Secretary by 5pm not less than seven (7) days before the Annual Meeting.
 - i. Only financial members with voting rights who are not ineligible as per Section 18(g) and 18(h) may submit nominations for a position on the Committee.
 - ii. The nominations shall be exhibited electronically at least five (5) days prior to the said meeting.
 - iii. Retiring Committee Members are eligible to renominate for the position they have vacated.
- (c) The election of retiring Committee Members shall be by ballot at the Annual Meeting in the presence of the returning officer and two scrutineers elected by the members present at such meeting.
 - i. Members unable to attend the meeting may lodge a vote on the Association approved ballot paper with the Secretary at least two (2) days prior to the meeting, having also recorded and signed an apology for the meeting on an outer sealed envelope that contains the sealed ballot paper.
 - 1. This approved ballot paper must be distributed directly to the member.
 - ii. All other votes shall be cast at the Annual Meeting.
- (d) Individual elections shall be held in the following order:
 - i. President
 - ii. Treasurer
 - iii. Secretary
 - iv. Fundraising Officer
 - v. Membership and Social Officer
 - vi. General Committee (Max 3)
- (e) Where a member has nominated for more than one position on the committee and they are elected to a position, their additional nominations shall be withdrawn.
- (f) Nominees are permitted to vote for themselves.
- (g) In the case where no more than the required number of Committee Members shall be nominated, those so nominated shall be declared elected.
- (h) If there shall be insufficient nominations to fill the whole of the vacancies of the list of officers, those declared elected shall have power to fill the vacancies as a casual vacancy.

15. Management Committee Appointments

- (a) Umpiring WA (WAFC) shall call for nominations for the Umpiring Manager position no fewer than four (4) weeks prior to the expiration of the incumbent's term.
- (b) The Umpiring Manager shall be chosen from applications received by a panel comprising SDJFUA Committee & Umpiring WA (WAFC)

16. Powers of the Committee

- (a) The business of the Association shall be managed by the Committee who may exercise all powers of the Association, except those required to be exercised by the Association at a General Meeting.
- (b) Without prejudice to the powers conferred by the last preceding rule, the Committee shall have power to do the following things:
 - i. To purchase or otherwise acquire any books, newsletters or periodicals and dispose of them as it may see fit.
 - ii. To determine from time to time the conditions on which and time when, members may use the property of the Association or any part or parts thereof, and when and under what conditions the premises of the Association or any part or parts thereof, shall be used by members.
 - iii. To determine what person, if any, not being members of the Association shall be permitted to use the premises of the Association or any part or parts thereof and during what time and under what conditions and when and at what times and places and under what conditions such persons shall be supplied with refreshments and accommodation.
 - iv. To appoint any officials or servants of the Association and to remove them as occasions may require at their discretion and to define their respective duties. Persons appointed to paid positions shall be engaged under a contract, award or classification of work in the Registered and Licensed Associations Award (2020) and its amendments.
 - v. To delegate, subject to such conditions as it thinks fit any of its powers to sub committees consisting of such members of the Committee and other members of the Association co-opted for the purpose as it may determine and to make such regulations as to the proceedings of such sub committees as may be thought desirable.
 - vi. To regulate and control their own meeting and the transaction of business.
 - vii. To reimburse expenses of any servant of the Association for faithful and diligent service as deemed fit.
 - viii. In accordance with these rules, to discipline any member.
 - ix. To enter into or accept any lease or tenancy of the premises where on the Association shall conduct its affairs or of any furniture, goods and effects, which may be required for the use of the Association on such terms and on such conditions as the Association, may deem expedient.
 - x. To take and defend all legal proceedings by or on behalf of the Association and to appoint all necessary Attorneys for any such purpose.
 - xi. To borrow, raise or secure the payment of money, and to sell and dispose of the assets of the Association up to \$1000.00.

- xii. To make, alter and repeal By-Laws not inconsistent with these rules regulating the use and management of the Association premises, the admission of members and the conduct of the Association and its affairs generally.
- xiii. To determine and vary Usage Rights but where particular Usage Rights are specifically stated in these rules, those Usage Rights may only be varied as necessary to accommodate tournaments, competitions and matches, or adverse conditions or works on the sporting fields.
- xiv. To do and perform any other act, matters and things in connection with or relative to the management of the Association as shall not by these rules require to be done by the Association in General Meetings.
- xv. To appoint such number of delegates to sporting bodies and associations with which the Association may from time to time be affiliated as may be required by the rules thereof and such delegates shall hold office in accordance with the rules of such sporting bodies and associations respectively.
- xvi. Every member of the Committee shall be indemnified against any loss, expenses or liability incurred by reason of any act or deed performed by them in good faith on behalf of the Committee and the Committee may use the funds of the Association for any such purpose required, together with any reasonable expense's incidental to Committee activities.

17. Ceasing to be a member of the Management Committee

- (a) A casual vacancy occurs in the office of a Committee Member and that office becomes vacant if the Committee Member:
 - i. Dies;
 - ii. Ceases to be a Member;
 - iii. Becomes disqualified from holding a position under Section 18(g) or 18(h) as a result of bankruptcy or conviction of a relevant criminal offence;
 - iv. Becomes permanently incapacitated by mental or physical ill-health;
 - v. Resigns from office under Section 13.
 - vi. Is absent from more than:
 - 1. Three consecutive Committee Meetings without a good reason; or
 - 2. Three Committee Meetings in a twelve (12) month period without tendering an apology to the person presiding at each of those Committee Meetings;
 - vii. Is removed from office under by resolution at a General Meeting of the Association if a majority of the Members present and with voting rights at the meeting vote in favour of the removal.
 - 1. The Committee Member who faces removal from the Committee must be given a full and fair opportunity at the General Meeting to decide the proposed resolution, to state their case as to why the Member should not be removed from their position on the Committee.

2. If all Committee Members are removed by resolution at a General Meeting, the Members must, at the same General Meeting, elect an interim Committee.
3. The interim Committee must, within two (2) months, convene a General Meeting of the Association for the purpose of electing a new Committee.

18. Member Privacy

Recognition of the Act

(a) The Association commits to ensuring that any personal or health information that is collected, stored and used only in accordance with relevant privacy laws such as the Privacy Act 1988 (CT) and Amendments.

(b) It is the Committee's responsibility to ensure that relevant Association officials are familiar with their obligations under the Act and that the handling of both personal and health information is done so in accordance with the law. In particular:

- i. The Association will only collect personal and health information that is required for its activities
- ii. Any information collected will only be used for the purpose for which it was collected. These purposes included;
 - a. Training, fixtures and match day information, including parent and family member rosters
 - b. Association social functions
 - c. Results and updates on members activity
 - d. District information
 - e. Provision of medical history and pre-existing conditions to medical practitioners and emergency response officers
 - f. Association newsletters
 - g. Official association functions e.g. trophy presentations, AGM's, season wind-ups etc.
- iii. If information is required for other purposes other than those for which it was collected, agreement will be sought beforehand and provided in writing
- iv. Information will only be accessed by Coaches and Committee Members
- v. Information will be securely stored
- vi. Information will be destroyed if it is no longer needed for any purposes

(c) Swan Districts Junior Football Umpires Association:

- i) Collects personal information (names, addresses, date of birth) for the primary purpose of holding records of its membership and, in particular, records about juniors who umpire for the association and their parents. These persons are the vast majority of the SDJFUA membership.
- ii) Maintains a mailing list which is used so the association can distribute information to members on association operations.

- iii) Collects health information from its running members relating to treating and recording injuries and any pre-existing medical conditions.
- iv) Information that ensures the Association's compliance with gazetted Working with Children legislation. This includes:
 - a. Working with Children Checks for all members excluding non-running life members
- v) Any information collected in respect of (iii) can contain sensitive information and will only be handled by a designated and responsible person within the Association. Information provided in these reports is strictly confidential and will only be brought to the attention of the Committee when the report content requires some actions

19. Role and Responsibilities of Committee Members

(a) Obligations of the Committee

- i. The Committee must take all reasonable steps to ensure the Association complies with its obligations under the Act and these Rules.

(b) Responsibilities of Committee Members

- i. A Committee Member must exercise their powers and discharge their duties with a degree of care and diligence that a reasonable person would exercise in the circumstances.
- ii. A Committee Member must exercise their powers and discharge their duties in good faith in the best interests of the Association and for a proper purpose.
- iii. A Committee Member or former Committee Member must not improperly use information obtained because they are a Committee Member to:
 - 1. Gain an advantage for themselves or another person; or
 - 2. Cause detriment to the Association.
- iv. A Committee Member or former Committee member must not improperly use their position to:
 - 1. Gain an advantage for themselves or another person; or
 - 2. Cause detriment to the Association.

(c) A Committee Member having any material personal interest, i.e.: financial or non-financial interests, in a matter being considered at a Committee Meeting must:

- i. As soon as they become aware of that interest, disclose the nature and extent of their interest to the Committee;
- ii. Disclose the nature and extent of the interest at the next General Meeting of the Association; and
- iii. Not be present while the matter is being considered at the Committee Meeting or vote on the matter.

(d) Section 18(c) does not apply in respect of a material personal interest that:

- i. Exists only because the Committee Member belongs to a class of persons for whose benefit the Association is established; or

- ii. The Committee Member has in common with all, or a substantial proportion of, the members of the Association.
- (e) The Secretary must record every disclosure made by a Committee Member under Section 18(c) in the minutes of the Committee Meeting at which the disclosure is made.
- (f) No Committee Member shall make any public statement or comment or cause to be published any words or article concerning the conduct of the Association unless the person is authorised by the Committee to do so and such authority is recorded in the minutes of the Committee Meeting.
- (g) No person shall be eligible to hold a position on the Committee if the person is, according to the Interpretation Act section 13D, a bankrupt or a person whose affairs are under insolvency laws unless the person has obtained the consent of the Commissioner.
- (h) No person shall be eligible to hold a position on the Committee if the person has been convicted of, or imprisoned in the previous five years for:
 - i. an indictable offence in relation to the promotion, formation or management of a body corporate;
 - ii. an offence involving fraud or dishonesty punishable by imprisonment for a period of not less than three months; or
 - iii. an offence under Part 4 Division 3 or section 127 of the Act;

unless the person has obtained the consent of the Commissioner.

- (i) All Committee Members shall maintain the privacy and confidentiality of meeting proceedings and matters relating to the strategic governance and management of the Association.
- (j) All Committee Members shall abide by the Committee Member Code of Conduct as contained in the By-Laws.
- (k) As soon as is practicable after a person has ceased to be a member of the Committee of the Association, all relevant documents, records as may be defined in the By-Laws and security items (including passwords and keys) must be delivered to a Committee Member of the Association.

20. President

The President or other such person as authorised by the Committee:

- i. Must consult with the Secretary regarding the business to be conducted at each Committee Meeting and each General Meeting
- ii. May convene special meetings of the Committee under Section 13(e)(vii)
- iii. May preside over Committee Meetings under Section 13(e)(iv)
- iv. May preside over General Meetings under Sections 9 and 10; and
- v. Must ensure that the minutes of a General Meeting or Committee Meeting are reviewed and signed as correct.
 - 1. In the case where the President was absent from the meeting then another Committee Member shall sign that attends that meeting.

21. Administration

(a) The Secretary or other such person as authorised by the Committee must:

- i. Co-ordinate the correspondence of the Association;
- ii. Consult with the Chairperson about all business to be conducted at meetings and convene General Meetings and Committee Meetings, including preparing the notices of meetings and of the business to be conducted at each meeting;
- iii. Keep and maintain in an up-to-date condition the rules of the Association and any By-Laws of the Association;
- iv. Maintain the register of the Members including the email, street, postal address or information by means of which contact can be made of each member;
- v. Update the register within twenty-eight (28) days of new members, members resigning, members suspended/expelled and in the latter case, include date in which member ceases and reasons for cessation of membership.
- vi. Maintain the record of office holders of the Association.
 1. Committee members may nominate a business address, post office box address or email address to be used in the record in place of their personal address;
- vii. Ensure the Annual Information Statement is submitted;
- viii. Ensure the safe custody of the Books and any securities, except for the Accounting Records, of the Association;
- ix. Take and keep full and correct minutes of Committee Meetings for approval at the next Committee meeting, which will then be stored and distributed as per the By-Laws;
- x. Take and keep full and correct minutes of General Meetings, which will be supplied upon request to the Secretary, distributed to all members within fourteen (14) days of the General Meeting via the Association website and will be tabled for adoption at the next General Meeting; and
- xi. Perform any other duties as are imposed by these Rules or the Association on the Secretary role.

22. Finances

(a) The Association financial year shall be from the first of November each year, until the following 31st of October.

(b) The Treasurer or other such person as authorised by the Committee must:

- i. Ensure all moneys payable to the Association are collected, and that receipts are issued for those moneys in the name of the Association;
- ii. Ensure the payment of all moneys referred to in Section 22(b)(i) into the account or accounts of the Association as the Committee may from time to time direct;
- iii. Ensure timely payments from the funds of the Association with the authority of a General Meeting or of the Committee, with all cheques, drafts, bills of exchange, promissory notes and other negotiable instruments of the Association signed by either:

1. Two (2) committee members; or
 2. One (1) committee member and an umpire authorised by the committee
- iv. Ensure that the Association complies with the account keeping requirements in Part 5 of the Act;
 - v. Ensure the safe custody of the Financial Records of the Association and any other relevant records of the Association;
 - vi. Coordinate the preparation of the financial statements or financial report, as imposed on the Association under Part 5 of the Act, prior to their submission to the annual general meeting of the Association;
 - vii. Assist the reviewer or auditor (if any) in performing their functions; and
 - viii. Perform any other duties as are imposed by these Rules or the Association on the Treasurer role.
- (c) The Committee shall ensure an independent review of the Association's accounts is undertaken annually for the preceding financial year.
- i. The Reviewer shall be a qualified bookkeeper, independent to the Association.
 - ii. The Reviewer shall have power at any time to call for all books, papers, accounts etc. relating to the affairs of the Association.
 - iii. The Reviewer shall be entitled to receive such remuneration as the Committee may determine from time to time.
 - iv. The Reviewer's report shall be presented at the Annual Meeting if available at that time.
- (d) If the Association engages a reviewer or auditor, they shall be independent to the Association.
- i. Appointments of any reviewer or auditor shall be as per Part 5 of the Act.
- (e) Correct accounts and books shall be kept showing the financial affairs of the Association and the particulars usually shown in books of accounts of a like nature.
- (f) Association facilities are to be provided and maintained from the joint funds of the Association and no person shall be entitled under these rules to derive any benefit or advantage from the Association which is not shared equally by every member thereof.
- (g) Section 22(e) does not prevent:
- i. The payment in good faith of remuneration to any officer, employee or Member in return for any services rendered to the Association or for goods supplied in the ordinary and usual course of business;
 - ii. The payment of interest at a rate not exceeding the prevailing market rate published by the Reserve Bank of Australia as the "Cash Rate Target" from time to time on money borrowed from any Member;
 - iii. The payment of reasonable and proper rent by the Association to a Member for premises leased by the Member to the Association; or
 - iv. The reimbursement of expenses incurred by any Member or any Committee Member on behalf of the Association.

- v. The reimbursement of a Committee Member's travelling and other expenses as properly incurred:
 - 1. In attending Committee Meetings or Sub-Committee meetings;
 - 2. In attending any General Meetings of the Association; and
 - 3. In connection with the Association's business.
- vi. The payment of an honorarium to Committee Members as determined by members by special resolution at an Annual or Special General meeting.

23. Sub-Committees

- (a) The Committee may delegate any of its delegable powers to Sub-Committees consisting of such Members as it thinks fit.
 - i. All members of a Sub-Committee shall be bound by Section 18.
- (b) Any such Sub-Committee must report to and be responsible to the Committee.
- (c) No act of any Sub-Committee shall be binding on the Committee or Association until ratified by the Committee.
- (d) The Chair must be an existing member of the Committee.

24. Executing Documents

- (a) The Association shall not have a Common Seal.
- (b) The Association may execute a document without using a Common Seal if the document is signed by:
 - i. Any two Committee Members; or
 - ii. One (1) committee member and an umpire authorised by the committee.

25. Member Discipline

- (a) The Committee shall have the power to reprimand, suspend or expel any member of the Association.
- (b) Any complaints relating to a member must be in writing and must be lodged with the Committee within three (3) months of the date of the incident.
- (c) The Umpiring Manager or Committee in receiving a complaint of a member's behaviour which is considered a serious breach of acceptable member behaviour or where police involvement is required, may suspend a member for a period of time until disciplinary action under Section 25(f) can be taken.
- (d) The Committee shall apply the power to reprimand, suspend or expel any member of the Association who:
 - i. Fail in the observance or commit any breach of any rule of the Association, members Code of Conduct, or any by-law of the Association or of any order or direction of the Committee or of any General Meeting; and/or

- ii. In the sole judgement of the Committee have been guilty in or out of the Association's premises of any act, conducted matter or thing calculated to bring discredit on the Association or its members, or to impair or affect the enjoyment of the Association by other members.
- (e) The Committee is required to exempt any member of that Committee from hearing a charge in which they have an interest.
- (f) Any member charged with misconduct as above shall be furnished with a written copy of the charge and summoned before the Committee with no less than seven (7) days' notice.
 - i. The Committee shall, after hearing the accuser and accused and taking such evidence as they may consider proper, if they find the charge proved inflict a penalty of suspension from all or any of the privileges of membership.
 - ii. If the Committee considers that on a charge of gross misconduct suspension as above is insufficient, they may call on the member to resign, and if they neglect to resign within ten (10) days they may declare them to be expelled.
 - iii. If a Member is suspended or expelled under Section 25(f)(i) or 25(f)(ii), the person may appeal the Committee's decision through a Special General Meeting by giving written notice to the Secretary within fourteen (14) days of receiving notice of the Committee's decision under Section 25(f)(i) or 25(f)(ii).
- (g) At the hearing, all parties to the disciplinary proceeding must be given a full and fair opportunity to state their respective cases orally, in writing or both.
- (h) Members are not permitted to have legal representation attend any disciplinary matters but may bring another member to act in a support capacity only.
 - i. Any member under the age of eighteen (18) must have a parent or legal guardian present during the entire disciplinary process.
 - 1. If a parent or legal guardian does not attend the hearing, the member under the age of eighteen (18) will not be able to attend the hearing and the Committee will continue as per Section 25(i).
- (i) If a responding member or a representative of the responding member does not attend within thirty (30) minutes of the time stated on the hearing notice, the hearing may start without that member, or their representative and determination will be made at the hearing.
- (j) If a Member's membership is suspended under Section 25(f)(i), the Secretary must record in the Register:
 - i. The name of the Member that has been suspended from membership;
 - ii. The date on which the suspension takes effect; and
 - iii. The length of the suspension as determined by the Committee under Section 25(f)(i).
- (k) During the period a member's membership is suspended, the member:
 - i. Loses any rights (including voting rights) arising as a result of membership;
 - ii. Is not entitled to a refund, rebate, relief or credit for membership fees paid, or payable, to the Association; and
 - iii. Cannot attend the Association premises, unless prior written authorisation is received from the Committee.

- (l) Upon the expiry of the period of a Member's suspension, the Secretary must record in the Register that the Member is no longer suspended.
- (m) If the Committee's decision to suspend or expel a Member is revoked under these Rules, any act performed by the Committee or Members in a General Meeting during the period that the Member was suspended or expelled from Membership under Section 25(f), is deemed to be valid, notwithstanding the Member's inability to exercise their rights or privileges of Membership, including voting rights, during that period.

26. Resolving Disputes

(a) Disputes Arising under the Rules

- i. Section 26(a) applies to:
 - 1. Disputes between Members; and
 - 2. Disputes between the Association and one or more Members that arise under the rules or relate to the rules of the Association.
 - a. This does not include disciplinary matters undertaken with Association members, which are covered only under Section 25 of these rules.
- ii. The parties to a dispute must attempt to resolve the dispute between themselves within fourteen (14) days of the dispute coming to the attention of each party.
- iii. If the parties are unable to resolve the dispute, any party to the dispute may initiate a procedure under this rule by giving written notice to the Secretary of the parties to, and details of, the dispute.
- iv. The Secretary must convene a Committee Meeting within twenty-eight (28) days after the Secretary receives notice of the dispute under Section 26(a)(iii) for the Committee to determine the dispute.
- v. At the Committee Meeting to determine the dispute, all parties to the dispute must be given a full and fair opportunity to state their respective cases orally, in writing or both.
- vi. The Secretary must inform the parties to the dispute of the Committee's decision and the reasons for the decision within seven (7) days after the Committee Meeting referred to in Section 26(a)(v).
- vii. If any party to the dispute is dissatisfied with the decision of the Committee, they may elect to initiate further dispute resolution procedures as set out in the Rules.

(b) Mediation

- i. Section 26(b) applies:
 - 1. Where a person is dissatisfied with a decision made by the Committee under Section 26(a); or
 - 2. Where a dispute arises between a Member or more than one Member and the Association and any party to the dispute elects not to have the matter determined by the Committee.

- ii. If the parties to a dispute are unable to resolve the dispute between themselves within the time required by Section 26(a)(ii), or a party to the dispute is dissatisfied with a decision made by the Committee, under Section 26(a)(vii) a party to a dispute may:
 - 1. Provide written notice to the Secretary of the parties to, and the details of, the dispute;
 - 2. Agree to, or request the appointment of, a mediator.
 - iii. Party, or parties requesting the mediation must pay the costs of the mediation.
 - iv. The mediator must be:
 - 1. A person chosen by agreement between the parties; or
 - 2. In the absence of agreement:
 - a. If the dispute is between a Member and another Member – a person appointed by the Committee; or
 - b. If the dispute is between a Member or more than one Member and the Association, the Committee or a Committee Member then an independent person who acts as a mediator for another not-for-profit body.
 - v. A Member can be a mediator, but the mediator cannot be a Member who is a party to the dispute.
 - vi. The parties to the dispute must, in good faith, attempt to settle the dispute by mediation.
 - vii. The parties are to exchange written statements of the issues that are in dispute between them and supply copies to the mediator at least five (5) days before the mediation session.
 - viii. The mediator, in conducting the mediation, must:
 - 1. Give the parties to the mediation process every opportunity to be heard;
 - 2. Allow all parties to consider any written statement submitted by any party; and
 - 3. Ensure that natural justice is accorded to the parties to the dispute throughout the mediation process.
 - ix. The mediator must not determine the dispute, and the mediation must be confidential. Information provided by the parties in the course of the mediation cannot be used in any other legal proceedings that may take place in relation to the dispute.
- (c) Inability to Resolve Disputes
- i. If a dispute cannot be resolved under the procedures set out in the Rules, any party to the dispute may apply to the State Administrative Tribunal to determine the dispute in accordance with the Act or otherwise at law.

27. Alteration and Rescinding of These Rules

- (a) The Association may only alter or rescind any of these rules, or to make additional rules, only by special resolution carried by a three-fourths majority of members present and voting at a General Meeting and by otherwise complying with Part 3 Division 2 of the Act.

- (b) Notice of Special Resolution to alter or rescind any of these rules or to make additional rules shall be given to the Secretary at least twenty-one (21) days preceding the Annual or Special General Meeting at which the motion shall be presented. The Secretary shall exhibit the Special Resolution on the Association notice board at least fourteen (14) days prior to such meeting.
- (c) Within one month after a special resolution is carried to repeal or alter the rules or adopt new rules of the Association under Section 27(b), the Committee shall lodge the required documents with the Commissioner.

28. Dissolution of the Association

- (a) The Association may wind up and have its incorporation cancelled in accordance with Parts 9 and 10 of the Act, if the Association so resolves by special resolution.
- (b) On the cancellation of the incorporation or the winding up of the Association, the surplus property must be distributed as determined by special resolution and as per Section 24(1) of the Act.

29. ANNEX 1

30. Swan Districts Junior Umpires Association Life Membership

1. PREFACE

1.1 Life Membership of the Swan Districts Junior Football Umpiring Association is considered the ultimate reward for outstanding service to the association.

1.2 In considering the award of Life Membership, an individual should have demonstrated significant, sustained and high-quality service which has enhanced the reputation and standing of the association over a significant period of time.

2. CRITERIA AND RULES

2.1 A candidate for Life Membership must have rendered outstanding service to the Association as an active member of not fewer than ten (10) full seasons.

2.2 A candidate for Life Membership must have umpired no fewer than 250 field umpiring games, 250 boundary umpiring games or 250 goal umpiring games in the District competition.

2.3 When considering a nomination for Life Membership, the candidate must have demonstrated commitment to the following criteria:

- i. Setting the standard for good conduct (both on and off the field) in order to maintain the values and morale of the Association.
- ii. Making effort to encourage camaraderie and co-operation.
- iii. Has contributed to the activities of the Association both on and off the field.
- ii. Enhanced the standing of the Association amongst the football community.

2.4 A candidate must be nominated and seconded in writing outlining how the candidate has met Rules (2.1, 2.2 and 2.3). Nominations which do not use the attached form will not be considered.

2.5 A candidate who does not meet Rules (2.1 and 2.2) may still be considered for Life Membership. In this instance, the candidate must be nominated and seconded in writing, with the nominator outlining why the candidate should be given special consideration. This special consideration nomination must still outline how the candidate has met Rule (2.3)

3. VOTING

3.1 Nominations from members are to be lodged with the Umpiring Manager no later than thirty (30) days before the End of Season Presentation night at which the nomination(s) are to be considered.

3.2 Once having received any nomination(s) the Umpiring Manager must convene the Management Committee to scrutinise all valid nominations.

3.3 The Secretary will prepare one document which summarises the nomination(s). The Management Committee will consider only nominations made in the period since the last End of Season Presentation night.

3.4 The Secretary shall, no later than seven (7) days after nominations have closed, distribute the nomination(s) to all current Life Members via mail and email.

3.5 The Management Committee and all Life Members shall be eligible to nominate, second and vote in any election of Life Members. All other members shall only be permitted to nominate and second candidates.

3.6 Life members may only be elected by a three-quarters majority of eligible members voting.

3.7 Eligible voting members may cast their vote by either email or post. In the case of a vote by email, the vote must be sent to both the Umpiring Manager and the Secretary. Where an eligible member casts a vote by the post, it should be sent to the Secretary, after which the Management Committee shall meet to scrutinise all valid postal votes.

3.8 The Secretary, in consultation with the other members of the Management Committee, will notify all Life members of successful candidates.

3.9 Successful candidates will be presented with their Life Membership by the Umpiring Manager (or his delegate) at the End of Season Presentation night.

4. CHANGING THE LIFE MEMBERSHIP CRITERIA

4.1 In the instance where it is proposed to change any part of this annex

(Sections 1, 2, 3 and 4) the process shall operate in the same manner as

Changes to the Association's Constitution and follow the procedures outlined

in Rules 16.1 to 16.4 inclusive.

31. Life Membership Nomination Form

I HEREBY NOMINATE

for Life Membership of the Swan Districts Junior Football Umpires Association

Proposer name:

Signature:

Date:.....

Seconder name:

Signature:

Date:.....

Rules and Criteria

1. Does the candidate satisfy 2.1? If so, how many years service has the candidate given?
2. Does the candidate satisfy 2.2? If so, how many games has the candidate completed?
3. Does the candidate satisfy the criteria stated at 2.3? If so, please provide an overview of the candidate's claim against Points (i. to iii.)
4. Do you have any additional information you wish to provide? [In the case of special consideration life membership (2.5), please provide an overview of why you think the candidate should be considered].

*NB: If needed, only **one (1)** extra A4 piece of paper may be attached to this nomination form to expand on the above criteria.*