

**CONSTITUTION OF THE  
BLACKWOOD FOOTBALL CLUB INCORPORATED**

***PART I***

1. The title of the sporting body (hereinafter called "the Club") to which the provisions herein apply shall be The Blackwood Football Club Incorporated.
  
2. The objects of the Club shall be:-
  - (a) To promote, foster and encourage all forms of sport and in particular the Australian National game of football in accordance with the true traditions of sportsmanship.
  
  - (b) To provide facilities for the members for playing sport.
  
  - (c) To promote unity and good fellowship amongst members of the Club and between members of the Club and other clubs.
  
3. For such purposes the Club shall have power to:-
  - (a) Do all things which the Club or Committee of Management thereof may think necessary or desirable to provide the recreation, accommodation and amenities for its members and to assist in attaining any object of the Club.
  
  - (b) To buy rent or lease land and/or buildings or any personal property which may be required for the purpose and objects of the Club and subsequently to sell lease or otherwise dispose of the same.
  
  - (c) To affiliate with any body whether incorporated or not having the same or more similar objects and to appoint representatives to any such body.
  
  - (d) To assist in or concur in the establishment of any other association having one or more similar objects.
  
  - (e) To give a guarantee on behalf of any person Club or Association.
  
  - (f) To deal with moneys of the Club not immediately required for the objects of the Club upon such security and in such manner from time to time as may be determined by the Committee of Management of the Club.

- (g) To borrow or raise money by the issue of debentures with or without security or by mortgage or by overdraft or in any other manner.
  - (h) To do all things which are incidental or conducive to the attainment of the objects of the Club.
4. The Club shall be affiliated with an Australian Rules Football League and/or Association as the members shall deem desirable at a general meeting of the Club.
  5. The income and property of the Club, whencesoever derived shall be applied solely towards the promotion of the objects of the Club, and no portion thereof shall be paid or transferred directly indirectly by way of dividends bonus or otherwise howsoever by way of profit to the members of the Club or relative of such members *PROVIDED ALWAYS* that nothing herein shall prevent the payment in good faith of remuneration to any officer or servant of the Club or to any member of the Club in return for any services actually rendered to the Club or reasonable and proper rental for premises let to the Club by the Corporation of the City of Mitcham.
  6. No payment or part payment of any secretary, manager or other officer or servant of the Club shall be made by way of commission or allowance from or upon the receipts of the Club for liquor supplied.

## ***PART II - DEFINITIONS***

1. (a) "Playing Membership fee - that sum of money determined by the members of the Club present and voting at an Annual General Meeting;
  - (b) "Ordinary Membership Fee - that sum of money determined by the members of the Club present and voting at an Annual General Meeting;
2. "Member" shall mean and include:-
    - (a) The patron of the Club, vice patrons, life members of the Club and every member of the Committee of Management of the Club.
    - (b) (i) *Playing Member*:-

Every person who intends to actively participate in the Australian Rules game of Football, including junior players under the age of 18 years, and

whose application for Playing Membership has been approved by the Committee of Management of the Club and who has paid the prescribed membership fee for a "Playing Member" in accordance with the provisions of Part VI, Clause 3 hereof;

(ii) *Ordinary Member:-*

Every person who does not intend to actively participate in the Australian Rules game of Football and whose application for Ordinary Membership has been approved by the Committee of Management of the Club and who has paid the prescribed membership fee for an "Ordinary Member" in accordance with the provisions of Part VI, Clause 3 hereof;

(c) Temporary membership - The following persons shall be temporary members of the Club:-

- (i) a person who is temporarily resident in South Australia, who has been appointed as a temporary member by a Resolution of the Committee duly passed and minuted and who has complied with the conditions imposed by the Committee of Management in making such appointment;
- (ii) all competitors who are members or officers of affiliated sporting clubs taking part in any competition or similar function organised by the Club or from the Club premises shall become temporary members of the Club for the day of the competition or function;
- (iii) all members of bodies affiliated with the Club who are attending convened meetings at the premises of the Club shall be Temporary Members for the day on which the meeting is held;
- (iv) members of a sporting club with which the Club has entered into a reciprocal agreement in respect of members' rights.

Unless the Committee by resolution determines otherwise or the terms of a reciprocal agreement provide otherwise, the period of such temporary membership shall not extend beyond the date of the competition or function as the case may be. Notwithstanding anything in this Rule contained the Committee or its duly appointed representative shall have

the right at any time and from time to time to refuse temporary membership to any person or to cancel any temporary membership and shall not be bound to give any reason for so doing. A temporary member shall determine and shall not be entitled to notices of meetings or to vote thereat.

3. "Office Bearers" shall mean the President, Vice President, Treasurer and such other officers as may be determined at any General Meeting of the Club.
4. "Season" shall mean and include, except where otherwise appears, the current football season.
5. "Country Member" - any person residing beyond a radius of 100 km from the Post Office, Blackwood and who has paid a membership fee being that sum of money as is determined by members of the Club present and voting at an Annual General Meeting as a Country Membership Fee.
6. "Club Match" shall mean a game of football played which is arranged by and sanctioned by or under the control of an Australian Rules Football League and/or Association as the members deem from time to time, in which a team of the Club shall be a participant and for which such match a member shall be selected by the Club to participate in.
7. Words importing the singular only include the plural and vice versa. Words importing the masculine gender only include the feminine gender and vice versa.

### ***PART III - MEETINGS***

1. **Annual General Meeting:-**
  - (a) The Secretary of the Club shall in each and every year call an Annual General Meeting of all members of the Club at least eight weeks prior to the first football match of the season of each and every year. For the purpose of this clause the Secretary shall give at least seven (7) days' notice in writing to all members of the Club of the date, time and place of such Annual General Meeting and all business to be conducted and all officers of the Club to be elected at such meetings.
  - (b) At each and every Annual General Meeting elections shall be held to fill

the vacancies created by the retirement of officers of the Club *PROVIDED ALWAYS* that the officers of the Committee of Management shall be elected in the manner set out in Clauses 14 and 17 of Part IV hereof.

**2. Special General Meeting:-**

The Secretary shall at the discretion of the Committee of the Club call a Special General Meeting of the Club at any time during a season and for the purpose of this clause the Secretary shall give all members of the Club at least twenty one (21) days' notice in writing to all members of the Club of the date, time and place and business of the meeting. If a Special Resolution is to be proposed at the meeting the notice shall include details of the resolution and of the intention to propose it as a Special Resolution.

3. For all Annual General or Special General Meetings of the Club thirty members shall constitute a quorum.
4. The decisive vote at all such meetings shall be a majority of the members in attendance and voting *PROVIDED THAT* at a Special General Meeting a special resolution is only passed if a majority of not less than three quarters of such members present, being entitled to do so, vote that it pass.
5. If at any of the aforesaid meetings no quorum be present at the expiration of thirty minutes after the time fixed for the commencement of such meeting, such meeting shall be adjourned. The Secretary shall thereafter give to the members of the Club two clear days' notice in writing notice of the date, time and place to which the meeting has been adjourned. If at such meeting no quorum is present those present shall be deemed to be a quorum.
6. With the exception of the election of the Committee of Management, the voting at every Annual and Special General Meeting of the Club shall be determined by a show of hands unless a ballot is demanded by twenty (20) members present at such Annual or Special General Meeting. Only financial members of the age of 18 or over shall be permitted to vote or speak at General Meeting of the Club.
7. Where notice in writing is given to members of an Annual General or Special Meeting of the Club it shall be deemed sufficient notice if a copy of such notice is dispatched:-
  - (a) in a prepaid stamped addressed envelope to the last known address of the

member as contained in the Club's register of members; or

- (b) by email to the member's last known email address; or
- (c) posted on the Club's website;
- (d) by any other means of electronic communication deemed by the Committee of Management to be acceptable in the circumstances;

It shall be the duty of a member to notify the Secretary in writing or electronically of a change of his place of abode or change of his address for electronic means of communication. The non-receipt of a notice by a member shall not invalidate such meetings.

#### ***PART IV - COMMITTEE***

1. The Committee of Management (herein referred to as "the Committee") shall consist of the following officers of the Club:- President, Vice President, Treasurer, Secretary, Senior Football Director, Junior Football Director, Sponsorship Co-ordinator, Membership & Marketing Co-ordinator. Three general committee persons and an Appointed Representative who may be given such title and responsibility as the Committee or a general meeting determine PROVIDED ALWAYS that each of the offices shall be held by a different person.  
Each member of the Committee shall have a deliberative vote with the exception of the Chairman and the Appointed Representative. The Chairman shall have a casting vote only.  
All members of the Committee shall hold office for one year with all positions declared vacant at the AGM.
2. The Committee may, immediately after its election, appoint any person it deems fit to fill the office of the Appointed Representative and such person shall hold office for one year only.
3. The Committee shall manage and supervise all affairs and business of the Club for the benefit of the Club.
4. The Committee shall appoint the Captain and Vice-Captain of each every team of the Club.
5. The Committee shall, prior to the commencement of each and every season appoint a coach of the Club. For the purpose of this clause the Committee shall have power to appoint such coach in any manner it desires and for such consideration as it deems

necessary but for a term not exceeding one season.

6. The Committee shall have power to appoint officers in addition to the office bearers for the management and supervision of the affairs and business of the Club and such appointed officers shall hold office until the next Annual General Meeting.
7. Where an officer of the Club ceases to hold that office for any reason before the expiration of that officer's term of office the Committee shall be at liberty to appoint any person it deems fit to fill the vacancy caused by such resignation and such person shall hold office for the balance of such term.
8. The Committee shall have power to impose a levy on all members of the Club if and when it deems necessary.
9. The Committee shall meet at such place and as often as it deems necessary and in any case at least once every three months.
10. The Committee shall have power to suspend, expel or impose a fine on any member of the Club where such member has in the opinion of the Committee been guilty of conduct prejudicial to the efficient management or good repute of the Club without divulging any reason therefore.
11. The Committee shall have power to relieve any officers of the Club (with the exception of officers appointed and elected an Annual General Meeting but subject to Clause 12 of this Part) of his duties and to suspend such officer at the committee's pleasure.
12. The Committee may suspend or relieve any committeeman from his office if such committeeman has been absent from three (3) consecutive meetings without just cause or excuse.
13. For the purpose of this Part a committee meeting shall be out of order and its resolutions be null and void where such meeting is constituted by less than five members of the Committee.
14. Notice of all meetings of the Committee shall be given to members of the Committee by the Secretary as soon as practical and by such means as the Committee shall from time to time determine.
15. (a) All nominations for the Committee of Management shall be in writing

signed by the candidate and two members of the Club and must be placed in the locked box provided in the Club at least seven (7) days before the Annual General Meeting. The Returning Officer shall thenceforth remove all such nominations and notify the Secretary of such nominations at least three (3) days before the Annual General Meeting. The nominations may be placed on the Notice Board of the Club by the Returning Officer after so notifying the Secretary.

- (b) At each Annual General Meeting the members shall appoint (by majority vote) a Returning Officer who shall conduct the election of officers of the Club at the next ensuing Annual General Meeting. The Returning Officer shall also carry out any other duties or functions as may be required by the Committee of Management or by this Constitution.
- (c) In the event of two or more candidates having an equal number of votes the Returning Officer shall have a casting vote.
- (d) Where no nomination is received as provided for herein a nomination may be made orally at the Annual General Meeting by a member present at that meeting and if the nomination is seconded by another member present at that meeting and accepted by the nominee the position may be filled by the majority of those present at that meeting voting in favour of that nomination. Where no nomination is received at all the position may be filled by the committee after the Annual General Meeting.

16. The Committee shall also have the following powers and authorities and may delegate all or any of its powers to a sub-committee or sub-committees and may revoke any such delegation at its pleasure:-

To control the funds of the Club, to appoint such delegate as may be necessary to represent the Club at meetings of any other Club or Association or League with which the Club may be affiliated, call a General or Special General Meeting of the Club, to make by-laws for the general management of the Club (provided the same are not inconsistent with this constitution).

17. (a) The Secretary shall keep correct minutes of all resolutions and proceedings of the Committee and of the Club in general meeting, conduct correspondence under the direction of the Committee of Management and



in general perform functions usually pertaining to this office.

- (b) The Treasurer shall receive subscriptions and other monies belonging to the Club and issue receipts therefore and as soon as possible after the receipt of same pay the same into the banking account of the Club, and have all cheques for disbursements countersigned by the President or Vice-President or Secretary of the Club. He shall keep or cause to be kept books and records which are adequate for the purposes of preparing therefrom in accordance with generally accepted accounting principles financial statements.
  - (c) Auditors - The accounts of the Club shall be audited by a person who is a registered company auditor elected at the Annual General Meeting in each year and a report of the financial statements of the Club shall be submitted at the following Annual General Meeting.
  - (d) No payment or part-payment of any secretary, manager or other officer or servant of the Club shall be made by way of commission or allowance from or upon the receipts of the Club for liquor supplied.
18. A ballot shall be held at all elections to fill the vacancies in the respective offices of the committeemen of the Committee of Management. At such elections the vacancies shall be filled by such number of candidates as shall be required and who shall poll the highest number of votes.
19. In any case of a question arising not provided for in these Rules or as to the interpretation of any of the provisions herein contained, the decision of the Committee of Management shall be final and binding.
20. The Committee shall provide for the safe custody of the common seal and the same shall not be used except pursuant to a resolution of the General Meeting of the Club or a meeting of the Committee and shall not be affixed to any document except in the presence of at least two members of the Committee who shall each subscribe his name as witnesses to the affixing of the seal.
21. The control of the Club's canteen and licensed premises shall be vested in the Committee. The Committee may appoint a manager. The manager shall perform the duties determined by the Committee. He shall attend all meetings he is requested to attend by the Committee and shall comply with all the requirements of the Committee.

He shall report forthwith to the President or Secretary any breach of the constitution or of the Club by-laws and regulations by any member or any member's guest on the Club premises.

22. The Secretary in addition to his duties hereinbefore referred to maintain at the Club's premises, separate registers of all the members of the Club who are under and who are over the age of eighteen years. It shall be the duty of the Secretary to ascertain the dates of birth of all persons desirous of becoming a member of the Club.
23. The Secretary shall during each and every season furnish to the Committee a list of all members of the Club including a list of such members who are under the age of eighteen years.
24. The President shall take the chair at all General Meetings and meetings of the Committee and in his absence the senior Vice-President shall take the chair. If neither are present those members present shall elect one of their number as Chairman for that meeting.

#### ***PART V - COACH***

1. A Coach of the Club appointed as provided in clause 4 of Part IV hereof shall be coach of all teams of the Club.
2. The Coach shall carry out his duties faithfully and diligently in accordance with the directions and requests of the Committee.
3. Any person appointed as the Coach of the Club by the Committee for a season or any part thereof shall be ineligible to hold office on the Committee for such season or any part thereof. Any officer of the Committee appointed as a Coach of the Club shall immediately upon his acceptance of such appointment, resign from the committee.

#### ***PART VI - MEMBERSHIP***

1. Any person desiring to be a member of the Club shall complete such application form as the committee shall from time to time require and deliver the same to the Secretary.
2. The Secretary shall forward any application form for registration with the League or Association with which the Club is affiliated.

3. The sum of money as is determined by members of the Club present and voting at an Annual General Meeting as
  - (a) the Playing Membership Fee; and
  - (b) the Ordinary Membership Fee

shall be fixed from year to year at the Annual General Meeting of the Club. Both Playing Membership fees and Ordinary Membership fees shall be due and payable immediately after being determined at such Annual General Meeting. (If any member fails to pay such membership fee by the 31st day of March subsequent to that fee being determined his membership shall thenceforth cease until such time as the membership fee is paid. No persons shall be selected to participate in any club match until that person has paid his membership fee in accordance with the provisions of this clause.) The provisions of this clause are subject to the provisions as contained Part VI clause 12 hereof.

4. Every member chosen to participate in any of the club matches shall be liable to pay a match fee at each and every match in which he so participates to the treasurer or his agent. For the purposes of this clause the amount of the match fees shall be determined by the Committee prior to the commencement of the season *PROVIDED ALWAYS* that such amount may be varied from time to time during the season by the Committee.
5. Every member of the Club who participates in any of the Club matches shall supply for his own use such part or parts of uniform of the Club as may be directed by the Committee. Any member who fails to comply with this Clause shall be liable to a fine to be determined by the Committee and may be suspended from participating in any further matches of the Club during the pleasure of the Committee.
6. Any member of the Club who desires a clearance to another Club shall forward his application for such clearance in writing to the Secretary. Such application shall be placed before the Clearance Sub-Committee at its next meeting (the Clearance Sub-Committee being such members as are appointed thereto by the Football Director) after the receipt by the Secretary of such application for consideration and if the Clearance Sub-Committee shall deem it necessary such member shall appear before the Committee to state his reason for such application. The Committee shall within two days of such meeting advise the player in writing of its decision.
7. The Committee of Management of the Club shall have power to admit as a member

of the Club any person who is of good repute. Any member of the Club under the age of 18 years will not be eligible for voting rights.

8. Every application form for membership of the Club shall be exhibited within the Club premises at such place as the Committee shall determine for at least fourteen days prior to final consideration by the Committee. The Committee shall then consider the application and determine whether the application shall be admitted to membership.
9. The Secretary shall keep a record of the number of members voting at each such election.
10. A person may play for the Club pending determination of his application for membership.
11. Each applicant shall be advised by the Committee of the result of his application for membership.
12. A member shall within fourteen days after the acceptance of his application for membership to the Club pay to the treasurer of the Club or his agent his membership fees.

#### ***PART VII - MERITORIOUS CLUB SERVICE AWARD***

1. The Committee shall at the termination of each season meet to determine whether any member has in its opinion rendered such service to the Club as to be entitled to the Meritorious Club Service Award.
2. To be eligible for such award a member must first have rendered a minimum of ten years' service to the Club for its betterment and the promotion of its objects.

#### ***PART VIII - ALTERATIONS TO THE CONSTITUTION***

1. Any member of the Club who deems it necessary that a provision or provisions herein contained should be amended shall give notice in writing of such proposed amendment to the Secretary who shall submit such proposed amendment to the Committee whereupon the Committee shall meet and if it deems it necessary shall instruct the Secretary to call a Special General Meeting to determine such proposed amendments. In calling such a meeting the Secretary shall give to the members a brief summary in writing or in such manner as shall be prescribed by the Committee

of Management of such proposed amendments *PROVIDED ALWAYS* that he shall make available in writing full details of such proposed amendments upon the request of a member to do so. Any proposed amendments may be considered at an Annual General Meeting of the Club.

#### ***PART IX - LIFE MEMBERSHIP***

1. The committee at the termination of each season shall meet to determine whether any member has in its opinion rendered such service to the Club as to be nominated for life membership.
2. To be eligible for Life membership of the Club a member must have previously been awarded the Meritorious Club Service Award and have rendered 20 years service to the Club for its betterment and the promotion of its objects.
3. Nominations for Life Membership must be expressed in the notice calling for and General Meeting and any proposal for Life Membership must be approved a majority of at least two thirds of the members actually voting at such General Meeting.
4. Only two Life Members may be elected in any calendar year.
5. A Life Member shall be entitled to all the privileges of a member without payment by him of the annual subscription.

#### ***PART X - VISITORS AND LICENSING REQUIREMENTS***

1. Members and visitors may be permitted on Club premises in accordance with relevant licensing requirements current as at the date of admission.

#### ***PART XI - DISSOLUTION***

1. The Club may be wound up at any time by a special resolution carried at a Special General Meeting and subject to the formalities required for amendment to this constitution, and upon such resolution being carried any property of the Club whether real or personal remaining after payment of all debts and legal liabilities shall be transferred to such other body whether corporate or un-incorporate formed for promoting objects similar to the objects of the Club or charitable objects as the Special General Meeting at which the special resolution of dissolution was carried shall approve.