



Albany Volleyball Association Inc.

CONSTITUTION

(Amended 20 October, 2006)

INDEX

Name of the Association
Definitions
Objects of the Association
Powers of the Association
Qualifications for Membership of the Association
Termination of Membership
Management Committee
Powers of the Management Committee
General Meetings
Voting
Finance
Alterations to the Constitution and By-Laws
Interpretation of the Constitution
Common Seal of Association
Inspection of Records etc. of the Association
Dissolution

1. NAME OF THE ASSOCIATION

The name of the Association is “Albany Volleyball Association (Incorporated)”.

2. DEFINITIONS

Throughout this Constitution if not consistent with the context:

“AVA” means the Albany Volleyball Association (Incorporated)

“WAVA” means the Western Australian Volleyball Association (Incorporated)

“Committee” means the AVA Management Committee”

3. OBJECTS OF THE ASSOCIATION

- 3.1 To govern, foster and develop the game of volleyball in Albany and the surrounding region.
- 3.2 To provide instruction in volleyball and to encourage participation in volleyball activities.
- 3.3 To provide and assist in providing opportunities for people of all ages and irrespective of creed, sex, class or political belief, to enjoy volleyball within Albany.
- 3.4 To promote safety measures in all club activities
- 3.5 To support and participate in activities of the WAVA and various intra-state tournaments and carnivals.

4. POWERS OF THE ASSOCIATION

- 4.1 To do all such things as are incidental or conducive to the attainment of the objects of the Association and to do all such things as are incidental or conducive to the exercise of the powers of the Association or any of them.
- 4.2 To make representations to the WAVA or Australian Authorities to any aspect of the game of volleyball.
- 4.3 To invest any monies entrusted to the Association for any aspect of the game of volleyball.
- 4.4 To delegate authority to its Officers in so far as is not expressly prohibited by this Constitution.
- 4.5 To adjudicate upon disputes of any nature between affiliated bodies.
- 4.6 To obtain funds for the Association either by subscription, grant, donation or other means, devise or bequest of real or personal property.

5. QUALIFICATIONS FOR MEMBERSHIP OF ASSOCIATION

- 5.1 Membership is open to all persons/teams interested in volleyball.
- 5.2 Such persons/teams are considered to be members of the Association who pay dues in the time period specified by the Committee and shall entitle that person to the rights and privileges of the Association.
- 5.3 Persons 17 years of age and under shall be eligible to join the Association as junior members, at such special fees as shall be determined.
- 5.4 An individual or team membership fee as set from time to time by the Management Committee must accompany any application.
- 5.5 Each team membership shall be required to submit a list of names and addresses of registered players on the form provided by the Association. No less than six players (indoor) and four players (beach) constitute a team for membership.
- 5.6 Members shall undertake to foster and develop the game of volleyball and to be responsible to the Association for their conduct in all matters directly concerned with the game of volleyball.

-
- 5.7 The Management Committee of the Association shall have the power to impose fines upon and/or rescind the membership of, any member; team or registered player who fails to abide by this Constitution, or the by-laws of this Association.
- 5.8 Any member/team may terminate its membership by means of a written notice to the Management Committee. Such termination will take effect immediately the Management Committee of the Association receives the notice.
- 5.9 The Management Committee of the Association shall maintain a current list of members/teams and registered players.
- 5.10 The Management Committee of the Association shall have the power to accept or reject any application for membership.
- 5.11 Membership categories:
- Ordinary Member
Any person who is a financial member of the Association is entitled to hold office and enjoy the privileges of the Association.
 - Junior Member
Any person 17 years of age and under may become a junior member. Such shall have no voting rights nor be entitled to hold any office.

6. TERMINATION OF MEMBERSHIP

- 6.1 Any person's membership can be terminated by the following events:
- Resignation
 - False or inaccurate statements made in the member's application for membership of the Association
 - Breach of any rule, regulation or by-law of the Association.
- 6.2 The Management Committee shall have the power to suspend or expel any member of the Association for any of the events in item 6.1 above.
- 6.3 Any member who is expelled, suspended or has their membership terminated by the Management Committee, shall have the right to appeal against their suspension or expulsion (for a period of not more than twelve (12) months) by presenting their case to a General Meeting called for such purpose, and the decision of the General Meeting shall be final.

7. MANAGEMENT COMMITTEE

- 7.1 Management of the Association shall be vested in the Management Committee to be elected by the members at the Annual General Meeting and consisting of:
- President
 - Vice-President
 - Secretary
 - Treasurer
 - Four (minimum) to six (maximum) Committee Members
- 7.2 No person shall hold more than one position on the Management Committee at any one time. A person shall cease to be a member of the Management Committee at the conclusion of the Annual General Meeting next following his/her election and he/she will be eligible for re-election.
- 7.3 A quorum of the Management Committee shall be a minimum of half plus one.
- 7.4 If the President or Vice President is unable to attend, then a chairperson nominated by the meeting shall chair that meeting.
- 7.5 A member of the Management Committee may lose their seat on the committee for either of the following:

-
- absence from three (3) or more meetings without leave of absence
 - found not to be a financial member

7.6 The Management Committee shall meet for business not less than once each calendar month during the playing season and bi-monthly during the off-season.

7.7 Disclosure of Interest

Committee members are required to disclose any direct or indirect financial interest they may have in any contract, or proposed contract, entered into or being considered by the committee. Committee members who have either a direct or indirect financial interest in any contract also must not take part in any deliberations on the contract, or vote. Failure to comply with either of these provisions is an offence which carries a maximum penalty of a fine of \$500.

7.8 Role of Committee Members:

President

The President shall:

- have the absolute authority on all questions of order and rules of debate;
- shall have a casting vote if votes are equal, when a simple majority is required for both Management and General Meetings;
- guide the meeting along the lines stipulated in the agenda on hand and shall at his/her discretion, conclude the debate and sum up all relevant points;
- be conversant with common Rules of Debate, the Constitution, and by-laws of the AVA;
- reside at all General meetings and Management Committee meetings. In the event of the absence from:
 - a) a general meeting of -
 - the President, the Vice-President; or
 - both the President and the Vice-President, a member elected by the other members present at the general meeting;
 - or
 - b) a Management Committee meeting of -
 - the President, the Vice-President; or
 - both the President and Vice-President, a Committee member elected by the other Committee members present,

shall preside at the general meeting or Committee meeting, as the case requires.

Vice-President

The Vice-President shall:

- deputise for the President in his/her absence and shall have rights of the President on such occasions;
- assist the President on points of order and other relevant details;
- represent the AVA as delegate to other organisations, meetings and events as directed by the Management Committee.

Secretary

The Secretary shall:

- coordinate the correspondence of the AVA;
- keep full and correct minutes of the proceedings of the Management Committee and of the Association;
- comply on behalf of the Association with –
 - i) section 27 of the Act in respect of the register of members of the Association;
 - ii) section 28 of the Act in respect of the rules of the Association; and
 - iii) section 29 of the Act in respect of the record of the officeholders, and any trustees, of the Association;

-
- have custody of all books, documents, records and registers of the Association, including those referred to in paragraph iii), other than those required to be kept and maintained by, or in the custody of, the Treasurer; and
 - perform such other duties as are imposed by these rules on the Secretary.

Treasurer

The Treasurer shall:

- be responsible for the receipt of all monies paid to or received by, or by him/her on behalf of, the Association and shall issue receipts for those moneys in the name of the Association;
- pay all moneys referred to in the paragraph above into such account or accounts of the Association as the Committee may time to time direct;
- make payments from the funds of the Association with the authority of a general meeting or of the Management Committee and in doing so ensure that all cheques are signed by two Committee members;
- comply on behalf of the Association with sections 25 and 26 of the Act in respect of the accounting records of the Association;
- whenever directed to do so by the President, submit to the Committee a report, balance sheet or financial statement in accordance with that direction;
- have custody of all securities, books and documents of a financial nature and accounting records of the Association, including those referred to in the above two paragraphs;
- perform such other duties as are imposed by these rules on the Treasurer.

Committee Members

Committee members are responsible for undertaking duties as requested by the Management Committee. For example:

- organising official AVA social, trophy presentation and fundraising events;
- deputation for the Secretary in his/her absence at Annual, General and Special General and Management Committee meetings;
- supervision of umpiring and reporting on their performance;
- responsibility for all aspects of organising competitions, tournaments and exhibition matches under the auspices of the AVA, including match fixtures, booking of venues and compiling and posting of match results and championship tables at playing venues;
- responsible for the safety and upkeep of all equipment and furniture belonging to the AVA;
- responsible for keeping up to date detailing list of such equipment and furniture for presenting to the Annual General Meeting;
- promotion of volleyball in general and the activities of the AVA in particular
- maintain liaison with the media and general public by means of advertisements, press releases and newsletters;
- compilation and dissemination of information to members/teams by means of newsletter;
- advancement of the standards of the coaches and umpires of the AVA;
- seeking and maintaining sponsorship for the Association.

8. POWERS OF THE MANAGEMENT COMMITTEE

8.1 The Management Committee shall carry out the day to day running of the Association and shall have the power to:

- 8.1.1 administer the finances, appoint bankers, and direct the opening of banking accounts for specific purposes and to transfer funds from one account to another, and to close any such account;
- 8.1.2 fix the manner of which such banking accounts shall be operated upon, providing all payments are passed by the Management Committee;
- 8.1.3 fix fees and subscriptions payable by members and decide such levies, fines and charges as is deemed necessary and advisable, and to enforce payment thereof;

-
- 8.1.4 adjudicate on all matters brought before it which in any way affect the Association;
 - 8.1.5 cause minutes to be made of all proceedings at meetings of the Committee and General Meetings of members;
 - 8.1.6 make, amend and rescind ruling and by-laws;
 - 8.1.7 have the power to form and appoint any sub-committee/s as required for specific purposes;
 - 8.1.8 may at their discretion employ a person or persons to carry out certain duties required by the Association at salaries or remunerations for such period of time, as may be deemed necessary;
 - 8.1.9 should a vacancy occur of the Management Committee during the season, the Management Committee shall appoint a successor until the next Annual General Meeting;
 - 8.1.10 appoint an officer/s or agent of the Management Committee to have custody of the Association's records, documents and securities;

9. GENERAL MEETINGS

9.1 Annual General Meeting

- 9.1.1 The Annual General Meeting of the Association must be held within three (3) months of the end of the clubs financial years.
- 9.1.2 The Secretary shall give at least fourteen (14) days notice of the date of the Annual General Meeting, to members.
- 9.1.3 All financial members may attend the Annual General Meeting.
- 9.1.4 The quorum at the Annual General Meeting, shall be a minimum of fifteen (15) members. If at the end of the 30 minutes after the time appointed in the notice for the opening of the Meeting there be no quorum the meeting shall stand and adjourn for one week. If at such meeting there is no quorum those members present shall be competent to discharge the business of the meeting.
- 9.1.5 The agenda for an Annual General Meeting shall be:
 - Opening of Meeting
 - Apologies
 - Confirmation of Minutes of previous Annual General Meeting
 - Presentation and adoption of Annual Report
 - Presentation of Treasurer's statement
 - Election of New Management team and (appointment of Auditor if applicable)
 - Vote of thanks to outgoing Management Team
 - Determination of Annual Membership Fee
 - Notice/s of Motion
 - Urgent General Business
 - Closure

9.2 General Meetings

- 9.2.1 General meetings may be called by the Management Committee or at the request of the President and Secretary or on the written request of fifteen (15) members of the Association.
- 9.2.2 The Secretary shall give at least seven (7) days notice, in writing, of the date of the General Meeting to the members. Notice of General Meetings shall set out clearly the business for which the meeting has been called. No other business shall be dealt with at that General Meeting.
- 9.2.3 The quorum at the General Meeting shall be a minimum of fifteen (15) members.

10. VOTING

-
- 10.1 Voting powers at the Annual General Meeting and General Meetings:
10.1.1 The President shall be entitled to a deliberative vote and in the event of a tied vote, the President shall exercise a casting vote
10.1.2 Each individual financial member shall have one (1) vote
- 10.2 Voting powers at Management Committee Meetings
10.2.1 The President shall be entitled to a deliberative vote, and in the event of a tied vote, the President shall exercise a casting vote
10.2.2 Each individual full committee member present shall have one (1) vote.

11. FINANCE

- 11.1 All funds of the Association shall be deposited into the Association's accounts at such bank or recognised financial institution as the Management Committee may determine.
- 11.2 All accounts due by the Association shall be paid by cheque after having been passed for payments at the Management Committee meeting and when immediate payment is necessary, accounts shall be paid and the action endorsed at the next Management Committee meeting.
- 11.3 The Treasurer shall table a statement showing the financial position of the Association at each Management Committee Meeting.
- 11.4 A statement of Income and Expenditure, Assets and Liabilities shall be submitted to the Annual General Meeting.
- 11.5 The financial year of the Association shall commence on the 1st October each year. The accounts, books and all financial records of the Association are not required to be audited each year, however, members and / or the Management Committee can request the financial records to be audited at any time.
- 11.6 The signatories of the Association's account/s will be the Treasurer and any one (1) of the following:
 - President
 - Vice-President
- 11.7 All property and income of the Association will apply solely to the promotion of the objects of the Association and no part of that property or income shall be paid or otherwise distributed, directly, or indirectly, to members, except in good faith in the promotion of these objects.

12. ALTERATIONS TO THE CONSTITUTION AND BY-LAWS

- 12.1 No alteration, repeal or addition shall be made to the Constitution except at the Annual General Meeting, or General Meeting called for that purpose and notice of all motions to alter, repeal or add to the Constitution shall be given to members fourteen (14) days prior to the Annual General Meeting, or seven (7) days prior to a General Meeting called for such purpose. As well -
- 12.2 The Secretary shall forward such notices of motion to each Management Committee member at least fourteen (14) days prior to the Annual General Meeting or seven (7) days prior to a General Meeting.
- 12.3 Alterations to the by-laws can only be made at Management Committee Meetings provided notice of the proposed alteration/s has been duly notified to Committee members.
- 12.4 Such motions or any part thereof shall be no effect unless passed by a seventy five percent (75%) majority (Special Resolution) of those present and entitled to vote at the Annual General Meeting, General Meeting or Management Committee Meeting, as the case may be.

12.5 Within one month of the passing of a Special Resolution, the Secretary shall notify the Ministry of Fair Trading of the amendment

13. INTERPRETATION OF CONSTITUTION

In case of any questions arising not provided for in the constitution or as to the interpretation of the constitution, the majority decision of the Management Committee shall be final and binding.

14. COMMON SEAL OF ASSOCIATION

The Management Committee shall provide for the safe custody of the Seal of the Association which shall only be used by the authority of the Committee and every instrument to which the seal is affixed shall be witnessed by any two of the Chairperson, the Secretary and the Treasurer in whose presence the same is affixed. The seal holders shall be President, Vice President and Secretary.

15. INSPECTION OF RECORDS ETC. OF THE ASSOCIATION

A member may at any reasonable time inspect without charge the books, documents, records and securities of the Association.

16. DISSOLUTION

If upon the winding up or dissolution of the Association there remains after satisfaction of all its debts and liabilities any property whatsoever, the same shall not be paid or distributed among the members, or former members, but shall be given or transferred

(i) to another association incorporated under the Act which has similar objects;

or

(ii) for charitable purposes

which association or purposes, as the case requires, shall be determined by resolution of the members.