

Macquarie Ice Skating Club

CONSTITUTION

Accepted September 11th, 2004

1. Name

The name shall be **MACQUARIE ICE SKATING CLUB Inc**, hereinafter referred to as the "Club".

2. Objectives

The objectives of the Club shall be the promotion of interest and participation in the art of ice skating by:

- a) Arranging Ice Skating sessions at suitable times where members may enjoy Ice Skating, assist one another in acquiring proficiency and receive professional tuition by private arrangement.
- b) The establishment of social or educational undertakings for the benefit of members.
- c) The organisation of Ice Skating Competitions from time to time.

3. Organisation

- a) The Club shall be governed by a committee known as the Club Council. Elected Members of the Committee shall be sixteen years of age or over at the time of nomination to the Council and financial ordinary members.
- b) The Club may have as part of its organisation, Sub Committees appointed to manage specific undertakings or activities of the Club.
- c) The Club shall be affiliated with the New South Wales Ice Skating Association Inc.
- d) The Club Year is defined as the year commencing 1 January and ending 31 December.

4. Club Council

a) *Composition*

The Club Council shall be composed of the following categories:

- i) The Executive
 - a. President
 - b. Secretary
 - c. Treasurer
 - d. Vice President
- ii)
 - e. Assistant Secretary and Minute Secretary
 - f. Assistant Treasurer and Registrar
 - g. Test Coordinator
 - h. Competition Coordinator
 - i. Assistant Competition Coordinator
 - j. The NSWISA Delegate
 - k. Publicity & Public Relations Officer
 - l. Fund Raising & Sponsorship Coordinator
 - m. Assistant Fund Raising & Sponsorship Coordinator

- iii) Other Members
 - n. 1 Councillor
 - iv) Appointed Members
 - o. Single representatives of special interest skating groups within the Club.
 - p. One or more Child Protection Officers. (4j)
 - q. Public Officer
 - v) Mandatory positions shall be a, b, c, d, g, j, p, q as defined above.
- b) *Election*
- Candidates for the classifications i., ii., iii. on the Club Council shall be proposed and seconded by financial members of the Club with the person so nominated signifying his/her consent, submitted in writing on the official Club nomination form, to the secretary no less than seven days prior to the date of the Annual General Meeting.
- i) If the number of nominations for the positions does not exceed the number of persons to be elected, then those persons so nominated shall be declared to be elected, but if the nominations exceed such number, then the election shall be by ballot.
 - ii) In the case of a tied vote, a second ballot shall be conducted. In the case of a second tied vote, that successful candidate shall be decided by a draw from the hat by the Chair. Reappointment to such positions for a further term shall be permissible.
 - iii) Should a quorum not be present at an Annual General Meeting, the positions of Officers and Committee Members shall not be declared vacant and the occupants of the respective positions shall, with their consent, continue to hold office until the next Annual General Meeting.
 - iv) Should there be no written nominations for positions then nominations may be taken from the floor.
 - v) Category iv. members of the Club Council must be truly representative of the Special interest groups they purport to represent and must be financial members of the Club at the time of appointment.
 - vi) There shall always be 14 elected positions, with those positions being filled by a minimum of 7 elected members. Any one member may not be elected or fill more than one position on the executive, stated in 4 a) i).
- c) *Election to Vacancies on the Club Council*
- Should any position on the Club Council become vacant, such vacancy shall be filled by The Club Council within 30 days of notification of such vacancy.
- d) *Dismissal of Members of the Club Council*
- Any member of the Club Council who, without reasonable explanation, fails to attend two Club Council meetings, may have their appointment terminated and be replaced as the Club Council finds necessary.

e) *Meetings of the Club Council*

Club Council meetings shall be called as required on the decision of the Secretary. Any four members of the Club Council may, by requisition in writing, request the convening of a Club Council meeting to be held within seven days of the date of the requisition. If the meeting is not called by the Secretary within the prescribed period, such meeting may be convened by the persons making the requisition and at least seven days notice of this meeting shall be given.

f) *Voting Power of the Chair*

The Chair of a Club Council meeting shall exercise a deliberative, and if necessary, a casting vote.

g) *Powers of the Club Council*

The Club Council shall have the right to exercise such administrative powers as may be necessary for properly carrying out the objectives of the Club, within the framework of the Constitution.

h) *Appointment of Sub Committees*

The Club Council shall have the power to appoint from among the members of the Club such sub committees as it may deem necessary, and shall have the power to disband them at any time.

The Club Council may delegate any of its powers to such sub committee or sub committees, and may cancel such delegation at any time.

The Club Executive are ex officio to all such committees.

Special interest groups or otherwise shall be treated as sub committees for the purpose of this Constitution.

i) *By Laws*

i) The Club Council shall have the power to prescribe by laws, which it considers desirable for the harmonious functioning and general welfare of the Club.

ii) Such by laws shall be current for a maximum of 12 months and shall be reviewed and ratified yearly by the Club Council at or before its final meeting of the Club Year.

j) *Child Protection*

Macquarie Ice Skating Club Incorporated *aims to ensure* that the safety, welfare and well-being of children and young people is maintained at all times during their participation in activities run by Macquarie Ice Skating Club Incorporated.

One or more Child Protection Officer/s shall be selected by Council within 6 weeks of Annual General Meeting.

All Council positions in MISC Inc are child related positions.

5. Accounts Supervision

The Club Council shall ensure that the accounts of the Club are supervised by a person independent of the Club Council.

6. Membership

The Membership of the Club shall be arranged as follows:-

a) *Ordinary Members*

Referred to as members, ordinary members may be active or non skating members. Applications for membership shall be in writing and shall be submitted for approval by the Club Council.

i) Ordinary membership shall be divided into two categories:

Single Membership - with rights as defined herein.

Family Membership - family membership shall be comprised of parents or guardians and their dependent children, with rights as defined. Each applicant for family membership shall be listed individually on the official Application Form.

ii) Ordinary Members may elect to change categories of membership without Penalty, provided the appropriate Club fees are paid.

b) *Honorary Members*

Shall be those ladies or gentlemen to whom the Club Council or the members in a General Meeting may have extended the privileges of membership; such Honorary Members may not vote.

c) *Life Members*

A General Meeting may also confer by simple majority life membership on a member who has served the Club in a meritorious manner.

7. Subscriptions

The Annual subscription renewals of members shall become due on the first day of January each year.

a) *New Members*

New members shall lodge the appropriate fees with their form of nomination, prior to consideration by the Club Council.

b) *Subscription Fee*

The annual fees for family and single membership shall be reviewed and set as necessary a the discretion of the Committee.

c) *Arrears in Subscription*

Any members in arrears for two months with their annual subscription shall be notified or their arrears in writing or by notice on the Club notice board, or as otherwise published.

If the arrears are not paid within one month of the date of issue or posting of such notice, such members may be struck off the list of members by a decision of the Club Council. Any member in arrears may not participate in the activities of the Club, until such arrears have been paid.

8. Rights of Members and Termination of Membership

a) *Voting*

Only members who are financial are entitled to vote at the Annual General Meeting or General Meetings, or be elected or appointed to the Club Council.

i) Single Membership

Single members sixteen years of age and over shall be entitled to one vote. Single members under sixteen years of age shall not be entitled to vote, but may nominate in writing one of their parents or guardians to vote on their behalf in accordance with Clause 11(b).

ii) Family Membership

A family membership shall be entitled to two votes, to be cast by the parents, dependents over 16 years or guardians.

b) *Exclusion*

If the Club Council considers that the conduct of a member, whether at the Club or elsewhere is, or is likely to be, injurious to the interests and welfare of the Club, the membership of such person may be terminated by a decision of the Club Council.

c) *Resignation*

A member may resign his/her membership at any time by giving notice in writing to the Secretary of the Club of his/her intention to do so. Such resignations shall not relieve a member of his/her liability to pay any subscription or other monies which may be due from him/her.

d) *Dispute Resolution*

It is recommended that disputes are handled as far as possible at an informal level. If a dispute cannot be resolved in this way then the dispute will be dealt with in accordance with the provisions of the current NSWISA Inc. Member Protection Policy.

9. Membership List

A list of member names of the Club shall be kept by the Registrar and shall be opened by request from financial members at a time reasonably convenient to the Registrar.

10. Meetings

a) *Annual General Meeting*

The Annual General Meeting of the Club shall be held before the last day of March in each year on a date to be fixed by the Club Council, and the business which may be transacted at such Annual General Meeting shall be:-

1. Consideration and adoption of the Annual Report and Balance Sheet.
2. Election of Club Council members, categories i., ii., iii. for the ensuing year.
3. Amendments to the Constitution.
4. The general business of the Club and any general discussions which may be brought forward.

b) *General Meetings*

A General Meeting of the Club may be called at any time by the Club Council. If a General Meeting is not convened by the Club Council within 14 (fourteen) days after a requisition in writing for that purpose has been sent to the Secretary by any 12 (twelve) members of the Club, a General Meeting may be convened by the persons making such requisition.

c) *Notice of Meetings*

Notice of Meetings of the Club shall be deemed sufficient if posted on the club's Notice Board, or notification given in writing as follows:-

Annual General Meeting	14 days
General Meetings	14 days
Club Council Meetings	7 days

11. Voting

- a) Members as prescribed in 8(a) shall be entitled to vote at any General or Annual General Meeting. The Chairperson of such meeting shall have a deliberative as well as casting vote in the event of an equality of voting, except in respect of ballot for elective office as prescribed in 4.
- b) At all meetings of the Club, voting shall be in person. No absentee or postal votes will be accepted. Proxy votes will only be accepted under provisions detailed in Clause 8 (a) (i).

12. Quorums

The following shall be quorums at the respective meetings of the Club:-

- | | | |
|----|------------------------|---|
| a) | Annual General Meeting | 7 |
| b) | General Meetings | 7 |
| c) | Club Council Meetings | 4 |
| d) | Sub Committee Meetings | 2 |

13. Finances

- a) A banking account shall be opened at an approved Bank and all monies received by the Treasurer shall be deposited in the account at least once a month.
- b) All disbursements shall be made by cheque or withdrawal slip after the accounts have been approved by the Committee, and all cheques or withdrawal slips shall be signed by two of the following:
President, Secretary, Treasurer.
- c) Receipts shall be issued for all monies received by the Treasurer or Assistant Treasurer.
- d) Accounts and Supervision

The Council of the Club shall cause true accounts to be kept. At least once every year the accounts of the Club shall be examined by a suitably qualified and independent person appointed under Rule 5.

Sub Committees shall at the direction of the Club Council keep a separate set of accounts. These shall be subject to the scrutiny of the Honorary Treasurer and the full extent of this Constitution and shall be presented in the Annual Report.

14. Duties of Office Bearers

a) President and Vice President

The President shall preside at all meetings. In his/her absence the Vice President shall preside. At meetings where the President and Vice President are absent, the members shall elect a Chairman from amongst their number, for that meeting.

b) Honorary Secretary

The Honorary Secretary shall be responsible for the performance of all secretarial duties required by the Club, including the preparation of an agenda sheet for the business for discussion at each meeting of the Club, or its Club Council.

c) Honorary Treasurer

The Honorary Treasurer shall receive and account for all money, and be responsible for the payment of accounts, the banking of money, and the preparation of statements of account and a balance sheet.

d) Child Protection Officer/s

Child Protection Officer/s coordinate and are responsible for the child protection activities and procedures. In all matters of child protection the policies of NSWISA Inc shall prevail.

e) Public Officer

The Public Officer is responsible for lodging documents with and is the primary contact for the Office of Fair Trading.

15. Delegates to the Kindred Organisations

When required, delegates shall be appointed at a Club Council meeting to represent the Club at meetings of approved associations, except for the representative to the NSWISA, who shall be elected at the Annual General Meeting.

16. Alterations to the Constitution

This Constitution may be amended, altered, repealed or added to, on the resolution of three fourths majority of those present at a properly convened General Meeting of the Club.

No motion to alter this Constitution shall be deemed to be in order unless the proposed alteration has been set out at length among the business to be transacted, in the notice convening the meeting at which the motion will be moved. It shall be the duty of the person or persons convening an Annual General or General Meeting of the Club to set out in the notice convening the meeting, any proposed alteration that shall have been furnished to the Secretary of the Club 14 (fourteen) clear days at least before such notice is given.

The Public Officer shall send alterations to the Constitution to the Office of Fair Trading within six months of the Annual General Meeting for that Club year.

17. Club Property

All property of the Club shall be vested in the Club Council for the time being, which shall hold the same in trust for the Club.

The Executive may add to the property from time to time for the benefit of the Club, but shall not dispose of any of the property of the Club without the sanction of the members at a General Meeting.

18. Non Profit Nature

The assets and income of the Club shall be applied solely in furtherance of its above mentioned objectives and no portion shall be distributed directly or indirectly to the members of the organisation except as bona fide compensation for the services rendered or expenses incurred on behalf of the Club.

19. Dissolution

In the event of the Club being dissolved, the amount which remains after such dissolution and the satisfaction of all debts and liabilities shall be paid and applied by the Committee in accordance with their powers to an organisation which is exempt from income tax under Section 23 of the Income Tax Assessment Act.

In the case of voluntary cancellation of incorporation, no assets, property or cash reserves shall be distributed to members or former members, unless approved by the Commissioner of Fair Trading.

20. Competitions

The Club Council may organise such competitions as it considers desirable. Eligibility to compete in Club competitions shall be determined by the Club Council, together with conditions of entry, handicapping, etc.

21. Ascendancy Rules

In the event of conflict between these rules and:

1. The Constitution of the NSW Ice Skating Association Inc, then the rules and objectives of the NSW Ice Skating Association Inc shall prevail to the extent of the inconsistency, or
2. The rules or guidelines or otherwise of any sub committee or special interest group, then The rules of the Macquarie Ice Skating Club Inc shall prevail to the extent of the inconsistency.

22. Common Seal

The Common Seal shall be held by the Public Officer and only used with the approval of the Committee.

23. Privacy Statement

Personal information supplied for membership application will be collected and retained by the Club and shall be used by Officers of the Club from time to time for purposes of Club activities, management (without limitation), and mailing of Club information. Such information will not be sold or otherwise passed on to organizations other than for specific Club management purposes.

Members' personal records are held by the Club Registrar.
