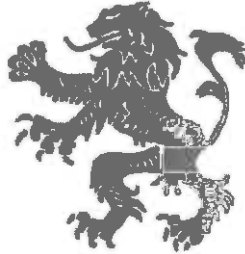


Annexure A

THE NEDLANDS RUGBY UNION FOOTBALL CLUB (INC)

CONSTITUTION AND RULES

(AS AMENDED BY RESOLUTIONS AT THE AGM ON _____)



2003

1. NAME

- 1.1 The Club shall be known as THE NEDLANDS RUGBY UNION FOOTBALL CLUB (INC).
- 1.2 The term Club as used hereinafter in this constitution shall mean THE NEDLANDS RUGBY UNION FOOTBALL CLUB (INC).

2. OBJECTIVES

- 2.1 To play the game of Rugby Football under the laws and in the spirit intended and fostered by:
- The International Rugby Football Union.
The Australian Rugby Union.
The West Australian Rugby Union (W.A.R.U.).
- 2.2 To participate in the competitions organised by the West Australian Rugby Union.
- 2.3 To provide the venue and amenities so fostering the 'Nedlands Club' as an association of players, members and followers of rugby union football.

3. POWERS

The Club shall have the following powers in connection with the furtherance of its objectives:

- 3.1 To invest any monies of the Club not immediately required for any of its objectives in such manner or on such security as the Club may from time to time determine.
- 3.2 To borrow or raise money for the purposes of the Club on such terms or in such manner as the Club may from time to time determine.
- 3.3 To purchase, take on lease, or hire, or otherwise acquire any real or personal property and any rights or privileges, which the Club may think necessary or convenient for the promotion of its objectives.
- 3.4 To apply for any licences, permits, rights, privileges, concessions and the like under any law or statutory enactment whatsoever which the Club may find necessary or convenient for the pursuit of its objectives, including but not limited to the power to apply to the Licensing Court of Western Australia for any licences, permits or rights under the Liquor Act or equivalent legislation and the power by the Club, and its nominees or agents, to observe and enforce the provisions of the said Act or equivalent legislation.

Annexure A

- 3.5 To sell, develop, let, manage, lease, mortgage, dispose of, or otherwise deal with, all or any of the property, rights, privileges, or assets of the Club with a view to the promotion of its objectives.
- 3.6 To draw, accept and negotiate cheques, bills of exchange, promissory notes and other negotiable instruments.
- 3.7 To lend, advance money, or give credit to any person, company, incorporated or incorporated body, in any manner, which the Club may from time to time see, fit.
- 3.8 To do all or any of the above things in any part of the world as principals, agents, trustees, or otherwise and by or through trustees, agents, or otherwise.
- 3.9 To do all such other lawful things as are incidental or conducive to the attainment of the above objects or any of them.

4. COMMON SEAL

The Club shall have a Common Seal which shall remain in the safe custody of the Hon Secretary and which shall only be used by the authority of a resolution of the Committee and every instrument to which the Common Seal is affixed shall be signed by the President or Vice President and shall be countersigned by the Secretary or the Treasurer.

5. MEMBERSHIP

Membership of the Club shall be in the following categories:

Life Members	Honorary Members	Playing Members
Colts Members	Junior Members	Social Members

5.1 LIFE MEMBERSHIP

5.1.1 Life Membership may be granted to a Member who has rendered outstanding service to the Club as player, official, administrator or supporter over a period of not less than ten (10) consecutive years. Life Membership under this clause 5.1.1 is determined and granted to a Member by the Life Membership Committee in their absolute discretion. The Life Membership Committee must comprise of the then current President and at least three current Life Members nominated by the Executive Committee as defined in clause 6.2.1.

5.1.2 Life Membership will be granted to a Member who has played at least 150 games for the Club in the first division of West Australian Rugby Union competition.

5.1.3 A Life Member shall be entitled to all privileges of a financial member without payment of subscriptions or levies and may be presented with a suitable certificate or token, as may be the current practice in the Club.

5.1.4 A life member may fill any office in the Club.

5.2 HONORARY MEMBERSHIP

Honorary Membership may be granted at the discretion of the Management Committee, to those who by their sustained interest, support and practical assistance have rendered service to the Club, without having been active playing members. Honorary Membership may be extended to ladies for the above reasons. Honorary Membership may also be extended to:

5.2.1 Members and Officials of visiting touring sides and clubs.

5.2.2 Individual Members of Interstate clubs with whom this Club has affiliations.

5.2.3 Honorary Members shall have a voice in Club affairs, but no vote.

5.2.4 No fee or subscription shall be levied by the conferring of an Honorary Member.

Annexure A

5.2.5 Honorary Members may fill the offices of President, Vice President or Coach in the Club.

5.3 PLAYING MEMBERSHIP

5.3.1 Applicants for playing membership shall fill in a registration form and return it to the Club's Hon. Secretary, together with the fees prescribed by the W.A.R.U. for registration by the Union. Should the applicant be or have been a member of any other Club affiliated to the W.A.R.U., then the W.A.R.U. procedures in force for transfer of players between Clubs must accompany his or her application for membership so clearing him or her of any financial obligation to his or her former Club.

5.3.2 Should the applicant be or have been a member of any Rugby League Club in any State or Country or played any game under the jurisdiction of any Rugby league he or she shall, in addition, submit through the Hon. Secretary an Application for Reinstatement to be forwarded to the W.A.R.U. Council, the Council being the sole arbiter in such cases. The applicant will not be eligible to play for the Club until the Council has approved such reinstatement.

5.3.3 The applicant upon being enrolled as a Playing Member undertakes to pay the subscription fees, which have been struck by the Club in General Meeting for the current season:

5.3.4 A playing member can fill any office in the Club.

5.4 COLTS MEMBERS

5.4.1 Applicants who are eligible to play in the W.A.R.U. Colts competition on the 1st January of each season and who fulfil the conditions of eligibility as set out for Playing Members (above) will be enrolled as Colts Members at a reduced subscription fixed by the Club in General Meeting for the current season.

5.4.2 Such Colt members shall enjoy all the rights and privileges of other financial members, any may be elected to any office in the Club, excepting those of President, Senior Vice President, Hon. Secretary and Hon. Treasurer.

5.4.3 Colts age players who regularly play in the senior grades are deemed to be Playing Members and as such are liable to pay full subscriptions.

5.5 JUNIOR MEMBERS

5.5.1 The Club is also an affiliate of the WA Junior Rugby Union. As such it fields boys teams in the competition grades as defined by the West Australian Junior Rugby Union according to available players on a year by year basis.

5.5.2 The Club endorses and encourages Junior rugby in the State and as such its Junior players are recognised as members of the Club and afforded certain rights and privileges as deemed appropriate by the Management Committee.

5.6 SOCIAL MEMBERS

Social Membership may be granted by the Committee, to any person wishing to participate in the functions of the Club on payment of a subscription for Social Membership as determined by the Club in General Meeting.

Annexure A

5.7 DISPENSATION

Applicants for Playing or Colts Membership who are attending full-time educational courses at any University, College, School or similar place of instruction, under conditions which preclude them from taking up full-time remunerative employment, shall irrespective of age be admitted to membership at the same subscription rates as Social Members and will enjoy the same rights and privileges. Members in this sub-category who are over 21 years of age can, in addition, be elected to the offices of President, Vice President, Hon. Secretary and Hon. Treasurer.

6. ADMINISTRATION

The Management Committee of the Club shall comprise the following office bearers:

6.0.1 Management Committee (Officers of the Club elected at the AGM)

Patron	Hon. Treasurer	Rugby Development Officer#
President	1 st Grade Coach*	Recruiting Officer
Vice President-1	Registrar	Sponsorship Manager
Vice President-2	Publicity Officer	
Hon Secretary	Chairman Social Committee	

*See Clause 6.15.1

Formerly Selector/Coaching Coordinator

6.0.2 Officials of the Club

Coaches all Grades	Juniors Co-ordinator	Clubhouse Manager
WARU Delegates	Supporters Co-ordinator	Property Officer
Hon. Auditor	Chairman Injured Players Fund	

Nominations for Officials of the Club will be called for at the AGM. The appointment of Officials will be made by the Executive / Management Committee in a timely fashion such that the said Officials can adequately perform their duties for the following season. Officials of the Club may only attend Management Committee meetings by invitation; they have no voting rights. An Official may submit proposals for consideration by the Committee through their designated Liaison Officer.

- 6.0.3 The officers shall be elected at the General Meeting for the Election of Officers and Striking of Subscriptions: such a meeting is to be held annually not later than the last week of December and all office bearers shall be deemed to be appointed for the ensuing year.
- 6.0.4 Elections shall be by show of hands or by ballot as the meeting shall decide, and no nominee shall be elected without his or her written acceptance (if not present) or verbal agreement (if present).
- 6.0.5 Each nominee to be supported by a Proposer and Seconder.
- 6.0.6 Applicants for the positions of President, Vice President, Hon. Secretary and Hon. Treasurer must be over 21 years old.

6.1 THE MANAGEMENT COMMITTEE - DUTIES

- 6.1.1 Shall be the governing body of the Club and its decisions can be overturned only by a majority vote of Members in a General Meeting.
- 6.1.2 The Management Committee shall be convened by the President as frequently as business on hand shall demand, and a minimum of four days notice shall be given to each member by means of a circular from the Hon. Secretary, who shall attend and take minutes of meetings.

Annexure A

- 6.1.3 The President will be Chairman of the Management Committee but may delegate his or her duties in that capacity to a Vice President. The Chairman shall have no vote in Management Committee unless a casting voice is required.
- 6.1.4 A Member of the Committee may delegate any financial member of the Club to sit for him or her in their absence.
- 6.1.5 The Committee shall pass for payment all bills presented to the Club before they are met by the Treasurer from Club funds.
- 6.1.6 Authorise expenditure for gear and equipment requisite for the efficient turn out of Club teams, and performance of Club Functions.
- 6.1.7 Adjudicate in matters connected with misdemeanours of misconduct by members where such misdemeanour or misconduct has not been made the subject of adjudication by a higher authority (eg Rugby Union Council).
- 6.1.8 Arbitrate in disputes between members.
- 6.1.9 Create ex-officio sub-committees, either from within its own members or by co-opting non-members to deal with items of special interest to the Club and its members.
- 6.1.10 The quorum for the Management Committee shall be the President and/or Vice President and five committee members.

6.2 EXECUTIVE COMMITTEE

- 6.2.1 The Executive Committee shall comprise the following Management Committee members.

Patron	Hon. Treasurer
President	Hon. Secretary
Vice President-1	1st Grade Coach*
Vice President-2	Rugby Development Officer

* See Clause 6.15.1.

- 6.2.2 The Executive Committee is empowered to make decisions regarding daily-weekly running of the Club in situations where it is inconvenient/impossible to convene a full Committee meeting.
- 6.2.3 The quorum for the Executive Committee shall be the President and/or a Vice President and three executive members.

6.3 PRESIDENT - DUTIES

The President shall be chief officer of the Club and entitled to preside at all meetings of the Management Committee and shall be an 'ex Officio' member of all Committees. He or she shall take all necessary steps to carry out decisions of the Management Committee and shall generally further the well being and objectives of the Club.

6.4 HON. SECRETARY - DUTIES

- 6.4.1 Attend to correspondence and generally act according to the directions of the Management Committee or the President.
- 6.4.2 Attend Club General Meetings and Management Committee Meetings and take minutes of same.
- 6.4.3 Insert his or her name and address in all letters and returns and keep a memorandum book inserting dates of postage of all correspondence and keep copies of same.

Annexure A

6.4.4 Keep a record of the Club Membership and members addresses, as supplied by the Registrar.

6.4.5 Carry out all customary work of such an office.

6.4.6 Be responsible for the filing of all returns required by the W.A.R.U.

6.4.7 Issue notices for the calling of General Meetings of the Club and meeting of the Management Committee.

6.5 HON. TREASURER - DUTIES

6.5.1 Receive and take charge of all moneys belonging to the Club and shall within three days of receipt of same, deposit such moneys to the credit of the Club in the Current Bank Account.

6.5.2 Keep a correct amount of all moneys received and expended and shall under no consideration pay, lend or otherwise appropriate any funds of the Club to any member or for any cause or purpose whatsoever, same as authorised by Management Committee, Executive Committee or General Meeting.

6.5.3 Keep the books posted up and have them ready at all times to lay before, or hand over to the Management Committee on demand. Keep a record of each member's financial commitments to the Club.

6.5.4 Attend all Audit Meetings pertaining to the Club finances and afford all information to the Hon. Auditor.

6.5.5 Prepare an annual balance sheet incorporating the whole of the financial transactions of the Club, and submit it to the Annual General Meeting for the Elections of Officers and Striking of Subscriptions.

6.6 TRUSTEES

The Trusteeship of Club funds shall be vested in the President, Vice-President, Hon. Secretary and Hon. Treasurer. These four officers, and they only, are empowered to sign cheques for the withdrawal of funds from Club accounts, the signature of any two being valid. The Management Committee or General Meeting may withdraw such trusteeship at any time.

6.7 PAYMENTS OF ACCOUNTS

No account shall be paid until passed for payment by General Meeting, the Management Committee, the Executive Committee or the President acting on behalf of General Meeting, Management Committee or Executive Committee.

6.8 CONTROL OF OFFICE BEARERS BY MEMBERS

The President, Vice President, Hon. Secretary and Hon. Treasurer, may be removed from office before the expiration of their term of office by a plebiscite of the Club, which shall be called by the Management Committee, without undue delay on receipt by the Hon. Secretary of a resolution passed by a number of members representing not less than a quarter of the financial membership of the Club on the date of its receipt.

6.9 FINANCIAL YEAR

The financial year of the Club shall be deemed to terminate on 31 October of each year and an audited balance sheet shall be presented to the Annual General Meeting for the Election of Officers, Striking of Subscriptions which shall be held not later than the last week of December each year.

6.10 AUDITORS

6.10.1 The Auditor, who shall be a qualified person, once a year, or at other times when so requested by the Management Committee shall take the books and balance sheets and all receipts and compare them with the current account transactions and render a report to the Club in General Meeting.

Annexure A

6.10.2 The Auditor finding any deficiency shall state the particulars in a report and lay the same before the Management Committee.

6.11 SUBSCRIPTIONS

6.11.1 The Annual Subscriptions for each class of membership shall be determined at the General Meeting for the Election of Officers which shall be held not later than the last week of December.

6.11.2 Subscriptions shall be due and payable in advance and the Club reserves the right to suspend members who have not met 50% of their financial obligations by 1 July.

6.11.3 Members in arrears at the completion of the competition rounds shall be deemed unfinancial and not entitled to the rights and privileges of membership.

6.12 RESIGNATIONS

Any person who by any means ceases to be a Member shall nevertheless remain liable for and shall pay to the Club all moneys which at the time of his or her ceasing to be a member may have been due from him or her to the Club and shall in any case have no claim whatever on any property of the Club.

6.13 SUSPENSION AND EXPULSION

6.13.1 The Management Committee or a General Meeting may call upon any Member who it has reason to believe has committed a breach of Club rules, or who is acting or has acted in a manner considered to be inimical to the interests of the Club, to show cause why such a member should not be suspended.

6.13.2 A date shall be fixed by Management Committee upon which an explanation from the member must be forthcoming, and be presented to a Committee appointed for the purpose of examining such explanation, the member receiving a minimum of seven days notice.

6.13.3 If the Committee, after investigation, deems such Member to be guilty of the alleged misconduct the Management Committee may expel him. Any member so expelled shall not be re-admitted except on the Majority vote of members assembled at General Meeting.

6.14 GENERAL MEETINGS

6.14.1 It is Constitutional that an Annual General Meeting for the Election of Officers is held not later than the last week of December of each year.

6.14.2 All members must receive notice of the time, date and venue of such meeting not less than seven days prior to its being convened.

6.14.3 The AGM shall be convened for the purpose of transacting the following business:

1. Election of Officers and nomination of Officials (as defined in Clause 6).
2. Fixing of subscriptions for the ensuing season.

Other business shall be discussed at this meeting only at the discretion of the Chairman, who shall retain the right to vote or curtail discussions on any subject other than as listed Clause 6.16.4

6.14.4 General Meetings may be called at any other time:

- a. At the direction of President and/or Management Committee
- b. By written request of any three (3) financial members to the Management Committee per the Hon. Secretary, in both cases the meeting shall be convened without delay, consistent with the Hon. Secretary's ability to inform all members at least seven (7) days before the meeting takes place.

6.15 COACH – DUTIES

Annexure A

- 6.15.1 A Coach for each team shall be an Official of the Club and be appointed by the Executive and/or Management Committee. Upon appointment the First Grade Coach automatically becomes an Ex Officio member of the Executive and Management Committees.
- 6.15.2 A Coach need not be a Financial Member of the Club, but will become an Honorary Member on appointment.
- 6.15.3 The nominated Coach is responsible to the Management Committee for the fitness of the players. Whenever possible he or she shall attend the matches in which the team or teams he or she is coaching are engaged. Upon appointment the First Grade Coach shall become an Ex Officio member of the Executive and Management Committees, all other coaches are Officials of the Club and liaise with members of the Committee through the Rugby Development Officer.
- 6.15.4 The Coach shall attend all training sessions, or if absent supply the Team Captain with a schedule of training and the established pattern of play it is desired to follow.
- 6.15.5 The appointed Coach must have attained at least the Level - 2 qualification, or commit to attaining such a qualification pre-season

6.16 TEAM SELECTION COMMITTEE - COMPOSITION AND FUNCTIONS

- 6.16.1 When possible, there will be a selection committee or sole selector for each team nominated by the club, and shall consist of a maximum of three (3) members of who one shall be the Coach.
- 6.16.2 The Committee or Sole Selector may co-opt the Captain and Vice Captain of any of the Club sides to assist it, but is not compelled to accept their recommendations.
- 6.16.3 A member of the Selection Committee is not precluded from holding any other office in the Club.
- 6.16.4 The Selection Committee or Sole Selector may consist of playing or non-playing members of the Club, and Honorary Members may become members of the Selection Committee.
- 6.16.5 The Coach of each team is responsible for the posting of selected teams, on the Club Notice Board on the Thursday before any weekend game.

6.17 SOCIAL COMMITTEE

- 6.17.1 A Social Committee Chairman shall be elected by the Annual General Meeting and shall be responsible to the Management Committee for the organisation of social functions sponsored by the Club.
- 6.17.2 The Chairman shall have the authority to co-opt both members or non-members to assist with the organisation of social events.
- 6.17.3 Funds accruing from social functions shall remain the property of the Club, but shall be deposited by the Hon. Treasurer in the Club account.
- 6.17.4 The Social Committee shall be authorised to incur expenditure to a limit authorised by the executive/ Management Committee provided such expenditure is incurred to promote a legitimate social function, sponsored by the Club and approved by the Management Committee, but may not exceed the authorised limit without permission from the executive/Management Committee.

7. DELEGATES TO THE WA RUGBY UNION COUNCIL

In addition to the President and Vice President who are automatically elected, the Annual General Meeting shall appoint two (2) delegates as alternate representatives to attend the W.A.R.U. Council meetings and report back to the Management Committee as required.

Annexure A

The Hon. Secretary shall inform these Delegates of the dates, times and venues of these meetings when the W.A.R.U, supplies this information to him.

8. ALTERATIONS TO THE CONSTITUTION

Alterations to this Constitution can only be made at a General Meeting of the Club and proposals to alter or amend it must be made in Writing and be in the hands of the Hon. Secretary seven (7) days before the date of the General Meeting at which the alteration or amendment is to be proposed.

A three-fourths majority of all members present is required to carry an amendment or alteration to the Constitution.

9. DISSOLUTION

A Special General Meeting called for that purpose might, by a three-quarter's majority of the member's present and voting, resolve to dissolve the Club. If a similar majority at a subsequent Special General Meeting held not less than twenty-one days or more than thirty-five days thereafter confirms such resolution, the Club shall thereupon be dissolved.

The notice convening such Special General Meeting shall state that the Dissolution of the Club is to be proposed or confirmed as the case may be.

If upon the dissolution of the Club there remains after settling of its debts and liabilities any property whatsoever, the same shall not be paid or distributed amongst the members of the Club but shall become vested in and shall be transferred to the West Australian Rugby Union which shall apply the said property for the advancement of the game of Rugby Football in the State of Western Australia as the said West Australian Rugby Union shall in its absolute discretion see fit.

10. UNIFORM

The playing uniform of the Club shall be:

A royal blue jersey with a gold number on the back; white shorts; royal blue socks with gold tops.

From time to time variations to the pattern/style of the playing jumper and shorts may be made and approved by majority vote at the AGM. The Club Colours of royal blue, gold and white will remain as the dominant colours of all new designs.

Sponsors badges are permitted on shorts and jumpers as per W.A.R.U. regulations.

11. EMBLEM

The emblem of the Club shall be a gold rampant lion (with a red tongue) on a royal blue background.