

BRUFC Inc. Constitution and Rules  
**Burnside Rugby Union Football Club Inc.**

# **CONSTITUTION**

**and**

**(Current 2008)**

# **RULES**

BRUFC Inc. Constitution and Rules (updated November 17<sup>th</sup> 2005)  
BURNSIDE RUGBY UNION FOOTBALL CLUB INCORPORATED  
CONSTITUTION and RULES

## **1. Name**

- 1.1 The name of the incorporated association is the BURNSIDE RUGBY UNION FOOTBALL CLUB, (BRUFC Inc.), in these rules called 'the Club'.

## **2. COLOURS AND EMBLEM**

The Colours of the Club shall be Dark Blue and Light Blue, and design of the Club Uniform shall be as decided by the Executive Committee who shall have the power to vary the same, and to seek South Australian Rugby Union Management approval of design.

The effective Club emblem shall be as directed by the Executive Committee.

The Use of the Club Name, Colours and Emblem are subject to approval of the Executive Committee.

## **3. Purpose and Objectives of BRUFC Inc. is to manage, promote and develop the Club to be a viable concern by ensuring it:**

- 3.1 promotes plays and fosters the game of Rugby Union Football.
- 3.2 provides facilities for members for playing Rugby Union Football.
- 3.3 affiliates with the South Australian Rugby Union Inc., and other similar organizations and to play matches as arranged by the said Union and other organizations.
- 3.4 rents, leases or otherwise negotiates the use of land and buildings which may be required for the purpose.
- 3.5 manages monies of the Club not immediately required upon such security and in such manner as from time to time be determined by the Executive Committee of the said Club.
- 3.6 does all things as are incidental or conducive to the attainment for the foregoing objects.
- 3.7 applies for and obtains a grant of, and becomes and remains the holder of a Club Licence under the Licensing Act 1967-1976 or any amendment or re-enactment thereof.

- 3.8 renews, makes applications, conducts all proceedings and does all other acts, matters and things necessary to keep the Licence as aforesaid, in force.
- 3.9 operates, utilizes and conducts the affairs and business of the Club pursuant to the Club Licence, and in accordance with the provisions of the Licensing Act 1967-1976, or any amendment or re-enactment thereof and in particular, to sell and supply, and deliver alcoholic liquor of all types and kinds, by, and on behalf of, the Club, or to a visitor in the presence of a member in accordance with the provisions of the licence.

#### 4. Powers

- 4.1 For the purpose of carrying out the objectives, the Club has all of the powers listed in Section 25 of the Associations Incorporation Act, 1985.

#### 5. Interpretation of Rules

- 5.1 In these rules unless the contrary intention appears:

“Club” means Burnside Rugby Union Football Club (BRUFC Inc.).

“Member” means Playing Members, Non-Playing Members, and Life Members.

“Representative” means the person nominated, in writing to the secretary and accepted by the Club, to represent its interests.

“Committee” means the elected Club Executive Committee.

“Sub-Committee” means a committee formed and chaired by a member of the executive committee to conduct specified tasks with the sanction of the committee. The work of each of Sub Committee must be reported back and ratified by the Executive committee.

“Working party” is a specific task team formed for a specific brief and term to research, develop and make recommendations to the Sub Committee or Executive committee.

“Council” means the full club management group that is representative of all sub-committees and roles within the club.

“Financial Year” means the year ending on 30<sup>th</sup> October.

“General Meeting” means a meeting of members convened in accordance with Rule 13.

“The Act” means the Associations Incorporation Act, 1985.

“Junior/ Youth” means a player under the age of 18 as of January 1<sup>st</sup> of the playing year.

“The Regulations” means regulations under the Act.

“Senior and Junior Club Captains” shall be elected and their role will be to welcome new members to the Clubrooms, and introduce them to other Club Members. They will endeavour to ensure that an appropriate club atmosphere prevails at all times.

- 5.2 In these Rules reference to the “Secretary” means :

- (a) a person who holds office under these Rules as Secretary of the Club – to that person and

(b) in any other case to be the public officer of the Committee.

- 5.3 The interpretation of these rules, or any question not provided for, shall be decided by the Executive Committee, which decision shall be binding and final. These rules shall come into force immediately after the close of the Meeting at which they are adopted, provided that a repeal of the existing Rules, and the adoption of these Rules, shall not affect anything done or suffered before the coming into of operation of these Rules, or any right or title accrued, or obligation or liability incurred or duty or restriction imposed before these existing Rules interfere with the prosecution, or affect the course, of any legal proceedings then pending, or otherwise, under such existing rules. Such changes will be communicated to all members via website.

## 6. Membership

- 6.1 Club membership shall be unlimited in numbers.
- 6.2 The Club shall consist of Playing Members, Non-Playing Members, and Life Members.
- 6.3 Persons under the age of 18 years on the 1<sup>st</sup> of January of the playing year shall be Junior/Youth Members and eligible for restricted Playing Membership only. (see 6.4)
- 6.4 Junior/Youth Members shall not be entitled to vote at Club Meetings.
- 6.5 Where applicable all Members' Subscriptions shall be due and payable on or before the first day of April each year.
- 6.6 Playing Members shall be any persons who pay their Annual Subscription, the amount which shall be decided by the committee. Such Annual Subscriptions shall entitle any persons aforesaid on payment thereof to be a Playing Member of the Club up to the 31<sup>st</sup> March on the following year.
- 6.7 Application for Playing Membership shall not be the privilege of any new applicant under disqualification by any affiliated body of the SARU Inc. or the ARU.
- 6.8 Non-Playing Members shall be those persons who, to the satisfaction of the Executive Committee have, or will, support the Club and the Game of Rugby Union Football and pay the Annual Subscription as decided by the Annual General Meeting. Such persons shall be entitled to all rights and privileges of the Club except take part in organized matches.
- 6.9 A Non-Playing Member may change his Membership to Playing Member by registering with the SARU as a player and making him/herself available for team selection to the satisfaction of the Committee.
- 6.10 Life Members shall be any person in good standing who has rendered outstanding service of at least ten years, and elected as later stated in this Constitution. Life Members shall be entitled to all rights and privileges of Non-Playing Members, but shall not be required to pay any subscription.
- 6.11 A nomination for club membership:
- (a) shall be made in writing and
  - (b) shall be lodged with the secretary of the Club.
- 6.12 As soon as is practicable after the receipt of a nomination, the secretary shall refer the nomination to the Committee.

- 6.15 Upon a nomination being referred to the Committee, the Committee at that meeting shall:
- (a) approve the nomination for membership;
  - (b) reject the nomination for membership; or
  - (c) adjourn the nomination for membership to another Meeting of the Committee to allow:
    - (i) further consideration of the nomination; or
    - (ii) the applicant or their nominee to address the Committee Meeting.
- 6.16 In addition to any other grounds for rejecting a nomination for membership of the Club, the Meeting of the Committee may reject the nomination if the applicant is deemed incompatible with the objects or Rules of the Club.

#### 7. Procedure on approval or rejection of membership application

- 7.1 Upon a nomination being approved by the Committee, the Secretary shall, with as little delay as possible notify the applicant in writing of such approval and request any payments due within the period of 28 days after receipt of the notification of the sum payable under these Rules as the first year's annual subscription.
- 7.2 The Secretary shall upon payment of the amounts referred to in clause 6.1, within the period referred to in that clause, enter the applicants name together with their address and contact details in the register of members kept and, upon the name being so entered, the applicant becomes a member of the Club.
- 7.3 A right, privilege or obligation of a member by reason of membership of the Club is not capable of being transferred or transmitted to another person.
- 7.4 Where the Committee rejects an application for membership of the Club or adjourns the application to a further Committee Meeting, the Secretary shall with as little delay as possible notify the applicant in writing of the reasons for the rejection of the application or if appropriate the reasons that the nomination has been referred to a further Committee Meeting.

#### 8. Annual Subscription

- 8.1 The Annual subscription shall be determined by the committee and appropriate notification given to all eligible playing and non playing members.
- 8.2 Members Subscriptions shall be paid annually, on or before the 1<sup>st</sup> day of April each year.
- 8.3 The subscription will be reviewed on an annual basis and may be changed by the committee.
- 8.4 The Committee has the right to impose additional special levies on members from time to time as determined at a meeting of the Committee.

#### 9. Register of Members

- 9.1 The Secretary with the support of the registrars shall keep and maintain a register of members in which shall be entered the full name, address and date of entry of the name of each member and the register shall be available for inspection by members at the address of the Secretary or at any General Meeting.

- 9.2 A Membership Card bearing a distinctive number and stating the holders category and Conditions of Membership, with a space thereon for the signature of the Member to whom the card is issued, shall be issued to every Senior Member within two weeks (2) of their admittance to membership and/or payment of Annual Subscription.

10. Visitors

- 10.1 Junior/ Youth Players shall not introduce visitors into the Clubrooms.

11. Annual General Meeting

Eligibility: only fully paid up members are allowed to vote or stand for any position but this does not exclude observers who may wish to attend the AGM.

- 11.1 The Committee must in each calendar year convene an Annual General Meeting of its members.
- 11.2 The AGM of the Club shall be held in November but no later than the third week in November of each year.
- 11.3 The Annual General Meeting must be specified as such in the notice convening it.
- 11.4 The ordinary business of the Annual General Meeting must be:
- (a) to confirm the minutes of the last preceding Annual General Meeting;
  - (b) to receive from the Committee reports upon the proceedings and transactions of the Committee during the last preceding financial year, including the audited statement of the financial position of the Committee;
  - (c) to elect officers of the Committee;
  - (d) to elect an Auditor for the ensuing year;
- 11.5 The Annual General Meeting may transact special business of which notice is given in accordance with these rules;
- 11.6 The Annual General Meeting must be in addition to any other general meetings that may be held in the same year;
- 11.7 Annual General Meeting – Agenda. At the Annual General Meeting the following shall be the order of business:
- Minutes of previous Annual General Meeting
  - Business arising from the Minutes
  - Apologies and relative Correspondence
  - President's Annual Report
  - Secretary's Annual Report
  - Treasurers Financial Statement, Balance Sheet and Auditors Report
  - Committee Reports Tabled
  - Election of Life Member (if nominated see Rule 21.9)
  - Election of Returning Officer
  - All positions declared vacant
- ELECTIONS:
- Executive Committee
  - President
  - Vice President
  - Secretary

- Treasurer
- Marketing and Planning manager
- Operations manager
- Club Coaching Coordinator
- Players Advocate
  
- Auditor
- Expression of interests to join a Sub Committee invited, the Secretary to keep a record and forward this record to each Sub Committee Chair;
- Any other business pertinent to the AGM;
  
- Note: Notice of any other business for consideration at the AGM shall be given in writing to the Secretary at least 7 days prior to the meeting, stating the specific business proposed.

## 12. Council Meetings

- 12.1 The Committee must convene a minimum of four council meetings (incorporating all sub-committees) in any one calendar year and in each calendar year the first such meeting must take place no later than the 31<sup>st</sup> of March.

## 13. General Meetings

- 13.1 The Committee must, on the requisition in writing of members representing not less than 5% of the total number of members, convene a general meeting of the members.
- 13.2 The requisition for a general meeting must state the objects of the meeting and must be signed by the members making the requisition and be sent to the address of the Secretary and may consist of several documents in a like form, each signed by one or more of the members making the requisition.
- 13.3 If the Committee does not cause an extraordinary general meeting to be held within 21 days after the date on which the requisition is sent to the address of the Secretary, the members making the requisition or any of them, may convene a General meeting to be held not later than 3 months after than date.
- 13.4 A general meeting convened by members in pursuance of these rules must be convened in the same manner as nearly as possible as that in which those meetings are convened by the Committee i.e. within 21 days.

## 14. Notice of Meetings

- 14.1 The Secretary of the Committee must, at least 14 days before the date fixed for the first council meeting of the Committee for the year, cause to be sent to each representative on the Committee a notice by post, fax or electronic mail stating the place, date and time of that meeting.
- 14.2 At the first council meeting, a calendar or proposed council and executive committee meetings for the year will be determined and these will be included in the minutes of the meeting. The date, time and place of the next council meeting will be included at the end of the minutes of each meeting to be forwarded to representatives and members.
- 14.3 At least 14 days prior to Committee meeting, the Secretary of the Committee must cause to be sent to representatives and members of the minutes of the

previous Committee meeting an Agenda setting out the business of the forthcoming meeting.

- 14.4 Business other than that set out in the Agenda may be introduced at any general meeting after advertised business has been dealt with.
- 14.5 A member desiring to bring any business before a meeting may give notice of that business in writing or by telephone to the secretary or president, and that business must be included in the Agenda for the next meeting.

#### 15. Proceedings at Meetings

- 15.1 All business that is transacted at a meeting and all business that is transacted at the Annual General Meeting with the exception of that specially referred to in these rules as being the ordinary business of the Annual General Meeting must be deemed to be general business.
  - 15.2 No item of business shall be transacted at a council or general meeting unless a quorum of representatives entitled under these rules to vote is present during the time when the meeting is considering that item.
  - 15.3 The President or in his/her absence, the Vice-President, must preside as Chair at each general meeting of the Committee. If the President and the Vice-President are absent from a general meeting, the members present shall elect one of their number to preside as Chair at the meeting.
  - 15.4 The Chair of a general meeting at which a quorum is present may, with the consent of the meeting adjourn the meeting from time to time and place to place but no business must be transacted at an adjourned meeting other than the business left unfinished at the meeting at which the adjournment took place.
  - 15.5 Where a meeting is adjourned for 14 days or more, a like notice of the adjourned meeting must be given as in the case of the general meeting
- 15.6 Quorums
- (a) Seventeen bona fide Financial Members shall form a quorum at a General Meeting of the Club.
  - (b) Five Members shall form a quorum at Executive Committee Meetings.
  - (c) Eight members shall form a quorum at Council Meetings.
  - (d) If within 30 minutes of the time fixed for the meeting a quorum is not present, the Meeting shall be adjourned to the same place and time and day on the following week and if a quorum is not present then, those members present shall form a quorum, and may transact the business of such a meeting.

#### 16. Voting at General Meetings

- 16.1 A question arising at a general meeting of the Committee must be determined on a show of hands of member and unless before or on the declaration of the show of hands a poll is demanded a declaration by the Chair that a resolution has, on a show of hands, been carried or carried unanimously, or carried by a particular majority or lost, and an entry to that effect in a Minute Book of the Committee is evidence of the fact, without proof of the number or proportion of the votes recorded in favour of or against that resolution.
- 16.2 All votes shall be given personally or by a proxy voter.
- 16.3 In the case of an equality of voting on a question, the Chair of the meeting is entitled to exercise a second or casting vote.
- 16.4 Each member will have one vote.

#### 17. Appointment of Proxy

- 17.1 Each voting member shall be entitled to appoint a proxy by notice given to the secretary.
- 17.2 The notice appointing the proxy must be given to the Secretary or President.

18. Method of conducting a poll at a general meeting

- 18.1 If at a meeting a poll on any question is demanded by not less than three representatives it shall be taken at that meeting in such manner as the chair may direct and the resolution of the poll shall be deemed to be a resolution of the meeting on that question.
- 18.2 A poll that is demanded on the election of a Chair or on a question of an adjournment shall be taken forthwith and a poll that is demanded on any other question shall be taken at such time before the close of the meeting as the Chair may direct.
- 18.3 A member is not entitled to vote at any general meeting unless all monies due and payable have been paid.

19. Officers of the Executive Committee

- 19.1 The Officers of the Executive Committee shall be:
  - (a) A President;
  - (b) A Vice-President;
  - (c) A Secretary
  - (d) A Treasurer
  - (e) A Marketing and Planning Manager
  - (f) A Club Coaching Coordinator
  - (g) An Operations Manager
  - (h) A Player's Advocate
- 19.2 The Executive Committee and Council of the Club shall be elected for a term of one year following their election.
- 19.3 All other positions shall be elected for the period between their election and the AGM following their election.
- 19.4 Any casual vacancy among Office Bearers, of Executive Committee Members and Council shall be filled by appointment by the remaining Members of the Executive Committee in accordance with this Constitution.

20. The Executive Committee

- 20.1 The affairs of the Club shall be managed by the Executive Committee with the support of sub-committees (Council) constituted as:
  - (a) the officers of the Executive Committee as referred to in clause 19.1 and
  - (b) a representative from each sub-committee
- 20.2 Each representative on the Council shall, subject to these rules hold office until the Annual General Meeting next after the date of her/his selection/ co-opting but is eligible for re-election.



- 20.3 The Executive Committee:
- (a) must control and manage the business and affairs of the Club;
  - (b) may, subject to these Rules, the regulations and the Act, exercise all such powers and functions as may be exercised by the Committee other than those powers and functions that are required by these rules to be exercised by general meetings of the members of the Committee through their representatives;
  - (c) subject to these rules, the regulations and the Act, has power to perform all such acts and things as appear to the Committee to be essential for the proper management of the business and affairs of the Club.

## 21. Election of Officers and Vacancy

- 21.1 Nominations of candidates for election as officers of the Executive Committee or as ordinary members of a sub-committee:
- (a) shall be made in writing, signed by two members of the Club and accompanied by the written consent of the candidate (which may be endorsed on the form or nomination); and
  - (b) shall be delivered to the secretary of the Club not less than 7 days before the date fixed for the holding of the Annual General Meeting.
- 21.2 If insufficient nominations are received to fill all vacancies on the Committee, the candidates nominated shall be deemed to be elected and further nominations shall be received at the Annual General Meeting.
- 21.3 If the number of nominations received is equal to the number of vacancies to be filled, the persons nominated shall be deemed to be elected.
- 21.4 If the number of nominations exceeds the number of vacancies to be filled, a ballot shall be held.
- 21.5 The ballot for the election of officers and the Committee shall be conducted at the Annual General Meeting in such usual and proper manner as the Club may direct. (see 21.7)
- 21.6 A nomination of a candidate for election under this clause is not valid if that candidate has been nominated for another office for election at the same election.
- 21.7 (a) The Returning Officer elected for the conduct of the Elections at the AGM shall:-  
Report the Offices to be filled and Life membership nominations.  
Report any vacancies for which there are no nominations received and obtain the wish of such vacancies.  
Appoint two scrutineers for all secret ballots who shall be approved by each candidate.  
Report any nominations and conduct the elections as necessary.  
Report to the meeting the results of the ballots and install the elected Officers.
- 21.8 (a) The Executive Committee shall be elected by the General Body of Members at the AGM to be held in accordance with Clause 20 of this Constitution.
- (b) All Members and Associate Members may nominate for Office provided they are financial.

(c) Nominations for all Offices shall be received in writing by the Secretary seven days prior to the AGM. All nominations shall be proposed and seconded by Financial Members of the Club and signed by the Candidate.

(d) Nominations received shall be opened and posted on the Club Notice Board the day after nominations close.

(e) If no written nominations are received, nominations may be accepted from the floor of the Meeting, provided consent has been given by the candidate.

(f) In the event of two or more nominations being received for one position, an election be conducted by secret ballot.

(g) The Candidate receiving the greater number of votes will be declared elected, and in the event of an equal number of votes being recorded for any position, the Returning Officer shall have the casting vote.

21.9. Life Members shall be appointed by the Executive Committee, and shall be elected by a 2/3's majority of Financial Members present at the AGM at which the nomination was put. A Life Member may be elected at an AGM. Life Members may attend Committee Meetings but shall not be entitled to vote, move motions or amendments.

21.10

(a) Members except Life members shall be elected to Membership of the Club by signing an application form with the signatures of two Financial Members as proposer and seconder. Such form to be accompanied by 100% of the appropriate Membership Fee and be posted at least two weeks prior to the application being submitted to the Executive Committee for acceptance, or rejection.

(b) Applications for Membership shall be recorded and filed, and the applicant notified of a result within one week following the meeting at which the application was dealt with, and for the purpose of election of Members, the Committee shall act in the capacity of and be deemed to be an Election Committee.

(c) In the case of a new Playing Members application it shall be in order for such applicants to play for Club Teams subject to Membership of the Club being approved, provided they complete the necessary registration form required by the SARU.

## 22. Proceedings of Executive Committee

22.1 The Committee shall meet at least once every two calendar months at such place and such times as the Committee may determine.

22.2 The Committee will convene a minimum of four Council meetings per year.

22.3 Notice shall be given to members of the Committee of any special or general meeting specifying the general nature of the business to be transacted.

22.4 A majority of the Committee constitutes the transaction of the business of a meeting of the Committee.

22.5 No business shall be transacted unless a quorum is present.

22.6 At meetings of the Committee:

- (a) the President or in her/his absence the Vice-President shall preside or
- (b) if the President and the Vice-President are absent, such one of the remaining members of the Committee as may be chosen by the members present shall preside.

22.7 Questions arising at a meeting of the Committee or of any sub-committee appointed by the committee shall be determined on a show of hands, or if demanded by a member, by a poll taken in such manner as the person presiding at the meeting may determine.

22.8 Each member present at a meeting of the Committee or of any sub-committee appointed by the Committee (including the person presiding at the meeting) is entitled to one vote and in the event of an equality of votes on any question the person presiding may exercise a second or casting vote.

22.9 Written notice of each committee meeting shall be served on each member of the Committee by delivering it to her/him at a reasonable time before the meeting or by sending it by post addressed to her/him at her/his usual or last known place of abode at least two business days before the date of the meeting.

22.10 Subject to rule 21 the Committee may act upon any vacancy on the Committee.

- a) manage the Affairs, Property and Finances of the Club, having regard to the Objects of the Club;
- b) make, and from time to time, if thought fit, alter Terms of Reference and Guidelines for the Sub-Committees, Officers and Servants, for the good administration of the Club;
- c) post all Terms of Reference and all Guidelines for Sub-Committees and Working Parties on the website;
- d) meet as often as deemed necessary, but not less than once every two months;
- e) delegate any of their affairs to a Sub-Committee;
- f) appoint such of their number as they may determine to represent the Club as delegates, as and when required, and to grant to those members such voting powers as they deem expedient;
- g) recommend to the Annual General Meeting a person for Life Membership;
- h) borrow such monies as may be approved by a 2/3 majority of Financial Members voting at an Annual General Meeting or a Special General Meeting called for that purpose, upon the security of assets of the Club or otherwise achieve, as is best possible the Objects of the Club;
- i) apply for, obtain, and renew from time to time, registration or licences under the Licensing Act of the State for the time being in force, or any law of the State or Commonwealth relating to the licensing of, or granting of licences of any kind to the Club;
- j) take and maintain insurance in respect of the property of the Club, and in respect of any claims which may be made against the Club or its' servants;
- k) appoint, employ, and pay servants or agents and dismiss, suspend or terminate the employment or agency of any such servants or agents;
- l) Minutes of the resolutions and proceedings of every meeting of the committee and all financial reports and transactions be kept for that purpose by the Secretary, and shall be signed by the Chairperson of the meeting at which they were read and conformed, and such minutes when so recorded and signed shall, in the absence of proof of error therein, be considered to be the correct record of the resolution to which they relate;
- m) no Minute of Resolution may be rescinded without a notice of motion to do so having been given at a meeting prior to the meeting at which such motion can be moved;
- n) a member of the Executive Committee being absent from three consecutive meetings without due cause and reasonable excuse, shall be deemed to have

relinquished his position on the Committee. An attendance book shall be available for members present at Committee Meetings to sign as a record of attendance.

## 23 Roles and Responsibilities

### 23.1 The **President** of the Club shall:-

- a) Preside and Chair at all Executive Committee and Council Meetings of the Club. In the absence of the President at such Meetings, the Vice President shall preside. Should this be impracticable, then those Members present shall appoint one of their number to preside.

### 23.2 The **Vice President** will chair Junior/Youth Sub- Committee the membership of which will be drawn from Parents and Non Players Sub-Committee. This sub-committees' foci being Junior/ Youth Development, Club Membership and loyalty, Exchange and Tours, Awards, Season Draw, Welfare and mentoring, SAJRU) and represent the interests of junior/ youth players, parents and non-players and shall cause:

- a) in absence of the President the Vice-President shall preside.
- b) Junior/ Youth Sub-Committee shall be constituted by Parents, Playing and non Playing Members of the Club interested in junior/youth activities and co-opted by the Vice President, Committee and or Council.
- c) no monies shall be paid into non Club accounts unless authorized by the Committee.
- d) be guided by and act within the Terms of Reference of "Junior/ Youth, Sub-Committee", as laid down by the Executive Committee

### 23.3 The **Secretary** shall chair meetings of the Communication Sub-Committee of which will be drawn from Secretary, Assistant Secretary (Junior/Youth/Senior), Registrars (Junior/Youth/Senior) any other interested party. This sub-committee' foci being Website and Newsletter, SARU/SAJRU, Policy, Insurance, Correspondence and shall cause:

- a) keeping minutes and action list of the resolutions and proceedings of each general meeting, each Committee and Council meeting in books provided for that purpose together with the record of the names of persons present at committee meetings
- b) a copy of the minutes of each meeting of the Committee to be distributed to each committee member as stated in Rule 14.
- c) in association with the President compile and distribute the agenda for each general meeting
- d) keep a list of Members together with their respective addresses, the date of joining the Club, Membership Category and include dates of birth of Junior/Youth Playing Members registered with the South Australian Junior Rugby Union
- e) conduct the correspondence of the Club
- f) invite Members to Meetings
- g) unless excused, attend all meeting of the Club
- h) forward to the Secretary of the S.A. Rugby Union Inc. not later than one month after the Annual General Meeting of the Club, a copy of the Income and Expenditure Account for the previous 12 months, duly audited, as provided for in the Constitution of the SARU Inc.
- i) act under the direction and supervision of the Committee
- j) do such acts in relation to the affairs of the Club as the Committee may, from time to time require or direct.

- k) Allocate the following roles Assistant Secretary Juniors. Assistant Secretary Seniors, Website Manager, Newsletter Editor/Publisher, Membership, Senior and Junior Registrars.

23.4 The **Treasurer** shall chair meetings of the Finance Sub-Committee of which will be drawn from the registrars and interested club members and have the foci of Short and Long Term Financial Management, Systems, Budget, Stock Control, Cash Flow and shall cause:

- a) collection and receipt of all monies due to the Committee and all payments authorised by the Committee
- b) keep correct financial records showing the financial affairs of the Committee with full details of all receipts and expenditure connected with the activities of the Committee.
- c) be signatory to all Bank Accounts run by the Executive Committee and all Sub-Committees of the Club
- d) keep a record of the amount of the Subscriptions paid by each Member of the Club and a record of the amount due by each Member of the Club
- e) report to the Executive Committee at each of its Meetings, the financial position of the Club, and state all receipts and payments since the preceding Meeting
- f) submit to each meeting of the Executive Committee all accounts for payment
- g) prepare a Statement of Income and Expenditure and a Balance Sheet for presentation to the Annual General Meeting
- h) present to the Auditor all books and accounts to allow an Audit Report to be included in the Annual Report
- i) report the financial position of all Sub-Committees
- j) put appropriate cash flow and invoice procedures conducive to accepted small business practice in place
- k) the financial records referred to in 23.b shall be available for inspection by members.

23.5 The **Marketing and Planning Manager** shall chair the Marketing & Planning Sub-Committee and draw its membership from members interested in Sponsorship, Major Events, Public Relations, Promotions, Merchandising and Community Interaction and shall cause:

- a) co-opt appropriate people to ensure that the role of the Marketing & Planning Sub-Committee is fulfilled
- b) ensure that the Social Calendar shall include an Annual Dinner and Annual Presentation of Trophies function.
- c) negotiate and secure sponsorship
- d) develop annual and 5 year plan for club development
- e) ensure that there is a social and major events calendar published at the beginning of season
- f) work closely with other Sub committee to ensure annual plan is accomplished
- g) develop a marketing and sustainability plan
- h) manage and determine all merchandising and promotional materials
- i) budget for each of the major events
- j) report progress to the Executive Committee
- k) be guided by and act within the Terms of Reference of "Marketing & Planning Sub-Committee", as laid down by the Executive Committee.

23.6 The **Operations Manager** shall chair the Operations Sub-Committee of which membership is drawn from interested members to oversee the Bar, Canteen, Kitchen, Grounds, Social, Staff and Fundraising and shall cause:

- a) co-opt appropriate people to ensure that the role of the Operations Sub-Committee is fulfilled

- b) control and maintain all equipment, bar stock, bar service, catering stock, catering service, and associate facilities.
- c) ensure that all aspects of the law in regard licences, permits and rules etc., as laid down by the Licensing Court are strictly adhered to.
- d) see that an up to date and accurate set of books of income and expenditure are kept in a proper manner in the keeping with the requirements of the Club Treasurer and Auditor.
- e) present in collaboration with the Marketing and Planning Sub-Committee to the Committee by 31<sup>st</sup> March each year, a Social Calendar covering the ensuing 12 months.
- f) the Social Calendar shall include an Annual Dinner and Annual Presentation of Trophies function
- g) manage all Clubrooms bookings and keep these up to date
- h) accept Social Committee bookings of the Clubrooms as a priority over outside bookings
- i) the Social Calendar shall include an Annual Dinner and Annual Presentation of Trophies function
- j) report progress to the Executive Committee
- k) be guided by and act within the Terms of Reference of "Operations Sub-Committee", as laid down by the Executive Committee.

23.7 The **Player Advocate** will chair the Players Sub-Committee which shall draw its members from Club Captains Senior/Junior/Youth, Tours Junior Youth/Senior, Golden Oldies, Men's, Women's, and Smart Rugby and represent the concerns and ideas of the playing members and shall cause:

- a) that the interests of each of the playing groups and teams are represented upon the sub-committee and therefore co-opt appropriate representatives from these stakeholder groups.
- b) the role and responsibility of each representative to be determined through consultation with players and the Executive Committee
- c) conduct the election of Senior and Junior Club Captains who shall:-Welcome new members to the Clubrooms, and introduce them to other Club Members. They will endeavour to ensure that an appropriate club atmosphere prevails at all times
- d) be guided by and act within the Terms of Reference of "Players Sub-Committee", as laid down by the Executive Committee.

23.8 The **Coaching Coordinator** will chair the Coaching Sub-Committee and draw membership from Coaches, Managers, Fitness, Team delegates, Development, Recruitment, and SAJRU/SARU and represent the concerns and ideas of the all coaches and managers and shall cause:

- a) that the interests of each of the players and teams are addressed by establishing a club scope and sequence to game play U8 through to Div1
- b) the role and responsibility of each coach and manager is clearly understood by all stakeholders
- c) establish a coaching and fitness plan in collaboration with each coach and manager
- d) support each coach to extend their skills
- e) identify strategies to improve game plan
- f) resolve conflict between coaches and other parties
- g) identify and promote professional development pathways
- h) in consultation with the Executive Committee appoint coaching and management staff
- i) communicate issues and needs to the Committee
- j) fulfill the explicit role description as determined by the Committee and Council

- k) be guided by and act within the Terms of Reference of “Coaching Sub-Committee”, as laid down by the Executive Committee which will include formal qualifications.

#### 24 Standing Sub-Committees

The Executive Committee will address the needs of the Club through the establishment of appropriate Sub-Committees. The role and scope of each sub-committee to be reviewed annually or on an as needs basis. In the main these sub-committees should report directly to nominated Executive Committee members. The following Sub-Committees shall be appointed to assist the Executive Committee to carry out their duties as directed by the appropriate Terms of Reference as drawn up by the Executive Committee:-

**Operations Sub-Committee:** (Bar, Canteen, Kitchen, Grounds, Social, Staff and Fundraising)

**Marketing & Planning Sub-Committee:** (Sponsorship, Major Events, Public Relations, Promotions, Merchandising and Community Interaction)

**Finance Committee Sub-Committee:** (Short and Long Term Financial Management, Systems, Budget, Stock Control, Cash Flow,)

**Communication Sub-Committee:** (Secretary, Assistant Secretary Junior/Senior, Registrars Junior/Senior, Website and Newsletter, SARU/SAJRU, Policy, Insurance, Correspondence)

**Coaching Sub-Committee:** (Coaches, Managers, Fitness, Team delegates, Development, Recruitment and SAJRU/SARU)

**Players Sub-Committee:** (Club Captains Senior/Junior Tours Junior/Senior, Golden Oldies, Men's, Women's, Smart Rugby)

**Junior/Youth, Parents and Non Players Sub-Committee.** (Junior Development, Club Membership and loyalty, Exchange and Tours, Awards, Season Draw, Welfare and mentoring, SAJRU)

#### 25. Removal of Member of Committee

- 25.1 The Committee in general meeting may by resolution remove any member of the Executive Committee or Council before the expiration of her/his term of office and appoint another member in her/his stead to hold office until the expiration of the term of the first-mentioned member.
- 25.2 Where the member to whom a proposed resolution referred to in clause 25.1 makes representations in writing to the Secretary or President of the Committee not exceeding a reasonable length and requests that they be notified to the members of the Committee, the secretary or the President may send a copy of the representations to each representative on the Committee or, if they are not so sent, the member may require that they be read out at the meeting.

#### 26. Financial Transactions

- 26.1 All financial transactions shall be authorised and signed by two of the following President, Secretary, Treasurer, Vice President or other member authorised from time to time by the Executive Committee.

- 26.2 The funds of the Committee shall be deposited in the name of the Club in such Bank, Permanent Building Society or Credit Union as the Committee may from time to time direct.
- 26.3 Proper financial records shall be kept and maintained either in electronic, written or printed showing correctly the financial affairs of the Committee and the particulars usually shown in books of a like nature.
- 26.4 All monies shall be deposited as soon as practicable after receipt thereof.
- 26.5 Cheques shall be crossed "not negotiable" except those in payment of wages, allowances or petty cash recoupment which may be open.
- 26.6 The Committee shall determine the amount of petty cash which shall be kept on the imprest system.
- 26.7 All expenditure shall be approved or ratified at a Committee meeting.

#### 28. Alteration of Constitution: Rules

- 28.1 Subject to the provisions of the Associations Incorporation Act 1985, these Rules may be amended, rescinded or added to from time to time by a special resolution at an extraordinary meeting.
- 28.2 No resolution for changing the constitution: rules shall be entertained except at the Annual General Meeting or at a general meeting, and such resolution shall be required to be supported by the votes of two thirds (2/3) of the members present and voting. Notice of such motion shall be given to the Committee at least one month before the meeting and the terms of the motion shall be stated in the circular calling for the meeting, to be sent not less than 14 days before the date of the meeting.
- 28.3 The Club Constitution shall be made available electronically to any Financial Member upon request or in hard copy for such nominal fee as it recommended by the Committee.

#### 29. Notices

- 29.1 A notice may be served by or on behalf of the Committee upon any member either personally or by sending it by post to the member at her/his address shown in the Register of Members.
- 29.2 Where a document is properly addressed, pre-paid and posted to a person as a letter, the document shall, unless the contrary is proved, be deemed to have been given to the person at the time at which the letter would have been delivered in the ordinary course of post.

#### 30. Dissolution of the Club

- 30.1 If the Club is dissolved it shall be wound up in accordance with the provisions of the Associations Incorporation Act 1985, and there remains, after satisfaction of all its debts and liabilities, any property whatsoever, the same shall be disposed of in accordance with Section 43 of the Act. The Club shall not be dissolved except by Resolution to that effect passed by a 2/3 majority of votes received from a ballot of Financial Members able to be contacted by phone, or in person.

#### 31. Custody of Records



- 31.1 Except as otherwise provided in these Rules, the secretary shall keep in her/his custody or under her/his control all books, documents and securities of the Committee.

### 32. Funds

- 32.1 The income and property of the Club, however derived shall be applied towards the assets and income of the Club shall be applied solely in promotion of its objects and in the exercise of its powers. no portion thereof shall be paid or transferred directly or indirectly by way of dividend, bonus, or otherwise, howsoever, by way of profit to the Members of the Club, provided that nothing herein contained shall prevent payment, in good faith, or remuneration to any Officer or Servant of the Club, of other person, in return for any services actually rendered to the Club, nor prevent payment of interest or repayment of any monies borrowed from any Member of the Club
- 32.2 The funds of the Committee shall be derived from entrance fees, annual subscriptions, donations and such other sources as the Committee determines.
- 32.3 Any property remaining on the Winding Up or dissolution of the Club, after satisfaction of its debts and liabilities, shall be given or transferred to such funds or in consideration or utilised for such purpose as majority of Members decide at a Special General Meeting.

### 33 Licensing Act Provisions

- 33.1 Correct accounts and books shall be kept showing the financial affairs of the Club and the particulars usually shown in the books of account of a like nature.
- 33.2 The books of account, minute book, and other records of the Club, and of Committees there of, the register of Members, and all other books relating to the transactions, business rules, and management of the Club shall be written in the English language.
- 33.3 No payment or part payment of a Secretary, Manager or other Officer or Servant of BRUFC shall be made by way of commission or allowance from, or upon, the receipts of the Club for liquor supplied.
- 33.4 No liquor shall be sold or supplied to any person under the age of 18 years. No person under 18 years of age, except persons who are being trained as waiters or messengers is allowed to serve behind the bar.

### 34. Resignation and Expulsion of Members

- 34.1 A member of the Club who has paid all moneys due and payable by it to the Club may resign from the Club by first giving one months notice in writing to the Secretary of their intention to resign and upon the expiration of that period of notice the member must cease to be a member.
- 34.2 Upon the expiration of a notice given under clause 10.1, the Secretary must make in the register of members an entry recording the date on which the member by whom the notice was given, ceased to be member.
- 34.3 Subject to these rules, the Committee may by resolution:
- (a) expel a member from the Club; or
  - (b) suspend a member from membership of the Club for a specified period; if the Committee is of the opinion that the member:

- (i) has refused or neglected to comply with these rules; or
  - (ii) has been guilty of conduct unbecoming a member or prejudicial to the interests of the Club or Rugby Union.
  - (iii) the Executive Committee shall have the power to expel the Member from the Club, or to suspend all, or part of the Members privileges for a period of time which they consider appropriate, depending on the seriousness of the offence
  - (iv) in the event of damage by the offending Member to property belonging to the Club or Club Members, the cost of any repairs shall be met by the offending Member
- 34.4 Where the Committee passes a resolution under clause 10.3 the Secretary must as soon as practicable cause to be served on the member a notice in writing:
- (a) setting out the resolution of the Committee and the grounds on which it is based;
  - (b) stating that the member may address the Committee at a meeting to be held not earlier than 14 and not later than 28 days after service of the notice;
  - (c) starting date, place and time of that meeting;
  - (d) informing the member that the member may do one or more of the following:
    - (i) have his/her nominated representative attend and address that meeting;
    - (ii) give to the Committee before the date of that meeting a written statement seeking the revocation of the resolution.
- 34.5 A resolution of the Committee under clause 10.3:
- (a) does not take effect until the Committee at a General Meeting held not earlier than 14 and not later than 28 days after the service on the member of a notice under clause 10.4 confirms the resolution in accordance with this clause; and
  - (b) where the member exercises a right of appeal to a General Meeting of the Club under this clause, it does not take effect unless the General Meeting of the Club confirms the resolution in accordance with this clause.
- 34.6 At a meeting of the Committee held in accordance with clause 34.4, the Committee:
- (a) must give the nominated representative of the member an opportunity to be heard;
  - (b) must give due consideration to any written statement submitted by the member;
  - (c) must, by resolution, determine whether to confirm or to revoke the resolution;
  - (d) will hear no business other than the question of the appeal;
  - (e) club members present must vote by secret ballot on the question whether the resolution should be confirmed or revoked.
- 34.7 If at a General Meeting:
- (a) two-thirds of the members vote in person or by proxy in favour of the confirmation of the resolution, the resolution is confirmed; and
  - (b) in any other case the resolution is revoked.

*End of BRUFC Constitution*