

**CONSTITUTION
OF THE
ALBANY
TOUCH
FOOTBALL
ASSOCIATION
(INC.)**

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Constitution of the Albany Touch Football Association (INC)

1. NAME

The name of the Association shall be the Albany Touch Football Association Incorporated (ATFA).

2. INTERPRETATION

In this Constitution, and in any Regulations and/or By-laws made hereunder, unless the contrary intention appears:

- (a) "Association" means the ATFA
- (b) "Executive Committee" means the members of the Association as provided by Clause 8 of this Constitution.
- (c) "Financial Year" means the period commencing on the first day of May and concluding on the thirtieth day of April (in the following year).
- (d) "Member" means a financial member by way of having paid all relevant subscriptions.
- (e) "Misconduct" means action or behaviour in breach of the Association's Constitution or By-laws, Referees Association Rules and decisions or public action by a member that may bring the Association into disrepute.
- (f) "Nominated Delegate" means the President or his nominee, who shall represent the Association at the meetings of the Western Australian Touch Association".
- (g) "Nominations" means nominations in writing, signed by the proposer, seconder and nominee, all of whom must be financial members of the Association.
- (h) "Office Bearers" means those persons referred to in Clause 11.
- (i) "Public Officer" shall be the Secretary of the Association.
- (j) "Special Notice" means a Notice of a Special Meeting of which twenty-eight (28) days notice is given to the member specifying the intention to propose a resolution, the text of which is contained in the Notice.
- (k) "Special Resolution" means a resolution required to be passed by a majority of not less than 75% of the office bearers and members voting in person at an Annual General Meeting or Special Meeting of which Special Notice has been given specifying the intention to propose the resolution as a Special Resolution.
- (l) "Team Delegate" means a financial member selected by a team to represent such team at the Team Delegates Meeting.
- (m) "The Sport" means the game of Touch Football.
- (n) "The District" means Albany.
- (o) The male gender includes the female gender and the female gender includes the male gender whilst words importing persons includes corporations and vice versa.
- (p) "The State" means the State of Western Australia.

3. OBJECTS OF ASSOCIATION

The objects of the Association are:

- (a) To encourage, foster, promote, develop, extend, govern and control of Touch Football through the District.
- (b) To promote, organize and conduct championships, competitions and other events pertaining to the sport as may from time to time be considered expedient.
- (c) To maintain and promote standardized playing rules and regulations.
- (d) To select, support and/or sponsor any representative or teams for purposes associated with Touch.

4. PROPERTY AND INCOME

The income and property of the association shall be applied solely towards the promotion of the objects of the Association. No portion of the income or property shall be paid, transferred or distributed directly or indirectly to the members of the Association, provided that nothing shall prevent the payment in good faith or remuneration to any Officer or employee of the Association or to any person other than a member in return for services rendered to the Association.

5. QUALIFICATIONS FOR MEMBERSHIP OF ASSOCIATION

Membership of the Association is open to any person interested in Touch Football, at the discretion of the Committee, who has paid all relevant subscriptions.

6. REGISTER OF MEMBERS OF ASSOCIATION

The Registrar shall on behalf of the association keep and maintain the register of members in accordance with the Act in which shall be entered:

(a) The full name, one or more of the residential or postal or email address, category of membership, and date of entry of each Member including Life Members.

(b) Where applicable, the date of termination of membership of any Member.

6.1 INSPECTION OF THE REGISTER

Inspection of the Register will only be available as required by the Act.

6.2 USE OF REGISTER

Subject to the Act, confidentiality considerations and privacy laws:

(a) The Register may be used by the Affiliate to further the Objects, as the Committee considers appropriate; and

(b) A Member must only use or disclose information in the Register for a purpose that is directly connected with the affairs of the Affiliate or that is related to the administration of the Act.

7. EXPULSION OF MEMBERS OF ASSOCIATION

A member who is expelled from membership of the Association shall, if he wishes to appeal against the expulsion, give notice to the Secretary of his intention to do so within the period of 14 days.

8. EXECUTIVE COMMITTEE

8.1 MEMBERS OF THE EXECUTIVE COMMITTEE

The Executive Committee of the Association shall be the President, Vice President, Secretary, Treasurer and Registrar.

8.2 AUTHORITY OF THE EXECUTIVE COMMITTEE

The Executive Committee shall manage the ongoing affairs and business of the Association in its absolute discretion but shall at all times act in accordance with the Constitution and By-laws made here under and shall furthermore at all times display due regard for the well-being of the association and its efficient management and shall hold such meetings as it so desires.

8.3 DUTIES OF THE EXECUTIVE COMMITTEE

The duties of the Executive Committee are detailed in the Position Statements and shall be held by the Secretary.

9. GENERAL COMMITTEE

9.1 MEMBERS OF THE GENERAL COMMITTEE

The General Committee shall consist of the Office Bearers of the Association.

9.2 RESPONSIBILITIES OF THE GENERAL COMMITTEE

- (a) The General Committee is to have responsibility for the resolution of policy concerned with the control and direction of Touch Football within the Association and is to hold such General Meetings as the Executive Committee decides but not less than twice each year.
- (b) The duties of the General Committee are detailed in the Position Statements and shall be held by the Secretary.

9.3 AUTHORITY OF THE GENERAL COMMITTEE

Subject to this Constitution and to any directions given by Special Resolution of the Annual General Meeting or Special Meeting pursuant to Clause 24, the General Committee shall be the governing body of the Association and shall have the power to do all such acts and things to give effect to the Objects of the Association and without prejudice to the generality of the foregoing the General Committee may:

- (a) Purchase, transfer, sell, assign, mortgage, lease, hire or exchange land, equipment, plant, furniture, furnishings, or any other property whatsoever and in any manner authorized by law, to impose levy and collect subscription, fees, and other charges upon or from its member.
- (b) Acquire and hold any estate or interest in any property whatsoever.
- (c) Raise money and acquire such assets necessary to carry out the above and to obtain such permits as may be necessary for that purpose.
- (d) Invest and deal with moneys of the Association not immediately required in such securities as may be determined by the General Committee from time to time.
- (e) Utilize the devices of any person or create any Sub-committees considered necessary for the efficient conduct of the affairs of the Association.
- (f) Enter into and make arrangements for the employment of persons on such terms as is deemed proper.
- (g) Make, vary, repeat or rescind By-laws to this Constitution, but so that such by-laws are not inconsistent with this Constitution, prescribing any matters necessary or convenient to be prescribed for giving effect to this Constitution and/or any of its Objects PROVIDED THAT no such by-laws shall be effective until seven (7) days after a copy thereof has been forwarded to the members.
- (h) Do all lawful acts and things as are incidental or conducive to the carrying out of the above.

10. FINANCIAL

- (a) The Association will collect from teams affiliated with them and/or members thereof, such fees as are determined by the Executive Committee and General Committee and shall remit same to the Treasurer. The Association may raise other funds from any other source as it is deemed necessary by the Committee for the fulfilment of its financial program.
- (b) The association shall operate in its name at any bank or other financial institution such accounts as may be agreed upon by the Executive Committee. All the funds of the Association shall be paid into Association accounts. Unless otherwise resolved the signatories to the Association account shall be the President, Vice President, Secretary and Treasurer with two signatures being required on any bank form or withdrawal application.
- (c) The financial records of the Association shall consist of receipt books, ledgers, journals, and such other books as are deemed necessary by the Executive Committee to show the current financial position of the Association shall be kept with the Treasurer.
- (d) At the close of each financial year (ending 30th April as per the running season) the Treasurer shall prepare statements of income and expenditure of the association. Such statements shall be presented to the next Annual General Meeting of the Association. The prepared statements shall be audited by the Auditor before being printed for presentation to the Annual General meeting.
- (e) Copies of the printed accounts shall be distributed to members of the Committee prior to the Annual General Meeting. Copies of the printed accounts shall be available at the Annual General Meeting.

11. OFFICE BEARERS

At the Annual General Meeting of the Association elections shall be held for the following officers, which will hold the role until next AGM:

- (a) President
- (b) Vice President
- (c) Secretary
- (d) Treasurer
- (e) Registrar

Other positions may be appointed as deemed necessary by the Executive Committee for the betterment of Touch.

12. ELECTION OF OFFICERS

- (a) The names of candidates for positions as officers of the Association shall be in writing and shall include the nominee's endorsement. Nominations shall be in the hands of the Secretary prior to the commencement of the Annual General Meeting. If no nominations have been received in writing for a position, nominations may come from the floor of the meeting and may be in respect of any person.

All nominees should be present at the meeting and consent to the nomination PROVIDED THAT a person unable to attend the Annual General Meeting shall deliver to the Secretary, before the meeting, a letter indicating his consent to nomination to the position(s) specified in the letter.

- (b) All officers shall be elected annually at the Annual General Meeting, but the Executive Committee may fill any vacancy occurring between annual elections. All positions shall be declared vacant by the Chairman at the Annual General Meeting, and officers for the ensuing year shall be there upon elected to take office at the conclusion of the Annual General Meeting at which elected.

13. CASUAL VACANCIES

Where following an election to an office that office becomes vacant, an appointment to fill that office may be made by the Executive Committee upon written acceptance by the proposed appointee.

An office shall be deemed to be a casual vacancy if the occupant fails to attend two (2) consecutive General Committee Meetings without prior notice.

14. RESIGNATION FROM OFFICE

An office referred to in Clause 11 may be declared vacant upon the office holder:

- (a) Having submitted his written resignation to the Secretary at any time, or
- (b) Having left the area without having given written notice of resignation.

15. REMOVAL FROM OFFICE

A holder of an office referred to in Clause 12 upon the passing of a Special Resolution, may be removed from Office for misconduct.

16. SUB-COMMITTEES

There shall be a Disciplinary Committee and such other Standing or Special Sub-Committees, as the Association deems necessary.

17. DISCIPLINARY COMMITTEES

The Association Disciplinary Committee shall comprise of three delegated by the Executive Committee. Its functions shall be to hear and determine all dismissals of players coming under the control of the Association and, unless otherwise resolved by Special Resolution, all citing of officials or players for misconduct pursuant to Clause 27.

Any appeals from decisions of the Disciplinary Committee shall be heard and determined by the Executive Committee.

18. MEETINGS

18.1 ANNUAL GENERAL MEETING

Frequency

Any Annual General Meeting of the Association shall be held each year at a venue and on a date decided by the Executive Committee.

Notice

Notice of the date, place and time of the holding of the Annual General Meeting shall be given by the Secretary to each member via writing, email or social media i.e. Facebook at least fourteen (14) days prior to the meeting.

Order of Business at the Annual General Meeting

The order of business to be transacted at the Annual General meeting shall be:

- (a) Apologies;
- (b) Registration of attending members;
- (c) Minutes of Previous Annual General Meeting;
- (d) Annual report(s);
- (e) Financial Report;
- (f) Elections;
- (g) Election of Life Members
- (h) Appointment of Auditor
- (i) Motions of amendment to the Constitution;
- (j) Notices of Motion;
- (k) General Business.
- (l) Life Membership nominations.

18.2 GENERAL COMMITTEE MEETING AND TEAM DELEGATES MEETING

Frequency

General Committee Meeting and Team Delegates Meetings of the Association shall be held at such times as the Executive Committee determines, but not less than twice a year.

Notice

Notice of the date, place and time of the holding of the General Committee meeting or Team Delegates Meeting shall be given by the Secretary to each member via writing, email or social media i.e. Facebook at least fourteen (14) days prior to the meeting.

Order of Business at the General Committee Meetings and Team Delegates Meetings

The order of business to be transacted at the General Committee Meetings and Delegates Meetings shall be:

- (a) Apologies;
- (b) Registration of attending members;
- (c) Minutes of previous meeting;
- (d) Business arising from previous meeting;

- (e) Correspondence;
- (f) Reports;
- (g) Notices of motion;
- (h) General Business.

18.3 EXECUTIVE COMMITTEE MEETING

Executive Committee Meetings shall be held at a venue, time and date as set by the President or demanded by a majority of the Executive members with reasonable notice to all Executive Committee Members.

18.4 SPECIAL MEETING

A Special Meeting shall be convened by the Executive Committee upon notice signed by not less than six (6) members having been given, in writing, to the Secretary and Special notice having been given of the meeting.

The meeting shall be convened within twenty-eight (28) days of receipt of such notice.

A Special Meeting in accordance with Clause 2(k) shall deal only with the matters included in the special notice PROVIDED ALWAYS that following consideration of those matters, the Executive Committee may raise matters for consideration that would be dealt with by the Executive Committee and ratified at the next General Committee meeting.

A Special Meeting may consider notices of motion for amendment of the Constitution and By-laws.

19. QUORUMS

Quorums for meetings shall be:

Annual General Meetings	10% of voting Members or 8 members of the Association, whichever is lesser.
Executive Committee Meeting	4 members
Team Delegates Meeting	4 Executive Committee members + 50% of Team Delegates
Special Meeting	10% of voting Members or 8 members of the Association, whichever is lesser.
Disciplinary Committee Meeting	3 members

No business shall be transacted at any meeting unless a quorum of members is present at the time when the meeting is to proceed to business. In the event of a quorum not being present 30 minutes after the time laid down for the commencement of the meeting, the meeting will lapse and be convened at a time, date and place as stipulated by the committee.

20. VOTING RIGHTS

The rights to vote at meetings shall apply as follows:

Annual General Meeting;	Financial Members of the Association
Executive Committee Meeting;	President, Vice President, Secretary, Treasurer,
General Committee Meeting;	Office Bearers of the Association
Team Delegates Meeting;	Team Delegate from each financial team
Special Meeting;	Financial Members of the Association
Sub-committee Meeting;	Members of the Sub-committee

The Chairman shall have a deliberative as well as a casting vote in the case of a deadlock.

21. METHOD OF VOTING

Voting on motions and elections will be by simple majority on a show of hands unless a secret ballot is called. A declaration by the Chairman that a motion has been carried, or carried unanimously, or lost shall, subject to standing orders, be conclusive.

Once a motion or resolution has been carried, or carried unanimously, or lost, it will stand in place until the next Annual General Meeting or Special Meeting where the issue can be raised again by the members.

22. CHANGES OF ORDER OF BUSINESS

The Chairman may alter the order of business of a Committee Meeting with the consent of the meeting.

23. VISITORS

The Association shall have the power to admit visitors to, or exclude them from, its meeting and any visitor may, on the invitation of the Chairman, with the consent of the majority of members present, address the meeting but no visitors will have the right to vote.

24. LIFE MEMBERSHIP

Nominations for Life Membership of the Association may only be considered at Annual General Meetings in accordance with the following conditions:

24.1) A maximum of two (2) may be elected at each Annual General Meeting;

24.2) Nominees for Life Membership must have held, unless extenuating circumstances exist, continuous membership of the Association for a minimum of seven (7) years, and must have demonstrated an active and positive participation in the activities of the Association during at least six (6) of those years;

24.3) Nominations in writing, including a detailed summary of service and contribution to the Association shall be proposed by two (2) General Committee Members and must be received by the Secretary of the Association at least seven (7) days prior to the Annual General Meeting. A report shall be presented to the Annual General Meeting in respect of each nomination;

24.4) A person can only be elected to Life Membership on receipt of a 75% majority of voting members. The privileges of Life Membership shall be prescribed in the By-laws. Life Membership is absolutely forfeited upon any failure to observe such By-Laws and will be forfeited upon the passing of a Special Resolution of removal from Life Membership for other reasons.

25. AMENDMENT TO THE CONSTITUTION, REGULATIONS AND BY-LAWS

Notice of Motion to add to, rescind, or amend this Constitution, Regulations and/or By-laws of the Association. Shall be given in writing, to the Secretary together with the names of the proposer and seconder both of whom must be members at the time of giving the notice. The Secretary shall inform the members in writing, of the proposed amendments.

Amendments to the Constitution shall require a Special Resolution to be successful. Amendments may be made at an Annual General Meeting or Special Meeting of the Association.

Amendments to the By-Laws can be made by the General committee without needing to be passed at a Special Meeting or Annual General Meeting of the Association.

26. NOTICE OF MOTION

Notice of Motion to add, rescind or amend any motion passed by the Association, at the next meeting of the Association, shall be given, in writing, to the Secretary together with the name of the proposer and seconder both of whom must be members at the time of giving notice, and shall nominate the meeting to which the notice shall be put.

A Notice of Motion shall be served on the Secretary not less than twenty eight (28) days prior to the Meeting.

The Secretary shall, by Special Notice, in writing, inform the members of the Notice of Motion.

A Notice of Motion shall not be put to a meeting unless each member of the Committee has been given fourteen (14) days notice of such Motion bearing the names of the Proposer and Seconder.

For the purpose of Clauses 18.4 and 24 no change will be allowed to any Notice of Motion.

27. MISCONDUCT

Any member or person belonging to a Registered Team or Referees Association may be reported to the Association for misconduct. Such a report shall be in writing to the Secretary giving details of the alleged misconduct and shall be given within seven (7) days of the alleged misconduct occurring.

The matter may be dealt with by the Disciplinary Committee. The Secretary shall inform the person against whom the allegation was made, in writing of the details of the allegation and of the time and place of any proposed hearing.

Any person against whom an allegation was made, who fails to appear when called upon, shall be suspended until they appear before the Disciplinary Committee.

In the event of serious allegations for which the person is found guilty, the Disciplinary Committee may recommend to the Executive Committee that it give consideration to the expulsion of the person. The Executive Committee may review the findings of the Disciplinary Committee.

All decisions of the Disciplinary Committee shall be forwarded to the Secretary, for notifying the Members and Referees Association within seven days of the decision being given.

28. ASSOCIATION EXPENSES

Members incurring reasonable expense in carrying out Association business may be reimbursed from time to time with the approval of the Executive Committee.

29. REGULATIONS AND/OR BY-LAWS

Regulations may be made prescribing matters that are necessary or convenient for carrying out or giving effect to this Constitution. By-laws may prescribe the means by which effect is given to this Constitution.

By-laws of the Association shall be re-issued, in written/printed form within two weeks of any changes being made.

The General Committee of the Association may, either with Special Notice having been given or independently, make such By-laws, not inconsistent with this Constitution, or the Constitution of the West Australian Touch Football Association. Procedures for the making, variation or rescission of such By-laws is contained in Clause 25 of this Constitution.

30. STANDING ORDERS

The Association may upon Special Notice having been given, formulate such standing orders as are necessary for the orderly conducts of meetings.

31. DISSOLUTION OF THE ASSOCIATION

The Association may at any time by a Special Resolution at a Special Meeting or Annual General Meeting called for the purpose, be dissolved. If upon the dissolution or winding up of the Association there remains, after the satisfaction

of all its debts and liabilities, any property whatsoever, the same shall not be paid to or distributed among the members of the Association, but shall be given or transferred:

- (i) to another association incorporated under the Act which has similar objects: or
- (ii) for charitable purposes

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

32. COMMON SEAL

The Common Seal of the Association engraved with the name of the Association shall be kept in the care of the President. The seal shall not be used or affixed to any deed or other document except pursuant to the resolution of the Committee and in the presence of the President and two members of the Committee both of whom shall subscribe their names as witnesses.