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## ANU Sport and Recreation Association Constitution

1. The name of the Association is "The Australian National University Sport and Recreation Association Incorporated".

### DEFINITIONS

2. (1) In this Constitution, unless the contrary intention appears:

"**Act**" means the Associations Incorporation Act 1991;

"**Association**" means The Australian National University Sport and Recreation Association Incorporated;

"**Domestic Partner**", as defined by The ACT Legislation Act 2001, means:

- (1) a reference to a person's **domestic partner** is a reference to someone who lives with the person in a domestic partnership, and includes a spouse.
- (2) a **domestic partnership** is the relationship between 2 people, whether of a different or the same sex, living together as a couple on a genuine domestic basis.

"**elected member of the Sport and Recreation Council**" means a member of the Sport and Recreation Council other than the representatives of the University Council, Students Association and The Australian National University Postgraduate and Research Students' Association Incorporated and the Executive Officer;

"**Executive Officer**" means the Executive Officer of the Association.

"**member**" means a person entered into the register as a member of the Association and "membership" has a corresponding meaning;

"**Official University Visitor**" means a person, other than a member of staff employed by the University or a student enrolled in the University, who has received a letter of offer from the University to spend a period of time at the University;

"**register**" means the register of members of the Association;

"**regulations**" means regulations made by the Sport and Recreation Council under sub-section 9 of section 4 and sub-section 8 of section 16 of this Constitution;

"**Student**" means an ordinary member of the class referred to in section 8;

"**University**" means the Australian National University;

- (2) A reference in this Constitution to a financial member or a financial ordinary member shall be read as a reference to such a member who has paid all subscriptions payable by her/him under this Constitution or is a member otherwise entitled to vote;
- (3) The provisions of the Legislation Act 2001 (or its substitute) apply to and in respect of this Constitution in the same manner as those provisions would apply if this Constitution were an instrument made under that Act.

## **OBJECTS**

3. The objects of the Association are:
- (1) to promote amateur sporting physical recreation and wellness among members; and
  - (2) for that purpose, to encourage and assist in the formation among members of sporting and physical recreation clubs and to support and co-ordinate the activities of clubs so formed.

## **POWERS**

4. The powers of the Association are:
- (1) to take on lease, or otherwise, obtain a tenancy or right of occupancy of any office or building for the purpose of the Association;
  - (2) to purchase, hire or otherwise acquire any property necessary for the purposes of the Association and dispose of any property so acquired in such manner as it thinks fit in the interests of the Association;
  - (3) to appoint any person to perform any service considered necessary for the carrying out of the purposes of the Association, and at any time to suspend or discharge that person, and fix the remuneration (if any) to be paid for her/his services;
  - (4) to appoint in conjunction with the University a salaried Executive Officer whose functions shall be in accordance with this Constitution and any negotiated terms of employment and salary and shall be approved by Sport and Recreation Council;
  - (5) to invest, or place on fixed deposit with such bank or banks as it determines, any moneys of the Association not immediately required for the purposes of the Association in such manner as it thinks fit, and to vary or realise any such investments or withdraw any such deposits;
  - (6) to make loans and grants of money and equipment to affiliated clubs;
  - (7) to make, on the recommendation of the appropriate club, awards for outstanding ability in any branch of sport and physical recreation played in the University; and
  - (8) to take such other action as it thinks necessary in the interest of amateur sport, physical recreation and wellness - related pursuits in the University;
  - (9) to make from time to time regulations consistent with this Constitution;
  - (10) to borrow any moneys required for the purposes of the Association upon such security as may be determined or without security and to make, accept and endorse cheques, promissory notes, bills of exchange and other negotiable instruments.

## **MEMBERSHIP**

5. (1) There shall be five classes of members of the Association; ordinary members, associate members, honorary coaching members, valued club affiliate members and honorary life members.
- (2) The members of the Association are the persons who:
  - (a) immediately before the time of coming into operation of this Constitution, were members of the Association; or
  - (b) after that time, are admitted as members in accordance with this Constitution and have not ceased to be members of the Association.
- (3) A right, privilege or obligation which a person has by reason of being a member of the Association:
  - (a) is not capable of being transferred or transmitted to another person; and
  - (b) terminates upon cessation of the person's membership.

## **ELIGIBILITY**

6. (1) A person who:
  - (a) is a graduate of the University;
  - (b) is a graduate of a tertiary institution, that is recognised by the University; or
  - (c) is a University staff member employed more than 50% of full time,is eligible for admission as an ORDINARY MEMBER.
- (2) A person who has rendered distinguished services to the Association and has been appointed by a two-thirds majority of ordinary members, present and voting, at an annual general meeting, is eligible for admission as an HONORARY LIFE MEMBER.
- (3) A person who:
  - (a) is the Domestic Partner of an Ordinary, Honorary Life or Honorary Coaching member of the Association; or
  - (b) resides in a University College or hall of residence; or
  - (c) in the opinion of the Sport and Recreation Council, would make a significant contribution to the affairs of the Association, and is not eligible for admission as an ordinary member; or
  - (d) is an official University visitor; or
  - (e) is a member of staff, employed more than fifty percent (50%) of full-time by an organisation other than the University, and whose place of employment is the University campus, or
  - (f) is a member of University staff not otherwise eligible for ordinary membership
  - (g) not eligible for admission as an ordinary member, who provides evidence to the Association of the equivalent of two years full time study at the University,
  - (h) is enrolled in a course of study at a recognised tertiary institution other than the Universityis eligible for admission as an ASSOCIATE MEMBER.

- (4) A person, other than a person enrolled as a student of the University, who has a significant affiliation with an Association affiliated club and is sponsored by that club and where the limit set by the Sport and Recreation Council for this category of membership has not been exceeded within that club, is eligible for admission as a valued club affiliate member.
- (5) A person, other than a person enrolled as a student of the University, who is coach of an affiliated club and is sponsored by that club and where the limit set by the Sport and Recreation Council for this category or membership has not been exceeded within that club, is eligible for admission as an honorary coaching member.

## **ADMISSION TO MEMBERSHIP**

7. (1) A person who is eligible for admission as an ordinary member, associate member, valued club affiliate member or honorary coaching member may apply in writing to the Sport and Recreation Council for admission as such a member.
  - (2) If the Sport and Recreation Council is satisfied that a person who applies for admission as an ordinary member, associate member, valued club affiliate member, or honorary coaching member is eligible for admission as such a member, the Sport and Recreation Council shall admit the person as such a member, but, if not satisfied, shall reject the application.
  - (3) A person who has rendered distinguished services to the Association, may, by a resolution passed by a two-thirds majority of ordinary members present and voting at the annual general meeting, be appointed an honorary life member of the Association.
  - (4) A person shall not be appointed an honorary life member in pursuance of the preceding sub-section unless:
    - (a) the Sport and Recreation Council has recommended that the person be so appointed; and
    - (b) at least 10 days' notice has been given to all members of the intention to move a resolution that the person be so appointed.

## **STUDENT MEMBERSHIP**

8. A person enrolled for:
  - (a) a unit or subject prescribed for a bachelor degree, diploma or associate diploma referred to in the Degrees, Diplomas and Certificates Rules of the University (or its substitute); or
  - (b) a post-graduate course of the University,is an ordinary member, unless that membership is resigned or declined in accordance with the provisions detailed in Section 12.(2) (b).

## **RIGHTS OF ASSOCIATE MEMBERS**

9. Associate members are not eligible to vote at any general meeting or at any election of the Association or its affiliated clubs, are not eligible to hold an executive position in these bodies, but in all other respects have the same rights and privileges as ordinary members.

## **RIGHTS OF VALUED CLUB AFFILIATE AND HONORARY COACHING MEMBERS**

- 10.(1) Valued club affiliate members are not eligible to vote at any General Meeting or at any election of the Association and are not eligible to hold an executive position in this body or in its affiliated clubs. A valued club affiliate member has, in all other respects, the same rights and privileges as an ordinary member, but these membership rights will only exist within the affiliated club which has sponsored the nomination of the member.
- (2) Honorary coaching members are not eligible to vote at any General Meeting or at any election of the Association or its affiliated clubs and are not eligible to hold an executive position in these bodies. In all other respects an honorary coaching member has the same rights and privileges as ordinary members.

## **RIGHTS OF LIFE MEMBERS**

11. Honorary life members shall have the same rights and privileges as ordinary members.

## **CESSATION AND RESIGNATION OF MEMBERSHIP**

- 12(1) A person ceases to be a member of the Association if the person:
  - (a) dies;
  - (b) resigns his/her membership;
  - (c) is expelled from the Association; or
  - (d) fails to renew membership of the Association.
- (2) A person ceases to be a member of the Association as a Student if that person:
  - (a) ceases to be a student of the University; or
  - (b) gives a written personal notice to the Executive Officer of resignation or objection to membership signed and dated by that person alone.
- (3) The resignation of a member takes effect upon receipt by the Executive Officer of that member's written notice to resign.
- (4) Where a person ceases to be a member, the Executive Officer shall make an appropriate entry in the register recording the date on which that person ceased to be a member.



## **EXPULSION OR SUSPENSION**

- 13.(1) Subject to the next succeeding subsection, the Sport and Recreation Council may suspend or expel a person who:
- (a) contravenes a provision of this Constitution; or
  - (b) is guilty of conduct that, in the opinion of the Sport and Recreation Council is detrimental to the interests of amateur sport in the University.
- (2) Subject to section 22(3) of this Constitution, a member does not have a right of appeal except that the Sport and Recreation Council shall not suspend or expel a member:
- (a) unless the member has been informed of the alleged contravention or conduct and has been given an opportunity:
    - (i) to make an oral representation; or
    - (ii) submit a written representation,to the Sport and Recreation Council or a committee of the Sport and Recreation Council showing cause why she/he should not be suspended or expelled; and
  - (b) except by a resolution at a meeting of the Sport and Recreation Council at which at least two-thirds of the members of the Sport and Recreation Council present vote in favour of the suspension or expulsion.

## **EFFECT OF CESSATION OF MEMBERSHIP**

14. A person who has for any reason ceased to be a member:
- (a) is, notwithstanding that she/he has ceased to be a member, liable to pay to the Association all subscriptions payable by her/him up to the date on which she/he ceased to be a member; and
  - (b) has no claim upon the property of the Association.

## **MANAGEMENT**

- 15.(1) The management and control of the Association is vested in a Sport and Recreation Council but the Sport and Recreation Council shall not act contrary to a resolution passed at a General Meeting of the Association.
- (2) Administration of day to day affairs of the Association and implementation of Sport and Recreation Council decisions shall be undertaken by the Executive Officer.

## **SPORT AND RECREATION COUNCIL**

16.(1) The Sport and Recreation Council shall consist of:

- (a) A President
  - (b) A Vice President
  - (c) An Executive Officer
  - (d) A Treasurer
  - (e) Six other members
  - (f) A representative of the University Council
  - (g) A representative of the Students' Association of the University, if that body so desires
  - (h) A representative of The Postgraduate and Research Students' Association Incorporated, if that body so desires.
- (2) The Executive Officer may propose motions, may talk for or against any motion, or any matter before Council, but shall not have a vote.
  - (3) The members of the Sport and Recreation Council other than the representative of the Students' Association, The Postgraduate and Research Students' Association Incorporated, the University Council and the Executive Officer, shall be financial ordinary members of the Association who have consented in writing to their election and shall be elected by a secret ballot of financial ordinary members held in accordance with the regulations.
  - (4) The representative of the University Council shall be appointed by the University Council.
  - (5) The representative of the Students' Association shall be appointed by the Students' Association.
  - (6) The representative of the Postgraduate and Research Students' Association Incorporated shall be appointed by the Postgraduate and Research Students' Association Incorporated.
  - (7) Except as provided by the next succeeding subsection, the persons who immediately before the time of coming into operation of this Constitution held office as elected members of the Sport and Recreation Council shall, subject to this Constitution, continue to hold office until the next ensuing Annual General Meeting of the Association.
  - (8) The Sport and Recreation Council may from time to time make regulations, not inconsistent with this Constitution, for, or in relation to the method of election of the elected members of the Sport and Recreation Council.
  - (9) Regulations made under this section shall be submitted to a General Meeting of the Association and do not have effect until they are approved by such a meeting.

## TENURE OF OFFICE

- 17.(1) Elected members of the Sport and Recreation Council hold office, subject to this Constitution, from the Annual General Meeting of the Association at which they are declared to be elected until the next ensuing Annual General Meeting, but are eligible for re-election.
- (2) The representative on the Sport and Recreation Council of the Students' Association holds office, subject to this Constitution, during the pleasure of the Students' Association.
- (3) The representative on the Sport and Recreation Council of the University Council holds office, subject to this Constitution, during the pleasure of the University Council.
- (4) The representative of the Postgraduate and Research Students' Association Incorporated holds office, subject to this Constitution, during the pleasure of the Postgraduate and Research Students' Association Incorporated
- (5) The Executive Officer holds office subject to this Constitution and the negotiated terms of employment.

## REMOVAL

18. An elected member of the Sport and Recreation Council may be removed by a resolution passed at a General Meeting of the Association convened for that purpose by a two-thirds majority of the votes of the financial ordinary members present and voting on the resolution.

## VACATION OF OFFICE

- 19.(1) If an elected member of the Sport and Recreation Council:
  - (a) dies;
  - (b) being an elected member of the Sport and Recreation Council, ceases to be a financial ordinary member;
  - (c) declines to act;
  - (d) resigns her/his office;
  - (e) is absent, without leave of the Sport and Recreation Council, from two consecutive meetings of the Sport and Recreation Council,her/his office becomes vacant.
- (2) If an appointed member of the Sport and Recreation Council:
  - (a) dies;
  - (b) resigns her/his office;
  - (c) terminates their relationship with the University, or
  - (d) is absent, without leave of the Sport and Recreation Council, from three consecutive meetings of the Sport and Recreation Council,her/his appointment to the Sport and Recreation Council is deemed to be terminated.

## **ACTING MEMBERS OF THE SPORT AND RECREATION COUNCIL**

- 20.(1) Subject to the next succeeding subsection, where an elected member of the Sport and Recreation Council is granted leave of absence, ceases to be a member of the Sport and Recreation Council or is for any reason unable to perform the duties of her/his office as such a member of Sport and Recreation Council, the Sport and Recreation Council may appoint a financial ordinary member of the Association, whether a member of the Sport and Recreation Council or not, to act in that office until the period of the leave or absence has expired, another person is elected to that office or the first mentioned member is able to perform those duties, as the case may be.
- (2) Where the President of the Sport and Recreation Council is granted leave of absence, ceases to hold office as President or is for any reason unable to perform his duties as President, the Vice President shall, unless she/he is granted leave of absence, cease to hold office as Vice President or is for any reason unable to perform the duties of President, act in the office of President until the period of leave of absence of the President has expired, another person is elected as President or the President is able to perform her/his duties, as the case may be.

## **AUDITORS**

21. The Sport and Recreation Council shall make arrangements for a person who is an auditor determined in accordance with section 74 of the Act to carry out audits of the books and accounts as required by the Act and report on the finances of the Association in each financial year.

## **POWERS OF THE SPORT AND RECREATION COUNCIL**

- 22.(1) Subject to this section and to any resolution passed at a General Meeting of the Association, the Sport and Recreation Council has, in addition to any other powers conferred upon it by this Constitution, power:
- (a) to investigate complaints and grievances, and take such action as it considers necessary in the interests of a member or members of the Association;
  - (b) to grant affiliation with the Association to any club consisting of members of the Association and to cancel the affiliation of any affiliated club that admits to membership persons who are not members of the Association;
  - (c) to fine, or cancel or suspend the affiliation of an affiliated club the conduct of which, or of the members of which, is, in the opinion of the Sport and Recreation Council, detrimental to the interests of amateur sport and physical recreation in the University;
  - (d) to fine, or exclude from membership of any affiliated club in accordance with the regulations of this Constitution, any member who:
    - (i) contravenes a provision of this Constitution; or
    - (ii) is guilty of conduct that, in the opinion of the Sport and Recreation Council, is detrimental to the interest of amateur sport and physical recreation in the University; or
    - (iii) who causes damage to any property under the control of the Association or an affiliated club.
  - (e) to settle disputes between affiliated sports clubs;
- (2) The Sport and Recreation Council shall not cancel or suspend the affiliation of a sports club under paragraph (c) of the last preceding subsection except by resolution at a meeting of the Sport and Recreation Council at which:
- (a) an official representative of the club has been given an opportunity of showing cause why the affiliation should not be cancelled or suspended; and
  - (b) at least two-thirds of the members of the Sport and Recreation Council present vote in favour of the cancellation or suspension.

## **FUNCTIONS OF THE EXECUTIVE OFFICER**

23. The Executive Officer shall:

- (1) be the public officer for the purposes of the Act, except that if he/she does not reside in the Australian Capital Territory, the Sport and Recreation Council shall nominate another member who is eligible to be public officer in accordance with the Act.
- (2) keep a roll of members of the Association in such form as the Sport and Recreation Council approves;
- (3) conduct all correspondence on behalf of the Association;
- (4) attend all meetings of the Association and of the Sport and Recreation Council;
- (5) keep minutes of those meetings in a book kept for that purpose;
- (6) carry out the directions of the Sport and Recreation Council or of a general meeting of the Association;
- (7) convene, in accordance with this Constitution, general meetings of the Association and meetings of the Sport and Recreation Council;
- (8) carry out such other duties as the Sport and Recreation Council directs; and
- (9) under the direction of the Treasurer:
  - (a) receive and take charge of all moneys belonging to the Association and deal with these moneys in accordance with the Constitution;
  - (b) make all payments directed to be made by the Sport and Recreation Council;
  - (c) keep such books records and accounts as is required by the Act;
  - (d) arrange for the books and accounts to be audited at the end of each financial year of the Association;
  - (e) present to the annual general meeting of the Association:
    - (i) a report on the financial position of the Association for the financial year; and
    - (ii) a statement of the receipts and expenditure of the Association for that financial year; and
    - (iii) a statement of assets and liabilities of the Association at the end of that financial year; and
    - (iv) a statement of any mortgages, charges or other securities of any description affecting any property of the Association at the end of that financial year;
  - (f) maintain an inventory of equipment purchased with the Association funds;
- (10) subject to the Act and subject to this Constitution keep in his/her control all records and other documents relating to the Association.

## **INVESTMENT OF MONEYS**

24. The Sport and Recreation Council may deal with or invest the property and moneys of the Association in its discretion.

## **FINANCIAL YEAR**

25. The financial year of the Association begins on the first day of January in each year.

## **BANK ACCOUNT**

26. The Sport and Recreation Council shall open and maintain in the name, and on behalf of the Association, such account or accounts at such bank or banks as the Sport and Recreation Council determine.

## **FUNDS - SOURCE**

- 27.(1) The funds of the Association shall be derived from membership fees, allocations by the University to the Association and, subject to any resolution passed by the Association in general meeting and subject to section 114 of the Act, such other sources as the Sport and Recreation Council determines.
- (2) All moneys received by the Association shall be deposited as soon as practicable and without deduction to the Association's bank account.
- (3) The Association shall, as soon as practicable after receiving any money, issue an appropriate receipt.

## **PAYMENT OUT OF MONEYS**

28. Moneys shall not be drawn from an account of the Association except by cheque or order signed by any two of the following:

Executive Officer

President

Vice President

Treasurer.

## **SUBSCRIPTIONS**

- 29.(1) There shall be a membership fee payable by:
- (i) ordinary members of the Association who are not students of the University;
  - (ii) associate members; and
  - (iii) valued club affiliate members.
- (2) All membership fees to be applied in each year shall be determined by Sport and Recreation Council.

## **ANNUAL GENERAL MEETINGS**

30. The Annual General Meeting of the Association shall be held during the first term in each year.

## **NOTICE OF DATE FIXED FOR ANNUAL GENERAL MEETING**

- 31.(1) Subject to the last preceding section, the Sport and Recreation Council shall determine the time and date when, and the place where, the Annual General Meeting of the Association is to be held.
- (2) The Executive Officer shall give to each member seven days notice of the time, date and place fixed for the holding of the Annual General Meeting.

## **NOTICES**

- 32.(1) A Notice required by or under this Constitution to be given to a member of the Association in her/his capacity as such a member may be given by:
- being published in such newspaper or newspapers as the Sport and Recreation Council determines,
  - being posted on such notice board or notice boards at the University as the Sport and Recreation Council considers appropriate,
  - and / or any other form of electronic communication as the Sport and Recreation Council considers appropriate.
- (2) Wherever notice is required by this Constitution, subsection (1) of this section applies.

## **REPORTS**

- 33.(1) At each Annual General Meeting of the Association:
- (a) the minutes of the last preceding annual general meeting and any general meeting held since that meeting will be confirmed;
  - (b) the President shall present a report signed by two members of the Sport and Recreation Council stating:



- (i) the name of each member of the Sport and Recreation Council during the most recently ended financial year and, if different, at the date of the report;
  - (ii) the principal activities of the Association and any significant change in the nature of those activities during the most recently ended financial year; and
  - (iii) the net profit or loss of the Association for the most recently ended financial year; and
- (c) the Treasurer shall present the report and statements referred to in paragraph 9(e) of section 23 of this Constitution as audited in accordance with section 21 of this Constitution, together with the Auditor's report on the books and accounts, and on the finances, of the Association during that financial year.
- (2) As soon as practicable after each Annual General Meeting, the Sport and Recreation Council shall furnish to the Vice Chancellor of the University a copy of the reports and statements referred to in paragraph (a) and (b) of this section that were presented at that meeting.

### **BUSINESS AT ANNUAL GENERAL MEETINGS**

- 34.(1) An Annual General Meeting of the Association shall consider such matters as are required by this Constitution to be considered at an Annual General Meeting and may consider any other matter relating to the affairs of the Association.
- (2) Notwithstanding subsection (1) of this section notice in writing at least seven days prior to the meeting must be given to the Executive Officer by not less than two members of the Association of any matter other than such matters as required by this Constitution which is to be resolved at an Annual General Meeting.
- (3) The Executive Officer shall give to each member not less than seven days notice of any matter or matters of which notice has been given under this section.

### **SPECIAL GENERAL MEETINGS**

- 35.(1) Where not less than twenty-five members of the Association, by notice in writing given to the Executive Officer, request the Sport and Recreation Council to convene a Special General Meeting of the Association for the purpose of determining the matter or matters specified in this notice, the Sport and Recreation Council shall, subject to section 36 of this Constitution fix a date, time and place for the holding of a Special Meeting of the Association.
- (2) The Executive Officer shall give to each member not less than seven days' notice of the date, time and place so fixed and of the matter or matters of which notice has been given under this section.
- (3) No matter other than the matter or matters of which notice has been so given shall be considered or transacted at a Special General Meeting held under this section.

## **GENERAL MEETING CONVENED BY SPORT AND RECREATION COUNCIL**

- 36.(1) Where the Sport and Recreation Council considers it desirable to do so, it may convene a General Meeting of the Association for the purpose of considering a matter or matters that it considers should be determined at a General Meeting of the Association.
- (2) Notwithstanding subsection (1) of this section notice in writing at least seven days prior to the meeting must be given to the Executive Officer by not less than two members of the Association of any matter other than such matters as required by this Constitution which is to be resolved at a General Meeting.
- (3) The Executive Officer shall give to each member not less than seven days notice of the date, time and place so fixed for the meeting and of the matter or matters of which notice has been given under this section.
- (4) No matter other than the matter or matters of which notice has been so given shall be considered or resolved at a General Meeting held under this section.

## **QUORUM AT GENERAL MEETINGS**

37. At a General Meeting of the Association, thirty financial ordinary members of the Association present in person constitutes a quorum. No business shall be transacted at a General Meeting unless a quorum is present.

## **REPRESENTATION OF CLUBS AT GENERAL MEETINGS**

38. Clubs shall send two representatives to all General Meetings of the Association. Clubs failing to do so may be fined up to the greater of:
  - (a) \$200; or
  - (b) 5% of the Club's previous year's financial allocation from the Association,as determined by the Sport and Recreation Council.

## **PRESIDING AT GENERAL MEETINGS**

- 39.(1) The President shall preside at all General Meetings of the Association at which she/he is present.
- (2) If the President is not present at a General Meeting of the Association, the Vice President shall preside at the meeting.
- (3) If both the President and the Vice President are not present at a General Meeting of the Association, the ordinary members shall elect one of their number to preside at the meeting.

## **ADJOURNMENT OF GENERAL MEETINGS**

- 40.(1) If, within half an hour from the time appointed for the holding of a General Meeting of the Association, a quorum is not present, the meeting shall stand adjourned to the same day in the next week at the same time and place, or to such other day and at such other time and place as the President may determine, and if at the adjourned meeting a quorum is not present within half an hour from the time appointed for the meeting, the members present (being not less than two) shall constitute a quorum.
- (2) The person presiding at a General Meeting at which a quorum is present may, with the consent of the majority of members present at the meeting, adjourn the meeting from time to time and place to place, but no business shall be transacted at an adjourned meeting other than the business left unfinished at the meeting at which the adjournment took place.
- (3) Where a General Meeting is adjourned for 14 days or more, the Executive Officer shall give notice of the adjourned meeting to each member of the association in accordance with sections 31 and 32 of this Constitution.
- (4) Except as provided in subsections (2) and (3), notice of an adjournment of a General Meeting or of the business to be transacted at an adjourned meeting is not required to be given.
- (5) At an adjourned General Meeting of the Association, no items of general business shall be considered by the meeting, other than those items of business for which the meeting was adjourned to consider.

## **VOTING AT GENERAL MEETINGS**

- 41.(1) Subject to this section, each financial ordinary member and honorary life member of the Association, who is present at a General Meeting of the Association is entitled to one vote on each motion put to the meeting.
- (2) No member of the Association shall be entitled to vote by proxy.
- (3) Subject to this Constitution, a resolution at a General Meeting of the Association shall be determined by a majority of votes of the ordinary members present and voting on the resolution.
- (4) A ballot shall be conducted if not less than four financial ordinary members present at a General Meeting of the Association request that a resolution be decided by a ballot. The ballot shall be conducted in such a manner as the majority of the ordinary members present at the meeting direct.
- (5) In the event of an equality of votes, the member presiding at a General Meeting of the Association also has a casting vote.

## MEETINGS OF THE SPORT AND RECREATION COUNCIL

- 42.(1) Meetings of the Sport and Recreation Council shall be held at such times and places as the President directs or, in her/his absence, the Vice President directs, but shall be held not less than once in each calendar month from March to November (inclusive) each year.
- (2) The Executive Officer shall cause notice to be given to the Sport and Recreation Council of the time and place fixed for each meeting of that Council.
- (3) Oral or written notice of a meeting of the Sport and Recreation Council shall be given by the Executive Officer or the President to each member of the Sport and Recreation Council at least 48 hours (or such other period as may be unanimously agreed upon by the members of the Sport and Recreation Council) before the time appointed for the holding of the meeting.
- (4) A notice of a meeting of the Sport and Recreation Council shall specify the general nature of the business to be transacted at the meeting and no business other than that business shall be transacted at the meeting, except business which the majority of Sport and Recreation Council members present at the meeting agree to treat as business to be discussed at that meeting.
- (5) At a meeting of the Sport and Recreation Council, six members constitute a quorum.
- (6) No business shall be transacted by the Sport and Recreation Council unless a quorum is present and if within half an hour after the time appointed for the meeting a quorum is not present the meeting stands adjourned to the same place and at the same hour of the day in the following week.
- (7) If at the adjourned meeting a quorum of 6 members is not present within half an hour after the time appointed for the meeting those members present will constitute the quorum and the meeting shall proceed.
- (8) Delegation by Sport and Recreation Council to sub-committee:
  - (a) The Sport and Recreation Council may delegate to 1 or more sub-committees (consisting of such member or members of the Association as the Sport and Recreation Council thinks fit) the exercise of such of the functions of the Sport and Recreation Council as are specified in this Constitution, other than:
    - (i) this power of delegation; and
    - (ii) a function which is a function imposed on the Sport and Recreation Council by the Act, by any other law of the Australian Capital Territory, or by resolution of the Association in general meeting.
  - (b) A function, the exercise of which has been delegated to a sub-committee under this rule may, while the delegation remains unrevoked, be exercised from time to time by the sub-committee in accordance with the terms of the delegation.
  - (c) A delegation under this rule may be made subject to such conditions or limitations as to the exercise of any function, or as time or circumstances, as may be specified by the Sport and Recreation Council.
  - (d) Notwithstanding any delegation under this rule, the Sport and Recreation Council may continue to exercise any function delegated.

- (e) Any act or thing done or suffered by a sub-committee acting in the exercise of a delegation under this rule has the same force and effect as it would have if it had done or suffered by the Sport and Recreation Council.
- (f) The Sport and Recreation Council may revoke wholly or in part any delegation under this section.
- (g) A sub-committee may meet and adjourn as it thinks proper.

#### **PRESIDING AT MEETINGS OF THE SPORT AND RECREATION COUNCIL**

- 43.(1) The President, or in her/his absence, the Vice President, shall preside at a meeting of the Sport and Recreation Council.
- (2) In the event of the absence of both the President and the Vice President from a meeting of Sport and Recreation Council those present shall elect one of their number to preside at the meeting.

#### **VOTING AT MEETINGS OF THE SPORT AND RECREATION COUNCIL**

- 44.(1) Subject to the next succeeding subsection each member of the Sport and Recreation Council, and any sub-committee appointed by the Sport and Recreation Council, except the Executive Officer, present at a meeting of the Sport and Recreation Council or any sub-committee is entitled to one vote on each motion put to the meeting.
- (2) In the event of an equality of votes, the person presiding at the meeting of the Sport and Recreation Council or any sub-committee also has a casting vote.
- (3) Subject to section 43(5) of this Constitution, the Sport and Recreation Council may act notwithstanding any vacancy on the Sport and Recreation Council.
- (4) Any act or thing suffered, or purported to have been done or suffered, by the Sport and Recreation Council or by the sub-committee appointed by the Sport and Recreation Council, is valid and effectual notwithstanding any defect that may afterwards be discovered in the appointment or qualification of any member of the Sport and Recreation Council or sub-committee.

#### **LIABILITY OF MEMBERS OF THE SPORT AND RECREATION COUNCIL**

- 45.(1) A member of the Sport and Recreation Council is not liable to the Sport and Recreation Council or to the Association:
  - (a) for any act or omission of another member of the Sport and Recreation Council;  
or
  - (b) for any loss or expense incurred by the Sport and Recreation Council unless the loss or expense resulted from her/his own wilful act or default.
- (2) The Association shall indemnify and keep indemnified all members of the Sport and Recreation Council against all losses or expenses that they may incur in the performance of their functions and duties as such members.

## **MEMBERS LIABILITY**

46. The liability of a member to contribute towards the payment of the debts and liabilities of the Association or the costs, charges and expenses of the dissolution of the Association is limited to the amount, if any, unpaid by the member in respect of membership to the Association as required by section 29 of this Constitution.

## **DISSOLUTION**

- 47.(1) The Association shall not be dissolved except by a resolution:
- (a) passed in accordance with this section at a General Meeting of the Association convened for that purpose and in accordance with the Act; and
  - (b) approved by the Council of the University.
- (2) A resolution dissolving the Association is of no effect unless three-quarters of the number of financial ordinary members vote in favour of the resolution.
- (3) If the Association is dissolved, the property of the Association shall be realised and applied in satisfaction of any debts and liabilities and the costs, charges and expenses of the dissolution.

## **SURPLUS PROPERTY**

- 48.(1) At a general meeting of the Association, the Association shall pass a resolution:
- (a) passed by a three-quarters majority of the members entitled to vote and present, being a meeting of which at least 21 days notice, accompanied by notice of intention to propose the resolution as a special resolution, has been given to the members; and
  - (b) approved by the Council of the University,
- to nominate another association for the purpose of paragraph 92(1)(a) of the Act or a fund, authority or institution for the purpose of paragraph 92(1)(b) of the Act in which it is to vest any surplus property in the event of dissolution.
- (2) An association nominated under subsection (1)(a) must fulfil the requirements specified in subsection 92(2) of the Act.

## **ALTERATION OF CONSTITUTION**

49. The Constitution may be amended by a resolution:
- (a) passed by a three-quarters majority of the members entitled to vote and present at a General Meeting of the Association convened for that purpose being a meeting of which at least 21 days' notice, accompanied by notice of intention to propose the resolution as a special resolution, has been given to the members of the Association; and
  - (b) approved by the Council of the University.

## **COMMENCEMENT**

50. This Constitution shall come into operation at the time at which it is approved by the Council of the University.

## **COMMON SEAL**

- 51.(1) The common seal of the Association shall be kept in the custody of the Executive Officer.
- (2) The common seal shall not be affixed to any instrument except by the authority of the Sport and Recreation Council and the affixing of the common seal shall be attested by the signatures of any two of the following:  
Executive Officer  
President  
Vice President  
Treasurer.

## **INSPECTION OF BOOKS**

52. The records, books and other documents of the Association shall be open to inspection at a place in the Australian Capital Territory, free of charge, by a financial member of the Association at any reasonable hour.