

**Adelaide Spikers Volleyball Club Incorporated
(A 37917)**

Constitution

27 June 2003



An Association Incorporated under
the Associations Incorporation Act 1985 (SA)

Amendments

25 August 2004

26 September 2006

27 September 2007

This is the annexure marked "A" referred to in the statutory declaration of Robin Leon Thompson for
Adelaide Spikers Volleyball Club Inc. made on the 23rd day of October 2007 before me

1 TITLE

- 1.1 The Club shall be called the *Adelaide Spikers Volleyball Club Incorporated*, hereinafter called the Club.

2 DEFINITIONS

“Committee” means the committee of management of the association

“member” means a member of the association

“the Act” means the Associations Incorporation Act 1985

“month” shall mean a calendar month.

“week” shall mean 7 consecutive days.

“in writing” shall mean to include email.

3 AIMS

- 3.1 The aims of the Club are to:

3.1.1 be supportive of the gay, lesbian, bisexual, and transgender communities;

3.1.2 promote and encourage participation in volleyball;

3.1.3 develop the skills of volleyball in a socially supportive environment;

3.1.4 provide opportunities to participate in volleyball competitions & social events; and

3.1.5 provide and encourage a safe, friendly, discrimination and harassment-free environment.

4 POWERS OF THE CLUB

- 4.1 The Club shall have all powers conferred by section 25 of the Act.

5 MEMBERSHIP

- 5.1 Any individual may become a member of the Club upon meeting all the conditions of membership and subject to approval of an application made in accordance with section 5.7.

- 5.2 There shall be two classes of membership, active membership and associate membership.

- 5.3 Active Membership

Active members shall be any member in good standing, who is entitled to the full privileges of the Club as determined by these rules.

5.4 Associate Membership

Associate members, hereinafter called associates, are entitled to full privileges of the Club, but may not vote at any meetings conducted by the Club.

5.4.1 An associate is an individual that is:

5.4.1 17 years of age or less; or

5.4.2 not a permanent resident of metropolitan Adelaide; or

5.4.3 a non-player of competitions organised by the Club.

5.4.2 An associate may transfer his or her membership to active membership in accordance with section 5.7 and subject to payment of the appropriate fee or part thereof.

5.5 Subscriptions

5.5.1 The subscription fees for membership shall be such sum as the members shall determine at the AGM. The subscription fees shall be payable annually on 1 July or as such other time as the committee shall determine.

5.5.2 Prospective members joining on or after 1 April of any year may pay no less than one half of the fee determined under section 5.5.1.

5.5.3 Any member whose subscription is outstanding for more than three months after the due date for payment shall cease to be a member of the Club, provide always that the committee may reinstate such a person's membership on such terms as it thinks fit.

5.6 Conditions of membership

5.6.1 Members shall observe, conform to and abide by the Constitution; the by-laws; and the rules and regulations of the Club.

5.6.2 Members shall observe and maintain a standard of conduct, within the activities of the Club, that is in keeping with the ideals and aims of the Club.

5.6.3 Members shall pay any and all membership fees, dues or subscriptions.

5.6.4 The term of membership shall be from July 1st to June 30th.

5.6.5 The Committee reserves the right to revoke or reissue membership at any time to anyone.

5.6.6 A member may upon written notice, withdraw from membership in the Club and it shall become effective once the committee is satisfied all monies and property of the Club have been returned.

5.6.7 Any member who ceases to be a member shall not be entitled to a refund of the membership fee paid to the Club.

5.7 Application for Membership

5.7.1 An application for membership of the Club must be:

- (a) made in writing in the form set out in Schedule 1 or any other form as the committee may approve from time to time; and
- (b) accompanied by the payment (by cash or cheque or evidence of electronic funds transfer) of the Membership Fee (if any), unless all or part of the amount is waived by the Committee; and
- (c) lodged with a committee officer or posted to an address as advertised by the Club from time to time, marked to the attention of the Secretary of the Club.

5.7.2 As soon as practicable, the committee must determine whether to approve or reject the application. An application is deemed to be approved by the committee if at least two executive officers are in favour of such approval and authorise approval on the application form.

5.8 Register of Members

The committee shall establish and maintain a register of members, which shall contain:

- i) the name and address of each member;
- ii) the date on which the member was admitted to the Club; and
- iii) if applicable, the date of, and reason(s) for, termination of membership.

5.9 Discipline

5.9.1 If the committee is of the opinion that a member has not complied with the Constitution, or has been guilty of conduct unbecoming a member or prejudicial to the interests of the Club, the committee shall have the authority to impose disciplinary sanctions that are limited to:

- (a) warning upon any members;
- (b) a suspension from membership for a specified period; or
- (c) revocation of membership.

5.9.2 The imposition of disciplinary sanctions shall occur in the order specified in section 5.9.1.

5.9.3 The Chair of the committee or his or her delegate with another committee officer may impose a verbal or written warning upon any member where it is necessary to uphold the aims of the Constitution, and must as soon as practicable table an incident report to the committee.

- 5.9.4 The committee shall convene a committee meeting to consider matters concerning suspension or revocation of membership. The committee shall:
- (a) invite any relevant member or members to attend the meeting to be heard by the committee;
 - (b) determine *in camera*, the extent of disciplinary action to be imposed; and
 - (c) within 5 days of its determination, notify the relevant member or members of the disciplinary action to be imposed and provide reasons for the determination.
- 5.9.5 The committee may at its discretion, reconsider its determination under section 5.9.4 (c) if it has received within 3 weeks of making that determination a request by the relevant member(s) to review its determination.
- 5.9.6 Any disciplinary action determined by the committee with respect to section 5.9.4 shall be binding on all members that are the subject of the committee's determination.

6 COMMITTEE OF ASSOCIATION

- 6.1 The members of the Club will elect a committee at the AGM.
- 6.2 The affairs of the Club shall be managed and controlled by the committee, which:
- 6.2.1 in addition to any powers and authorities conferred by the Constitution may exercise all such powers and do all such things as are within the aims of the Club, and are not by the Constitution, required to be done by the Club in general meetings;
 - 6.2.2 shall have the management and control of the funds and other property of the Club; and
 - 6.2.3 may amend schedules of the Constitution and establish bylaws relating to the management of the Club subject to such a motion being carried unanimously by the committee.
- 6.3 Committee members of the Club immediately preceding its incorporation under the Act shall become the first committee members of the Club after incorporation and shall hold office until the next annual general meeting of the Club.
- 6.4 The committee shall appoint a Public Officer as required by the Act, who shall not hold a position of office on the committee unless otherwise elected or appointed to the committee in accordance with sections 6.7 or 6.9.

6.5 The committee will be comprised of up to six officers, but no less than three, of which three will be executive officers. The remaining officers shall be ordinary officers.

6.5.1 The executive officers shall be as follows:

- i) Chair
- ii) Secretary
- iii) Treasurer
- iv) Publicity

6.6 Committee officers shall undertake duties generally in accordance with Schedule 2.

6.7 Election of Committee Officers

6.7.1 Any active member of the Club may stand for election to the committee.

6.7.2 Nominations of candidates for the election of committee officers must be made in writing in the form set out in Schedule 3 or any other form as the committee may approve from time to time and delivered to the Secretary not less than 1 week before the fixed date of the AGM.

6.7.3 The ballot for the election of committee officers must be conducted at the AGM in such a manner as the committee may direct.

6.7.4 The committee officers elected in accordance with section 6.7.3 must immediately after the conclusion of the annual general meeting at which they were elected, hold a meeting of the committee and elect the executive officers amongst themselves.

6.8 Each officer shall hold office until the next AGM following his or her election, but is eligible for re-election.

6.9 In the event of an elected position becoming vacant between AGMs, the committee may decide whether or not to fill the position, the exception being the position of the Chair, in which case a special meeting shall be held to elect a new Chair.

6.10 Should the committee decide to fill a vacated position pursuant to section 6.9, the committee may fill the position after giving two weeks notice in writing and receiving nominations:

- i) by voting on any nominations, with the Chair having the casting vote; or
- ii) call a special meeting to elect a new officer.

6.11 Delegation

- 6.11.1 The committee may co-opt members to perform specific duties. Co-opted members shall not have the power to vote at committee meetings.
- 6.11.2 The duties of executive officers may be delegated to other officers with the agreement of the committee.

6.12 Committee Meetings

- 6.12.1 The committee shall meet at least once every eight-week period of the volleyball season and at the discretion of the Chair during intervening periods.
- 6.12.2 A quorum with regard to the committee meetings shall be at least 60 percent of the officers.
- 6.12.3 Any officer of the committee who is absent from three consecutive meetings without reasonable cause shall have his or her position reviewed by remaining officers who may remove him or her from office.
- 6.12.4 A simple majority vote of officers, including the Chair, shall be decisive in the business of the committee. The Chair, or his or her delegate in his or her absence, shall have the casting vote in the event of a tie.
- 6.12.5 Notice of committee meetings should be given in writing to officers and the Club including an agenda at least one week before each scheduled meeting.
- 6.12.6 A member may request a matter to be considered by the committee, subject to the request being made in writing and lodged with a committee officer not less than two weeks prior to the scheduled meeting, unless a lesser time is approved by the Chair, and accordingly that matter shall be placed on the agenda of that meeting and the member invited to be heard by the committee concerning that matter.
- 6.12.7 Members may, subject to section 6.12.8, attend committee meetings, however shall observe and comply with all committee protocols and procedures concerning the proper running of the meeting.
- 6.12.8 The committee may at its meetings consider and determine matters *in camera*.

6.12.9 The Secretary must keep minutes of the resolutions and proceedings of each Club and committee meeting, together with a record of the names of persons present at committee meetings.

7 ANNUAL GENERAL MEETING

7.1 General

7.1.1 The first annual general meeting (AGM) shall be held within 18 months after the incorporation of the Club, and thereafter within five months after the end of its financial year.

7.1.2 The Chair, whose presence is mandatory, shall convene the AGM.

7.1.3 A copy of the Constitution must be present at the AGM.

7.1.4 All members are entitled to attend.

7.2 Notification

7.2.1 Each member should be notified in writing of the date of the AGM and the call for nominations for election to the committee, at least three weeks in advance of the meeting.

7.2.2 Each member must be notified in writing of the agenda at least one week before the meeting. The notice will include an agenda and any proposed changes to the constitution, by-laws or rules and regulations of the Club.

7.3 Voting

7.3.1 Quorum is 20 percent of all members who are entitled to vote.

7.3.2 Club members present at the AGM who are entitled to vote are as described in section 5.3. Each member has one vote per issue.

7.3.3 All votes must be given personally or by proxy. The notice appointing a proxy must be in the form set out in Schedule 4.

7.3.4 Each member is entitled to appoint another member as a proxy by notice as prescribed given to the Secretary prior to the start of the meeting.

7.3.5 Voting shall be on a simple majority basis of members, excluding the Chair, to determine resolutions, the Chair having a casting vote where necessary other than to resolutions concerning the Constitution.

7.4 The agenda for the AGM shall read as follows:

i) Apologies for absence

- ii) Confirmation of minutes of previous AGM
- iii) Matters arising from the minutes
- iv) Chairperson's report
- v) Secretary's report
- vi) The Treasurer's report, which must include an income/expenditure account and a statement of assets for the financial year in question.
- vii) Election of committee
- viii) Any other business.

8 SPECIAL MEETINGS

- 8.1 A special meeting may be called at the discretion of the committee or Chair, or if requested in writing by at least 20% of all members.
- 8.2 Members shall be advised of a special meeting via a written notice, which shall include an agenda, at least three weeks in advance of the meeting.
- 8.3 Calls for a special meeting must contain notice of resolutions to be discussed. The resolution must state the objects of the meeting, and be signed by members requesting the meeting. The request must be sent to the Secretary.
- 8.4 Only business specified in the notice may be transacted at the meeting.
- 8.5 The Chair, or his or her delegate shall convene the special meeting.
- 8.6 Voting will be conducted in the same manner described in sections 7.3.2 to 7.3.5 inclusive.
- 8.7 Quoracy
 - 8.7.1 No item of business may be conducted at a special meeting unless a quorum of members entitled to vote is present at the time when the meeting is considering that item.
 - 8.7.2 At least 20% of the total number of members entitled to vote must be personally present to constitute a quorum for the conduct of business at a special meeting.
 - 8.7.3 If a quorum is not present within half an hour of the scheduled commencement time, the meeting must be dissolved and stand adjourned for one week unless the committee notifies of a later date.

9 FINANCE

- 9.1 The Club is formed as a non-profit organisation.
- 9.2 The financial year of the Club shall run from 1 July to 30 June.

- 9.3 The Treasurer must collect and receive all monies due to the Club and make all payments authorised by the Club. The Treasurer must keep correct accounts and books showing the financial affairs of the Club with full details of all receipts and expenditure connected with the activities of the Club.
- 9.4 All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments must be signed by two committee members.
- 9.5 All monies, goods and equipment collected by the Club from its fees and activities become the property of the Club.
- 9.6 The Treasurer is responsible for ensuring the Club's account books are audited when requested by the committee or as a result of a special meeting. The auditor shall be nominated by the committee, but should not be a member of the committee.

10 DISSOLUTION AND CONSTITUTIONAL AMENDMENTS

- 10.1 Other than for making amendments to schedules, a motion to amend the Constitution or dissolve the Club shall only be considered at a duly convened Annual General Meeting or a Special Meeting.
- 10.2 Such a motion described in section 10.1 must be carried by at least 75 percent of votes of all members present.
- 10.3 Should membership fall below ten (10) active members, the committee shall consider dissolution of the Club.
- 10.4 On dissolution, all surplus assets shall be transferred to another organization either with similar aims or for charitable purposes. A simple majority at the meeting convened for this purpose shall decide this.

Schedule 1



Adelaide Spikers Volleyball Club Incorporated Membership Application Form

I, the undersigned desire to become a member of the Adelaide Spikers Volleyball Club Incorporated. I have read and agree to uphold the aims contained within the Constitution of the Adelaide Spikers Volleyball Club Inc. I acknowledge that my membership is bound by the provisions contained within the Constitution.

I am aware that by signing this application, I take full responsibility for any injuries that I may sustain from time to time at the club premises or during club activities. I am aware of and understand the Club's injury disclaimer as contained in Schedule 5 of the Constitution.

Information provided by the applicant will remain confidential to the Club and not be used for any external purposes.

Type of Application (*tick box*): New Member Transfer Renewal

Membership Type Sought (*tick box*): Active Associate

Applicant Name: _____

Address: _____ P/C _____

Date of Birth: _____/_____/_____

Phone Number: (Hm) _____ (Mobile) _____

Email: _____

How do you prefer to be contacted about Club news and other events? (<i>Tick one or more boxes</i>).	E-mail <input type="checkbox"/>	Telephone <input type="checkbox"/>	At events <input type="checkbox"/>
	Post <input type="checkbox"/>	Fax <input type="checkbox"/>	No contact <input type="checkbox"/>

Signature: _____

Date: _____

Official Use: Fee Paid: Yes/No Membership: Active/Assoc	
Approved by Committee Executive Officer: _____	Approved by Committee Executive Officer: _____
Signature: _____	Signature: _____
Name: _____	Name: _____
Date: _____	Date: _____

Adelaide Spikers Volleyball Club Incorporated

Officer Roles & Responsibilities

The Committee Officers will generally but not exclusively undertake the following duties:

Chair

- Oversee the running of the Club
- Preside at committee and Club meetings and ensure they are properly conducted
- Represent the Club within and beyond the GLBT community
- Organise Club participation in tournaments
- Arrange for playing and meeting space
- Perform other duties as required by the Constitution and/or determined by the committee

Secretary

- Give notice of all committee and Club meetings and take the minutes of each
- Disseminate information to members and any correspondence thereto
- Maintain membership (hard copy only) and Club records
- Oversee advertising and public notices
- Perform other duties as required by the Constitution and/or determined by the committee

Treasurer

- Ensure proper handling of the Club's financial matters and maintain the Club's accounts
- Receive revenue for the Club, including membership fees and subs
- Serve as a Club signatory for any cheques issued from the Club's private account
- Purchasing of new equipment if necessary
- Perform other duties as required by the Constitution and/or determined by the committee

Publicity

- Develop new strategies for Club promotion; including external & internal advertising
- Undertake the Address of Notices at the beginning of Thursday nights
- Keep a log of active and associate members
- Conduct "follow-up" procedures for current and past members as well as those persons who undertake preliminary visits
- Perform other duties as required by the Constitution and/or determined by the Committee

Ordinary Officers

- Assist executive officers as and when necessary, including specific events or duties.

Schedule 3



Adelaide Spikers Volleyball Club Incorporated Committee Nomination Form

I, the undersigned accept nomination to become an officer of the Committee of the Adelaide Spikers Volleyball Club Incorporated. I have read and understand that I may be appointed to fulfil duties and responsibilities required in accordance with the Constitution.

Nominee's Name: _____

Membership Type: Active Associate (Please tick box) _____

Nominator's Name _____

Membership Type: Active Associate (Please tick box) _____

Signature of Nominee: _____

Date: _____

Signature of Nominator: _____

Date: _____

Official Use: Membership Current: Yes/No Membership: Active/Assoc

Approved by Secretary:

Signature: _____

Date: _____



Adelaide Spikers Volleyball Club Incorporated
Proxy Voting Form

I,.....
(Insert name of Member)

being an Active Member of Adelaide Spikers Volleyball Club Incorporated (the Club), appoint

.....
(Insert name of Member)

being a Member of the Club, as my proxy to vote for me on my behalf at the Annual General Meeting or the Special Meeting of the Club to be held on:

.....
(Insert date of meeting)

and at any adjournment of that meeting.

My proxy is authorised to vote: (please tick one)

- At his or her discretion
In favour of/against* the following resolution(s): (insert below details of resolution(s))

.....
.....
.....
.....

Signature of Member:.....

Date:

*Delete if not applicable



Adelaide Spikers Volleyball Club Incorporated Injury Disclaimer

The Adelaide Spikers Volleyball Club advises its participants and visitors that it does not accept liability for injury on club premises* or during club activities†.

To reduce the risk of injury, participants and visitors are recommended to observe the following measures:

- Prior to playing, participants should undertake warm-up and stretching exercises, wear protective gear (i.e. knee pads) and suitable sports shoes, and undertake cool-down and stretches after playing.
- Training is available, either as a part of sanctioned events or upon request, to assist participants develop playing skills and game understanding.
- Visitors should take all reasonable steps to avoid contact with or obstruct the free movement of balls and players at all times.
- Children should be supervised by parents/guardians at all times.
- Participants are recommended to have personal accident insurance and ambulance cover.

* Club premise includes, but is not limited to, venues that are hired, leased, owned, borrowed by the Club from time to time.

† Club activities includes, but is not limited to competition, training/practice or sanctioned social events.