

# **MASTERS ATHLETICS WA (INC)**

## **CONSTITUTION**

### **NAME**

- 1 The name of this body shall be Masters Athletics WA (Inc) and it shall hereinafter be referred to as the "Club".

### **OBJECTS**

- 2 The objects of the Club shall be to encourage and promote veterans athletics and general fitness of its members and to provide training and competition within the jurisdiction of the Athletic Association of WA (hereinafter abbreviated to AAWA) Membership will be available to men and women 30 years and older.

### **POWERS**

- 3
  - (a) To act in the interests of veteran athletics and promote and manage championships and other athletic meetings.
  - (b) To make rules and by-laws not inconsistent with this constitution or the constitution of the AAWA.
  - (c) To select, appoint, finance and control individuals and teams to represent the Club.
  - (d) To fix the annual subscription to the Club and to review the amount of such subscription annually or when considered necessary.
  - (e) The Club's yearly season will commence on April 1st and end on the following March 31st.

### **AFFILIATION**

- 4 The Club will, where possible, be affiliated to the AAWA and the Australian Association of Veteran's Athletic Clubs.

### **COSTUMES**

- 5 The colours of the Club for competition within WA shall be black shorts and white singlet trimmed in black and bearing the Club badge. For interstate Veteran competition and competition outside WA the Club colours shall be black shorts and gold singlet trimmed in black and bearing the Club badge.

## COMMITTEE

- 6 (a) The business and affairs of the Club shall be under the management and control of the Committee, provided however, that except in the case of extreme urgency the Committee shall not take any action contrary to decisions made at a general meeting.
- (b) The Committee may, subject to the decisions made at general meeting, exercise all the powers of the Club and do all such acts and things as may be done by the Club or which it considers necessary or expedient to carry out the objects of the Club.
- (c) The Committee shall be elected at the Annual General Meeting and shall be constituted as follows:
  - President
  - Vice President
  - Hon Secretary
  - Hon Treasurer
  - Four (4) other members
- 7 All members of the Committee must be financial members of the Club.
- 8 Should any vacancy occur in the Committee or office bearers of the Club, other than in the normal course of elections the Committee shall fill such a vacancy from the financial members of the Club. Such member duly elected shall hold office for the un-expired portion of the predecessors term.
- 9 The Committee shall meet as often as may be required to conduct the business of the Club. The President or Secretary or three (3) members of the Committee shall have the power to call a meeting of the Committee.

The President of the Club shall take the chair at all Committee meetings. Should the President not be present then the Vice President shall be elected to the chair and if there is no Vice President present the Committee shall elect one of its number to take the chair.
- 10 The Chairman at all Committee meetings shall have a casting vote in addition to a deliberative vote.
- 11 (a) The Committee shall have the power to delegate any of its powers to a sub-committee to deal with any particular matter or matters and upon such terms as the Committee may think fit. The President and the Secretary shall be ex-officio members of all sub-committees.

- (b) All acts or decisions done or made by any meeting of the Committee or any member thereof shall, notwithstanding that it be afterwards discovered that there was some defect in the appointment of such member or all or any members of the Committee, be as valid and effective as if they had all been properly appointed, unless it is proved that the appointment was made in fraud or bad faith.

- 12 The quorum for Committee meetings shall be five members present in person.

#### **ELECTION OF COMMITTEE**

- 13 Nomination for each candidate for election as office bearer or Committee member shall be proposed and seconded respectively by two (2) members at the Annual General Meeting. Contested offices shall be subject to ballot at the Annual General Meeting of the members present and voting thereon.

- 14 No member shall be eligible for election unless they are a financial member of the Club.

- 15 The election for the office bearers and the other Committee members shall be by ballot of members present and voting thereon, held at the Annual General Meeting. No ballot shall be required when the number of candidates nominated for each office does not exceed the number of vacancies and they shall be declared duly elected.

#### **DUTIES**

- 16 The Secretary shall maintain a correct record of minutes of all meetings and attend to correspondence and other matters as required from time to time. The Secretary shall compile an annual report of Club activities to be presented to the Annual General Meeting. The Treasurer shall cause true records to be kept of moneys received and expended, and attend to proper handling of the Club's financial affairs and prepare an annual statement of receipts and expenditure to be audited and presented to the Annual General Meeting.

#### **OTHER OFFICERS**

- 17 The following other officers shall be elected at the Annual General Meeting

- (a) Patron

- (b) Honorary auditor (or auditors) will examine the Statement of Profit and Loss and Balance Sheet at least once yearly and supply a certificate of correctness to the Annual General Meeting.

#### **GENERAL MEETING**

- 18 The Annual General Meeting of the members shall be held in the month of April in each year, and members shall be given notice in writing at least fourteen days before such meeting.
- 19 The Annual Report together with the audited balance sheet and profit and loss statement shall be submitted to members at the Annual General Meeting.
- 20 The Annual General Meeting or any extra ordinary general meeting may make by-laws necessary for proper administration of the Club. Any by-laws so made shall not be repealed, added to or amended unless and until:-
  - (a) Notice of intention to propose such repeal, addition or amendment is first given in writing by a member of the Club to the Secretary of the Club not later than 30 days prior to the date of such Annual General or Extra ordinary General Meeting and included in the agenda for such meeting.
  - (b) Such repeal, addition or amendment proposed at such Annual General Meeting or Extra ordinary Meeting is approved by not less than two-thirds of the members of the Club present at such meeting and voting thereon.
- 21 The Election of Officers and Committee for the ensuing twelve months shall take place at the Annual General Meeting together with any business mentioned in the notice paper convening the meeting.
- 22 An Extraordinary General Meeting of members shall be called at the request of the President or the Secretary or any three (3) members of the Committee or at the written request of ten (10) financial members of the Club. Such meeting shall be held within thirty (30) days of such request and all members shall be notified in writing not less than ten (10) days before such meeting.
- 23 The President of the Club shall be the Chairperson at all general meetings. Should the President not be present then a Vice President shall be elected to the chair, and if there be no Vice President present the members shall elect a member to take the chair.

- 24 (a) At all meetings the chairperson's decision on points of order shall be final.
- (b) The chairperson shall have a casting vote in addition to a deliberative vote.
- 25 The quorum for a general meeting shall be twenty (20) members.

#### **FINANCE**

- 26 The financial year shall be from April 1st to March 31st.
- 27 All moneys of the Club shall be paid into the account of the Club at such bank as the Committee may from time to time direct.
- 28 No moneys shall be drawn from the Club's account save by cheque signed by the bank signatories authorised by the Committee. No cheque shall be signed or money withdrawn unless such withdrawal has been approved by the Committee, or in the case of urgency, by the President and the Secretary.
- 29 The books of account of the Club shall be audited annually by an auditor appointed by the Annual General Meeting.

#### **TRUSTEES**

- 30 Unless otherwise determined the members of the Committee of the Club for the time being shall be deemed to be the Trustees of the Club, to hold any property real and personal belonging to the Club.

#### **MEMBERSHIP**

- 31 (a) Any member may resign from the Club and such resignation must be in writing and forwarded to the Secretary of the Club.
- (b) Any member who fails to pay their annual subscription before May 31st of each year shall be deemed to have resigned from membership of the Club.
- 32 Upon any person ceasing to be a member of the Club for any reason whatsoever they shall not be entitled to the return of their membership subscription or any portion thereof.
- 33 (a) The Committee may expel from the Club or otherwise punish or penalise any member whose conduct, in the opinion of the Committee, is discreditable or injurious to the character or interests of the Club.

- (b) Before any member is expelled or otherwise punished or penalised their conduct shall be enquired into by the Committee and the member shall be given the opportunity to defend themselves and to justify or explain their conduct. Provided that a quorum is established and the majority of the Committee present when the matter is enquired into is of the opinion that the member has been guilty of such conduct or action as aforesaid, then the Committee may expel or suspend them from membership or otherwise punish or penalise them.
- (c) Should any member fail to appear at any enquiry conducted under Clause 33 (b) hereof, or any adjournment thereof. The Committee may proceed in that member's absence to conduct the said enquiry and to make its findings as herein before empowered.

#### **LIFE MEMBERSHIP**

- 34 Before a member can be elected a Life Member they must have had active and continuous membership for a minimum period of ten (10) years, and have substantially contributed to the progress of the Club. No more than two members shall be elected in anyone year. Recommendations for Life Membership must come from at least three members, be approved first by the Committee, and later by a majority of two thirds of the members present at a General Meeting of the Club. Life Members shall not be required to pay Club subscription fees.

#### **AMATEUR STATUS**

- 35 Where such declaration is considered relevant by the AAWA, members will be required to declare that they are amateurs within the terms of the following definition –

An amateur is one who competes only for the love of the sport, who has never competed for a money prize or monetary consideration in any athletic sport or game or been in any way interested in a staked bet or wager made in connection with any athletic competition in which they were an entrant or competitor; who has never been engaged in or any way exploited their athletic ability for profit, and who has never taken part in any athletic competition with anyone who is not an amateur.

#### **RECORDS**

- 36 The Schedule of Records dated April 1, 1977 prepared by the Secretary of the WAVAC and the Statistician of the Australian Association of Veteran's Athletic Clubs be adopted as a true record of performance at that date and be amended by the Secretary as and when new records are confirmed.

In addition a Schedule of WA Open and Residential records be prepared from the performances of the 5th Veterans Track and Field Championships and be amended from time to time as and when new records are confirmed.

#### **AMENDMENTS TO CONSTITUTION**

- 37 This shall be the only Constitution of Masters Athletics WA (Inc) and shall come into force forthwith and shall not be altered, varied, added to or repealed unless 75 per cent of financial members present at an Annual General Meeting or at a meeting specially convened for that purpose are in favour of such alteration, variation, addition or repeal.

#### **COMMON SEAL**

- 38 The Club shall have and use a common seal inscribed with the name of the Club which shall be held in the custody of the President and it shall be used or affixed to any document after authority has been given by the Committee. The affixation of the seal shall be witnessed by the President and any two (2) members of the Committee.

#### **ASSETS**

- 39 The property assets and income of the Club, wherever derived shall be applied towards the promotion of the objects of the Club, and no portion thereof shall be paid or transferred either directly or indirectly by way of dividend, bonus or otherwise by way of profit to members generally of the Club.

Provided that nothing herein contained shall prevent the payment in good faith of remuneration to any officers or servants of the Club or any member in return for services actually rendered, nor prevent the payment of interest on money borrowed from any member of the Club. Should the Club for any reason whatsoever cease to function, any member or person holding any Club moneys or property shall forthwith pay the same to the Committee.

#### **DISSOLUTION**

- 40 (a) The Club may at any time with a consent of a majority of 75 per cent of the members present at a General Meeting called for the purpose, be dissolved.
- (b) If upon the winding up or dissolution of the Club there remains after satisfaction of all its debts and liabilities any property whatsoever, the same must not be paid to or distributed among the members, or former members. The surplus property must be given or transferred

to another association incorporated under the *Associations Incorporation Act (1987)* which has similar objects and which is not carried out for the purposes of profit or gain to its individual members, and which association shall be determined by resolution of the members.

Amended	July 22, 1984
Amended	April 19, 1994
Amended	October 24, 1995
Amended	April 28, 2003
Amended	June 1, 2003