

Weston Creek Soccer Club

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CONSTITUTION March 2004

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Part 1 Preliminary

1 Definitions

Note A definition applies except so far as the contrary intention appears (see Legislation Act 2001, s 155).

In this Constitution:

Association means the body responsible for running soccer in the ACT, howsoever named, which is affiliated through the national soccer association to the international body, FIFA

Club means the Weston Creek Soccer Club Incorporated.

Committee means the Executive Committee of the Club.

Financial Year means the year ending on 31 December.

Member means a member as described in Clause 7.

Office Holder means a member of the Executive Committee.

Official means a member of the Executive Committee or of a Subcommittee of the Executive Committee.

Registration Day is the first day in a calendar year which is deemed a registration day for Junior registrations, as determined by the Association.

The **Act** means the Associations Incorporation Act 1991.

The **Regulations** means the Associations Incorporation Regulations 1991.

1(a) Application of Legislation Act 2001

The *Legislation Act 2001* applies to these rules in the same way as it would if they were an instrument made under the Act.

Part 2 The Club

Name

- 2 The name of the club shall be the Weston Creek Soccer Club Incorporated.

Objects of the Club

- 3 The basic object of the Club is to foster and develop the cause of the soccer generally and in the Weston Creek area in particular. In pursuing this objective the Executive Committee of the club shall be entitled to take whatever action it deems necessary, in accordance with this Constitution, including, but not limited to, raising and expenditure of monies, promotion of activities and the formation of commercial and strategic alliances with sponsors and other sporting clubs and associations.

Constitution

- 4 This Constitution maybe amended by resolution of a two thirds majority of the members of the Club present and entitled to vote at a general meeting of the Club.

Club Colours

- 5 The club colours shall be black and white and derivations of the colours shall be used in the playing uniform of the club wherever possible except in instances where the Committee deems other colours are appropriate.

Club Emblem

- 6 The Club emblem is a magpie in flight, carrying a soccer ball between its feet.

Part 3 Membership

Membership Qualifications

- 7 The following shall be deemed to be Members of the Club:
- (i) any player registered with the Club
 - (ii) the parents or legal guardian of each player registered with the Club who is under eighteen years of age
 - (iii) any person with a genuine interest in the Club and its aims including coaches, managers, other volunteer workers, and any other person who applies to and is accepted by the Executive for membership
 - (iv) life members of the Club as defined in Clause 8.
- 8 Other than Life Membership all membership shall be from Registration Day to Registration Day.
- 8(a) A period grace of two months shall apply from Registration Day to all members whose membership of the club is solely due to their satisfying the requirements of clause 7(i) or 7(ii) in the previous year. All such members will cease to be members of the Club if the relevant player registration has not been renewed within two months of Registration Day unless their membership continues by virtue of clause 7(iii) or 7(iv).

Voting Rights

- 8(b) All members as defined under clause 7 shall be eligible to vote at all General Meetings of the Club except that members under the age of eighteen shall be eligible to vote at such meetings only if they are registered to play with Club teams in the Men's or Women's competitions.

Life Members

- 8(c) Persons may at the Annual General Meeting elect to Life Membership of the Club a person or persons whom they desire to recognise as having given outstanding service to the Club over period of not less than five years. The following process shall be followed in the election of Life Members:
- (i) Members of the Club who wish to nominate persons for Life Membership will submit such nominations in writing to the Secretary not less than fourteen days before the Annual General Meeting.
 - (ii) No person will be declared a Life Member unless seventy five percent of the members present at the Annual General Meeting and entitled to vote have voted in favour of such a declaration.

Members' Liabilities

- 9 The liability of a member to contribute towards the payment of the debts and liabilities of the Club or the costs, charges and expenses of the winding up of the Club is limited to the amount (if any) unpaid by the member in respect of player registration fees.

Disciplining of Members

- 10 Where the Executive Committee is of the opinion that a member has persistently refused or neglected to comply with a provision of this Constitution, or has persistently and/or wilfully acted in a manner prejudicial to the interests of the Club, the Committee may, by resolution
- (i) expel the member from the Club; or
 - (ii) suspend the member from involvement in Club activities, including precluding them from playing or being otherwise involved in the playing of matches, as the Committee may determine, for a specified period. The maximum term of such a suspension shall be up until the next Registration Day.
- 10(a) A resolution of the Committee under clause 10(i) or 10(ii) is of no effect unless the Committee, at a meeting held not earlier than fourteen days and not later than twenty eight days after service on the member of a notice under clause 10(b), confirms the resolution in accordance with clause 10(d).
- 10(b) Where the Committee passes a resolution under clause 10(i) or 10(ii), the Secretary shall, as soon as practicable, cause a notice in writing to be served on the member-
- (i) setting out the resolution of the Committee and the grounds on which it is based; and
 - (ii) stating that the member may address the Committee at a meeting to be held not earlier than fourteen days and not later than twenty eight days after service of the notice; and
 - (iii) stating the date, place and time of that meeting; and
 - (iv) informing the member that the member may do either or both of the following:
 - attend and speak at that meeting;
 - submit to the Committee at or prior to the date of that meeting written representations relating to the resolution.
- 10(c) Subject to the Act, section 50, at a meeting of the Committee mentioned in clause 10(b), the Committee shall-
- (i) give to the member mentioned in clause 10(i) or 10(ii) an opportunity to make oral representations; and
 - (ii) give due consideration to any written representations submitted to the Committee by that member at or prior to the meeting; and
 - (ii) by resolution determine whether to confirm, amend or revoke the resolution of the Committee made under clause 10(i) or 10(ii).
- 10(d) Where the Committee confirms or amends a resolution under clause 10(i) or 10(ii), the secretary shall, within seven days after that confirmation, by notice in writing inform the member of that decision, and in respect of a decision made to expel the member under clause 10(i), of the member's right of appeal under clause 11.

10(e) A resolution confirmed by the Committee under clause 10(i) does not take effect-

- (i) until the expiration of the period within which the member is entitled to appeal against the resolution where the member does not exercise the right of appeal within that period; or
- (ii) where within that period the member exercises the right of appeal, unless and until the Club confirms the resolution in accordance with clause 11(c).

10(f) There is no right of appeal against the Committee's decision to suspend a member under clause 10(ii).

10(g) The provisions of this clause shall apply equally to Life Members of the Club.

Right of Appeal of Expelled Member

11(a) A member may appeal to the Club in general meeting against a resolution of the Committee under clause 10(i), which is confirmed under clause 10(b), within seven days after notice of the confirmation is served on the member, by lodging with the Secretary a notice to that effect.

11(b) On receipt of a notice under clause 11(a), the Secretary shall notify the Committee which shall convene a general meeting of the club to be held within twenty one days after the date on which the Secretary received the notice or as soon as possible after that date.

11(c) Subject to the Act, section 50, at a general meeting of the Club convened under clause 11(b)-

- (i) no business other than the question of the appeal shall be transacted; and
- (ii) the Committee and the member shall be given the opportunity to make representations in relation to the appeal orally or in writing, or both; and
- (iii) the members present shall vote by secret ballot on the question of whether the resolution made under rule 10(d) should be confirmed, amended or revoked.
- (iv) If the meeting passes a special resolution in favour of the confirmation of the resolution made under rule 10(d), that resolution is confirmed.

Part 4 Management of the Club

Powers of the Committee

- 12 The Executive Committee, subject to the Act, the regulations, this Constitution, and any resolution passed by the Club in general meeting -
- (i) shall control and manage the affairs of the Club; and
 - (ii) may exercise all such functions as may be exercised by the Club other than those functions that are required by this Constitution to be exercised by the Club in general meeting; and
 - (iii) has power to perform all such acts and do all such things as appear to the Committee to be necessary or desirable for the proper management of the affairs of the Club.

Constitution and Membership

- 13 The Committee shall consist of -
- (a) the office-bearers of the Club;
- each of whom shall be elected under clause 14(a) or appointed in accordance with clause 14(d).

The office-bearers of the Club shall be-

- (i) the President; and
 - (ii) the Vice-president; and
 - (iii) the Treasurer; and
 - (iv) the Assistant Treasurer; and
 - (v) the Secretary; and
 - (vi) the Chairperson of the Junior Sub-Committee; and
 - (vii) the Chairperson of the Men's Sub-Committee; and
 - (viii) the Chairperson of the Women's Sub-Committee.
- 13(c) Each member of the Committee shall, subject to these rules, hold office until the conclusion of the Annual General Meeting following the date of the member's election, but is eligible for re-election.
- 13(d) In the event of a vacancy in the membership of the Committee, the Committee may appoint a member of the Club to fill the vacancy and the member so appointed shall hold office, subject to these rules, until the conclusion of the Annual General Meeting next following the date of the appointment.

Election of Committee Members

14(a) Nominations of candidates for election as office-bearers of the Club -

- (i) shall be made in writing, signed by two members of the Club and accompanied by the written consent of the candidate (which may be endorsed on the nomination form);

and

- (ii) shall be delivered to the Secretary of the Club not less than seven days before the date fixed for the Annual General Meeting at which the election is to take place.

14(b) If only one nomination is received for a position, then that position will be deemed to be filled by the person nominated.

14(c) If more than one nomination is received for a position then a ballot shall be held.

14(d) The ballot for the election of office-bearers shall be conducted at the Annual General Meeting in such manner as the Committee may direct.

14(e) If no nominations are received under clause 14(a) for a particular position, then nominations can be called for at the Annual General Meeting. In this case all nominations for a position will be accepted and if more than one nomination is received for a position then a ballot shall be held.

14(f) A person is not eligible to simultaneously hold more than one position on the Committee.

Secretary

15(a) The Secretary of the Club shall, as soon as practicable after being appointed as secretary, notify the Club of his or her address.

15(b) The Secretary shall keep minutes of-

- (i) all elections and appointments of office-bearers; and
- (ii) the names of members of the Committee present at a Committee meeting or a General Meeting; and
- (iii) all proceedings at Committee meetings and General Meetings.

15(c) The Secretary shall be the Public Officer of the Club.

Treasurer

16 The Treasurer of the Club shall 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 and prepare reports and financial statements as required by this Constitution.

Assistant Treasurer

17 The Assistant Treasurer will collect and receive all monies due to the Club and bank all such monies promptly and make all payments authorised by the Club in a timely manner. The Assistant Treasurer will keep the Treasurer advised of all monies collected and all monies due and paid.

Vacancies

- 18 A vacancy in the office of a member of the Committee occurs if the member-
- (i) dies; or
 - (ii) ceases to be a member of the Club; or
 - (iii) resigns the office; or
 - (iv) is removed from office under Clause 19; or
 - (v) becomes insolvent under administration within the meaning of the Corporations Act; or
 - (vi) suffers from mental or physical incapacity; or
 - (vii) is disqualified from office under the Act, section 63(1); or
 - (viii) is absent without the consent of the committee from all meetings of the committee held during a period of six months; or
 - (ix) if no-one is elected to that office at the AGM.
- 18(a) In the event of the office of any member of the Executive becoming vacant through resignation or for any other reason, the Executive may appoint a member of the Club to fill such vacancy, unless there are insufficient members holding office to form a quorum.
- 18(b) If there are insufficient office-holders to form a quorum all positions on the Committee will be declared vacant and a Special General Meeting will be convened for the purpose of electing a new Executive.

Removal of Committee Members

- 19 The Club in General Meeting may by resolution, subject to the Act, section 50, remove any member of the Committee from the office of member of the Committee before the expiration of the member's term of office.

Committee Meetings and Quorum

- 20 The Committee shall meet at least six times in each calendar year at such place and time as the Committee may determine.
- 20(a) Additional meetings of the Committee may be convened by any member of the Committee.
- 20(b) Oral or written notice of a meeting of the Committee shall be given by the Secretary to each member of the committee at least forty eight hours (or such other period as may be unanimously agreed on by the members of the Committee) before the time appointed for the holding of the meeting.
- 20(c) Any four members of the Committee constitute a quorum for the transaction of the business of a meeting of the Committee.

20(d) No business shall be transacted by the Committee 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 a time and place to be decided by the Committee members out of session.

20(e) At meetings of the Committee -

- (i) the President or, in the absence of the President, the Vice-president shall preside; or
- (ii) if the President and the Vice-president are absent - one of the remaining members of the Committee may be chosen by the members present to preside.

Delegation by Committee to Subcommittee

21 The Committee may, by instrument in writing, delegate to one or more subcommittees (consisting of such member or members of the Club as the Committee thinks fit) the exercise of such of the functions of the Committee as are specified in the instrument, other than -

- (i) this power of delegation; and
- (ii) a function which is a function imposed on the Committee by the Act, by any other Territory law, or by resolution of the Club in general meeting.

21(a) A function, the exercise of which has been delegated to a Subcommittee under this rule may, while the delegation remains unrevoked, be exercised from time to time by the Subcommittee in accordance with the terms of the delegation.

21(b) A delegation under this clause may be made subject to such conditions or limitations as to the exercise of any function, or as to time or circumstances, as may be specified in the instrument of delegation.

21(c) Notwithstanding any delegation under this clause, the Committee may continue to exercise any function delegated.

21(d) Any act or thing done or suffered by a Subcommittee acting in the exercise of a delegation under this clause has the same force and effect as it would have if it had been done or suffered by the Committee.

21(e) The Committee may, by instrument in writing, revoke wholly or in part any delegation under this clause except those delegations made under clause 20 of this Constitution.

22 There will be four Standing Subcommittees of the Executive. The powers delegated to these Subcommittees are as follows:

- (i) The Junior Management Committee will organise and administer the affairs related to the junior teams and players. This Committee will be responsible for raising monies for the fielding of junior teams and sponsoring of junior soccer in general within the Club.
- (ii) The Men's Management Committee will organise and administer the affairs related to the men's teams and players. This Committee will be responsible for raising monies for the fielding of men's teams and sponsoring of men's soccer in general within the Club.

- (iii) The Women's Management Committee will organise and administer the affairs related to the women's teams and players. This Committee will be responsible for raising monies for the fielding of women's teams and sponsoring of women's soccer in general within the Club.
- (iv) The Finance Committee will prepare for presentation to the Committee annual budgets for each section of the Club and for the Club as a whole and make recommendations to the Committee on any proposed expenditure which has not been foreseen in those budgets. The Finance Committee will also advise the Committee on proposed measures to compensate for any shortfall in budgeted revenue.

Standing Subcommittee Membership

23 The Standing Subcommittee membership shall be constituted as follows:

- (i) The Junior Management Committee shall have at least five members (including the Chairperson) and shall include members who are designated to be the Registrar, the Finance Officer and the Property Officer. Other positions and duties can be assigned according to the wishes of the Subcommittee according to need. Any three members will form a quorum.
- (ii) The Men's Management Committee shall have at least three members (including the Chairperson) and shall include members who are designated to be the Registrar and the Finance Officer. Other positions and duties can be assigned according to the wishes of the Subcommittee according to need. Any two members will form a quorum.
- (iii) The Women's Management Committee shall have at least three members (including the Chairperson) and shall include members who are designated to be the Registrar and the Finance Officer. Other positions and duties can be assigned according to the wishes of the Subcommittee according to need. Any two members will form a quorum.
- (iv) The Finance Committee shall consist of the Treasurer who shall chair the Committee, the Assistant Treasurer and the Finance Officers from each of the other Standing Subcommittees. Any three members will form a quorum.

Election of Members

- 24 Nominations shall be called from the floor of the Annual General Meeting, or Special General Meeting called under Clause 18(b), for all positions on Standing Subcommittees which are not Committee positions.
- 24(a) Except in the case of the Finance Subcommittee, if insufficient members nominate to fill Subcommittee positions, those Subcommittees may invite people to join those Subcommittees as required without further reference to the Committee. All positions on the Finance Subcommittee are derived from membership of the Committee or other Subcommittees and those positions will be filled in accordance with the provisions relevant to that membership.

Standing Subcommittee Meetings

- 25 Except for the Finance Subcommittee, the Standing Subcommittees shall meet as often as necessary, but not less than once a month between February and September each year.
- 25(a) The Finance Subcommittee shall meet as required but at least three times a year as follows:
- (i) prior to Registration Day to determine player registration fees;
 - (ii) after Registration Day but before the start of the junior competition to finalise budgets for the year after registration details are known; and
 - (iii) in July to monitor progress of revenue and expenditure against budgets.
- 25(b) The Treasurer shall report to the Committee upon the deliberations of the Finance Subcommittee at the next Committee meeting following a Subcommittee meeting.
- 25(c) Except in accordance with clause 25(d) a member of a Standing Subcommittee will not be removed from office except at a Special General Meeting convened for that purpose.
- 25(d) The office of a member of a Standing Subcommittee may be declared vacant by the Subcommittee if the representative ceases to be a member of the Club or is absent without leave of absence for three consecutive meetings of the Subcommittee.
- 25(e) The Chairperson of the Standing Subcommittee may grant leave of absence to any member of that Subcommittee.

Voting and Decisions

- 26(a) Questions arising at a meeting of the Committee or of any Subcommittee of the Committee shall be determined by a majority of the votes of members of the Committee or Subcommittee present at the meeting.
- 26(b) Each member present at a meeting of the Committee or of any Subcommittee of the Committee (including the person presiding at the meeting) is entitled to one vote but, in the event of an equality of votes on any question, the person presiding may exercise a second or casting vote.
- 26(c) Subject to achieving a quorum the Committee or Subcommittees may act notwithstanding any vacancy on the Committee.
- 26(e) Any act or thing done or suffered, or purporting to have been done or suffered, by the Committee or by a Subcommittee of the Committee, is valid and effectual notwithstanding any defect that may afterwards be discovered in the appointment or qualification of any member of the Committee or Subcommittee.
- 26(f) All members of the Committee are entitled to attend any Subcommittee meeting with all the entitlements of a member of that Subcommittee.

Part 5 General meetings

Annual General Meetings - holding of

27(a) The Club shall, at least once in each calendar year and within the period of two months after Registration Day, convene an Annual General Meeting of its members.

27(b) Clause 27(a) has effect subject to the powers of the Registrar-General under the Act, section 120, in relation to extensions of time.

Annual General Meetings - calling of and business at

28(a) The Annual General Meeting of the Club shall, subject to the Act and to Clause 27(a), be convened on such date and at such place and time as the Committee thinks fit.

28(b) In addition to any other business which may be transacted at an Annual General Meeting, the business of an annual general meeting shall be -

- (i) to confirm the minutes of the last preceding Annual General Meeting and of any General Meeting held since that meeting;
- (ii) to receive from the Committee reports on the activities of the Club during the last preceding financial year;
- (iii) to elect members of the Committee, including office-bearers; and
- (iv) to receive and consider the statement of accounts and the reports that are required to be submitted to members under the Act, section 73(1).

28(c) An Annual General Meeting shall be specified as such in the notice convening it in accordance with Clause 26(a).

28(d) An Annual General Meeting shall be conducted in accordance with the provisions of this part.

General Meetings - calling of

29 The Committee may, whenever it thinks fit, convene a General Meeting of the Club.

29(a) The Committee shall, on the requisition in writing of not less than five percent of the total number of members, convene a General Meeting of the Club.

29(b) A requisition of members for a General Meeting-

- (i) shall state the purpose or purposes of the meeting; and
- (ii) shall be signed by the members making the requisition; and
- (iii) shall be lodged with the secretary; and
- (iv) may consist of several documents in a similar form, each signed by one or more of the members making the requisition.

29(c) If the Committee fails to convene a General Meeting within one month after the date on which a requisition of members for the meeting under clause 29(a) is lodged with the Secretary, any one or more of the members who made the requisition may convene a general meeting to be held not later than three months after that date.

29(d) A General Meeting convened by a member or members referred to in subclause 29(c) shall be convened as nearly as is practicable in the same manner as general meetings are convened by the Committee and any member who thereby incurs expense is entitled to be reimbursed by the Club for any reasonable expense so incurred.

Notice

30(a) Except where the nature of the business proposed to be dealt with at a General Meeting requires a special resolution of the Club, the Secretary shall, at least fourteen days before the date fixed for the holding of the General Meeting, cause a notice to be placed in a Canberra newspaper readily available in the Weston Creek area specifying the place, date and time of the meeting and the nature of the business proposed to be transacted at the meeting.

30(b) Where the nature of the business proposed to be dealt with at a General Meeting requires a special resolution of the Club, the Secretary shall, at least twenty one days before the date fixed for the holding of the General Meeting cause a notice to be placed in a Canberra newspaper readily available in the Weston Creek area specifying, in addition to the information required under subclause 30(a), the intention to propose the resolution as a special resolution. If the meeting is to be held within one month of Junior Registration Day notice shall also be provided to members as players are registered.

30(c) No business other than that specified in the notice convening a General Meeting shall be transacted at the meeting except, in the case of an Annual General Meeting, business which may be transacted under Clause 28(b).

30(d) A member desiring to bring any business before a General Meeting may give notice in writing of that business to the Secretary who shall include that business in the next notice calling a General Meeting given after receipt of the notice from the member.

General Meetings - procedure and quorum

31(a) No item of business shall be transacted at a General Meeting unless a quorum of members entitled under this Constitution to vote is present during the time the meeting is considering that item.

31(b) Five members present in person (being members entitled under these rules to vote at a general meeting) constitute a quorum for the transaction of the business of a General Meeting which is not an Annual General Meeting.

31(c) If within thirty minutes after the appointed time for the commencement of a General Meeting a quorum is not present, the meeting if convened on the requisition of members shall be dissolved and in any other case shall stand adjourned to the same day in the following week at the same time and (unless another place is specified at the time of adjournment by the person presiding at the meeting or communicated by written notice to members given before the day to which the meeting is adjourned) at the same place.

31(d) If at the adjourned meeting a quorum is not present within thirty minutes after the time appointed for the commencement of the meeting, the members present (being not less than three) shall constitute a quorum.

Presiding Member

32(a) The President, or in the absence of the President, the Vice-president, shall preside at each General Meeting of the Club.

32(b) If the President and the Vice-president are absent from a General Meeting, the members present shall elect one of their number to preside at the meeting.

Adjournment

33(a) 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.

33(b) Where a General Meeting is adjourned for fourteen days or more, the Secretary shall give written or oral notice of the adjourned meeting to each member of the Club stating the place, date and time of the meeting and the nature of the business to be transacted at the meeting.

33(c) Except as provided in subclause 33(a) and 33(b), 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.

Making of Decisions

34(a) A question arising at a general meeting of the Club shall be determined on a show of hands and, unless before or on the declaration of the show of hands a poll is demanded, a declaration by the person presiding that a resolution has, on a show of hands, been carried or carried unanimously or carried by a particular majority or lost, or an entry to that effect in the minute book, is evidence of the fact without proof of the number or proportion of the votes recorded in favour of or against that resolution.

34(b) At a General Meeting of the Club, a poll may be demanded by the person presiding or by not less than three members present in person or by proxy at the meeting.

34(c) Where the poll is demanded at a General Meeting, the poll shall be taken-

- (i) immediately in the case of a poll which relates to the election of the person to preside at the meeting or to the question of an adjournment; or
- (ii) in any other case, in such manner and at such time before the close of the meeting as the person presiding directs, and the resolution of the poll on the matter shall be deemed to be the resolution of the meeting on that matter.

Voting

- 35(a) Subject to subclause 35(c), on any question arising at a General Meeting of the Club a member has one vote only.
- 35(b) All votes shall be given personally or by proxy but no member may hold more than five proxies.
- 35(c) In the case of an equality of votes on a question at a General Meeting, the person presiding is entitled to exercise a second or casting vote.
- 35(d) A member or proxy is not entitled to vote at any General Meeting of the Club unless all money due and payable by the member or proxy to the Club has been paid, other than the amount of the annual registration fee payable in respect of the then current year.

Appointment of Proxies

- 36(a) Each member shall be entitled to appoint another member as proxy by notice given to the Secretary no later than twenty four hours before the time of the meeting in respect of which the proxy is appointed.
- 36(b) The notice appointing the proxy shall include the name of the member providing the proxy, the name of the member who is to exercise the proxy and the date of the meeting for which the proxy is provided.

Part 6 Miscellaneous

Funds - source

- 37(a) The funds of the Club shall be derived from registration fees, sponsorship, fund-raising activities organised by the Committee or the Standing Subcommittees and donations and subject to the Act, section 114, such other sources as the Committee determines.
- 37(b) All money received by the Club shall be deposited as soon as practicable and without deduction to the credit of the Club bank account.
- 37(c) The Club shall, as soon as practicable after receiving any money, except for receipt of money from the Canteen, or for sales of socks or second hand equipment, issue an appropriate receipt.

Funds - management

- 38 The Financial Year of the Club shall be the calendar year to 31 December.
- 38(a) Subject to any resolution passed by the Club in General Meeting, the funds of the Club shall be used for the objects of the Club in such manner as the Committee determines.
- 38(b) All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments shall be signed by any two members of the Committee except that the Treasurer and the Assistant Treasurer cannot both be a signatory on the same cheque.
- 38(c) Prior to Registration Day the Treasurer, with the assistance of the Finance Subcommittee, shall prepare a draft budget to support the level of registration fees set for each category of player and present this draft budget to the Committee for approval.
- 38(d) Following Registration Day but prior to the start of the Junior Season, the Treasurer, with the assistance of the Finance Subcommittee, shall prepare a final draft budget based on registration fees actually received and present this budget to the Committee for approval.
- 38(e) The Committee shall not approve the final draft budget unless budgeted revenue for the Club as a whole exceeds or is equal to budgeted expenditure, with the exception of abnormal items of a capital nature.
- 38(f) The Committee shall not approve the final draft budget unless budgeted revenue for each of the playing sections of the Club exceeds or is equal to budgeted expenditure for that section of the Club.
- 38(g) The approved budget will be the basis for expenditure over the course of the season and further approval for expenditure will need to be sought from the Committee only if:
- (i) budgeted revenue proves to be overestimated or financial reports indicate that it may be overestimated; or
 - (ii) actual expenditure in relation to any individual item exceeds the budget estimate or financial reports indicate that expenditure on a particular item may be underestimated; or
 - (iii) the Committee or a Management Subcommittee proposes to expend funds for an item which has not been included in the approved budget.

38(h) The approved budget for each section of the Club and for the Club as a whole shall include budget estimates for the following items:

- (i) registration revenue;
- (ii) sponsorship revenue;
- (iii) net fundraising revenue;
- (iv) payments to the Association for capitation fees, insurance and ground hire;
- (v) referees fees;
- (vi) ground hire costs for training;
- (vii) equipment and strip purchases;
- (viii) presentation costs including awards and trophies and the Club Yearbook;
- (ix) costs of coaching and coach development;
- (x) costs associated with the administration of the Club including advertising, postage, telephone and rent; and
- (xi) net taxation costs.

Other items of revenue and expenditure should be estimated if such items are anticipated.

Alteration of Objects and Constitution

39 Neither the objects of the Club referred to in the Act, section 29 nor this Constitution shall be altered except in accordance with the Act.

Common Seal

40(a) The common seal of the Club shall be kept in the custody of the Secretary.

40(b) The common seal shall not be affixed to any instrument except by the authority of the Committee and the affixing of the common seal shall be attested by the signatures either of two members of the Committee or of one member of the Committee and of the Secretary.

Custody of Books

41 Subject to the Act, the regulations and this Constitution, the Secretary shall keep in his or her custody or under his or her control all records, books, and other documents relating to the Club.

Inspection of Books

42 The records, books and other documents of the Club shall be open to inspection at a place in the ACT, free of charge, by a member of the Club at any reasonable hour.

Service of Notice

43(a) For this Constitution, a notice may be served by or on behalf of the Club on any member either personally or by sending it by post to the member at the member's address shown in the register of members.

43(b) Where a document is sent to a person by properly addressing, prepaying and posting to the person a letter containing the document, the document shall, unless the contrary is proved, be deemed for this Constitution to have been served on the person at the time at which the letter would have been delivered in the ordinary course of post.

Surplus Property

44 For the purposes of the Act, section 92(1)(a), in the event of the winding up of the Club, the surplus property of the Club will vest in the club which at that time is responsible for running junior soccer in the Weston Creek area or, if no such body exists, in the club which is responsible for running junior soccer in the Woden area.

Incorporation

45 The Club is incorporated subject to the Associations Incorporations Act 2001.