

**CONSTITUTION
AND RULES OF THE
IRONBANK CHERRY
GARDENS
FOOTBALL CLUB
INCORPORATED**

1. NAME

The name of the Club shall be the 'Ironbank Cherry Gardens Football Club Incorporated' herein referred to as 'the Club'.

2. OBJECTS

The objects of the Club shall be:

- 2.1 To provide social amenities and facilities for the members of the Club and provide accommodation for them on such premises as the Club may from time to time occupy;
- 2.2 To promote and foster the game of Australian Rules Football and other sports or activities for the participation of Members;
- 2.3 To do all things which the Club or Committee of Management thereof may think necessary or desirable for promoting the recreation, accommodation and convenience of its members;
- 2.4 To promote the interests and welfare of the Ironbank Cherry Gardens Football Club Inc, and the members thereof, and to make donations thereto from time to time;
- 2.5 To provide the members of the Ironbank Cherry Gardens Football Club Inc with facilities for playing Australian Rules Football;
- 2.6 To purchase, take on, lease, in exchange or otherwise in lands, buildings easements or property, real or personal, which may be required for the purpose of or conveniently used in connection with any objectives of the Club and to sell, demise, mortgage, give in exchange or dispose of the same of any part or parts thereof from time to time and to grant easements in through over or upon any land and to acquire easements or rights over any other land;
- 2.7 To apply the net operating surplus of the Club after the payment of all costs and expenses of and incidental to the proper and efficient management and development thereof to purposes benefiting the Ironbank Cherry Gardens Football Club Inc;
- 2.8 To hire and employ clerks, managers, servants and workers and pay to them and to other persons in return for services rendered to the Club, salaries, wages, gratuities and pensions;
- 2.9 To establish, promote or assist in establishing or promoting and to subscribe to or become a member of or associated or amalgamated with any other Association or Club whose objects are similar or in part similar to the objects of the Club or the establishment or promotion of which may be beneficial to this Club.
- 2.10 To borrow or raise money with or without giving security and particularly by the issue of or upon bonds, debentures (redeemable on dates to be determined by yearly ballot or otherwise at the discretion of the Committee of the Club) bills of exchange, promissory notes or other obligations or securities of the Club or by mortgage or charge upon all or any part of the property of the Club;
- 2.11 To support and subscribe to any charitable sporting or public body;
- 2.12 To do such lawful things as are incidental or conducive to the attainment of the above objects;
- 2.13 To obtain a license to sell liquor to its members pursuant to the Liquor Licensing Act 1985 (as amended) or any other Act for the time being in force;
- 2.14 To promote unity and good fellowship amongst the members of the Club and other Clubs.

3. MEMBERSHIP

3.1 CLASSES

The Club shall consist of the following classes of members:

- a) Foundation Life Members
- b) Life Member
- c) Full Member
- d) Pensioner Member
- e) Honorary Member
- f) Temporary Member

3.2 Foundation Life Members:

Foundation Life Members shall be any member who has subscribed the minimum sum of two hundred and fifty dollars towards the building fund of the Club prior to the incorporation of the Club;

3.3 Life Members:

The members present at a general meeting of the Club may elect and therefore confer Life Membership on any member who has been recommended by any subsection of the Club and endorsed prior to the meeting by the Board of Management. Only two Life Memberships will be granted in any one year irrespective of the number of persons who could be eligible. To be eligible for Life Membership the member or members so nominated must have a minimum of ten years as Financial Members and have rendered outstanding service to the Club. Life Members shall be awarded a Life Members badge and Club Certificate that may be presented at any general meeting;

3.4 Full Members:

Any lady or gentleman shall be eligible for election as a Full Member;

3.5 Pensioner Members:

A Pensioner Member may be any person in receipt of recognized pension from the Department of Social Security or Veteran's Affairs;

3.6 Honorary Members:

The following persons shall be Honorary Members of the Club:

3.6.1 A player of any other Club who visits the Club on any day for the purpose of playing sports against a team of the Club shall be honorary members of the Club for that day;

3.6.2 Officials of the Club referred to in **subparagraph 3.6.1** hereof provided the maximum number of such officials shall not exceed twenty.

3.6.3 The holder of an office under the Constitution or a member of any body in which the Club may have a team or teams playing competition matches;

3.6.4 The Board of management and/or secretary shall have the power to elect as an honorary member:

3.6.4.1 For a period not exceeding one month any person who is a member of a sporting club who are within South Australia and who are visiting Ironbank and Cherry Gardens;

3.6.4.2 For a period not exceeding two months any person who is a member of an interstate sporting club whilst visiting Ironbank and Cherry Gardens.

3.6.5 The name of the player and official and the Club of which the player or official is a member shall be recorded in an honorary members book;

3.6.6 Honorary Members shall have such rights within the Club premises as the Board of Management shall in respect of each honorary member or class thereof determine;

3.6.7 Honorary Members shall not be entitled to vote at any meeting of the Club nor to receive any notice required to be given to members;

3.6.8 Honorary Members shall not be entitled to introduce visitors.

3.7 TEMPORARY MEMBERS:

The following persons shall be temporary members of the Club:

3.7.1 A playing member of a Football Club with which the Club has entered into a reciprocal agreement in respect of playing rights;

3.7.2 Unless the Board of Management by resolution, determines otherwise, or the term of a reciprocal agreement provide otherwise, the period of such temporary membership, shall not extend beyond the day of the permit or the match as the case may be, notwithstanding anything in this rule contained the Board of Management or its duly appointed representative shall have the power at anytime to, and from time to time to cancel any temporary membership, to any person or to cancel any temporary membership and shall not be bound to give any reason for doing so.

4. ELECTION OF MEMBERS

4.1 No person shall be elected as a member of the Club unless:

4.1.1 He/She be proposed by one financial member of the Club and seconded by another;

4.1.2 Prior to election he/shall have paid to the Secretary the entrance fee or such application fee as may be prescribed by the Board of Management;

4.1.3 An application for membership in writing has been made b such person in the manner prescribed.

4.2 Each application must be in the form prescribed by the Board of Management, and such form shall contain the candidate's full name, profession or occupation and usual residential address, together with his/her signature, and the signature of his/her proposer and seconder, and must be exhibited in a conspicuous place in the Club premises, at least fourteen days prior to the ballot for election.

4.3 Applications for Membership shall be dealt with separately, and in the order of the date of application, at the Board of Management meeting next ensuing the date of expiry of the time prescribed for the posting of the notice of application of membership. Election shall be b the Board of Management. The Board of Management may defer a vote upon any application for admission as a member for as long as it thinks fit.

4.4 The Secretary shall notify each successful candidate of his election and furnish him with a printed copy of the Rules, and enroll him as a member of the Club whereupon he shall become entitled to the privileges of the Club and shall become bound by the Rules, all by all consequences resulting from breach or non-performance thereof.

4.5 The Secretary shall keep a register of the members of the Club, and a list of such members shall be exhibited in a prominent position in the Club premises.

4.6 Every person elected a member of the Club shall remain a member until death, resignation or expulsion, provided that should a member lose his eligibility of qualification for membership of the Club at any time even if he has been elected a member of the Club, he shall forthwith cease to be a member of the Club.

4.7 Any member intending to resign his membership of the Club shall give written notice thereof to the Secretary, but no such resignation shall relieve any member from payment of any monies due or payable by him to the Club at the time of such resignation, or exempt him from any punishment or penalty in any way arising from or connected with his conduct prior to his resignation. Any person ceasing to be a member of the Club shall forfeit his share and interest in its property, and shall forthwith return all property of the Club that he may have in his possession to the Secretary.

4.8 All notices sent by post or otherwise to a member to the last address given by him shall be deemed to have been duly given to such member.

5. SUBSCRIPTIONS

5.1 The amount of the annual subscription payable to the Club shall be fixed at each Annual General Meeting for the ensuing period of twelve months provided that such annual subscriptions shall not be less than \$20.

5.2 Annual subscriptions shall fall due on the first day of April each year.

5.3 No member except a duly elected Life Member or a Foundation Life Member shall be relieved of the payment of his subscription.

5.3.1 Any member not having paid his subscription by the 31st day of May shall by order of the Management be deprived of his privileges as a member until such time as his subscription shall be fully paid;

5.3.2 Any member not having paid his subscription by the 31st day of September shall be struck Off the list of members and thereupon shall cease to be a member PROVIDED HOWEVER That before the adoption of this course the Secretary, under instructions from the Board of Management, shall give each of the offending members notice in writing of the intention of the Board of Management to deal with his case. The said notice shall be posted by the Secretary at least fourteen days prior to the Board of Management Meeting.

6. EXPULSION

The Committee shall have the power to remove the name of any Member from the list of Members whose presence in the Club it considers detrimental to its interests, and such Member shall forthwith cease to be a Member of the Club. Any Member removed by the Committee in the manner aforesaid shall have the right to appeal to a Special General Meeting of the Club to be called by the Secretary by notice given within 14 days of the receipt of the notice of appeal, and the decision of such Special General Meeting shall be final and conclusive, and shall not be questioned in any manner or place whatsoever.

7. COMMITTEE

7.1 The business and general affairs of the Club shall be under the management of the Committee consisting of eight ordinary members elected for a term of two years by the general body of members except that at the first Annual General Meeting subsequent to the passing of this rule the four members of the Committee longest in office shall retire from the Committee but shall be eligible for re-election. In each subsequent year thereafter the four members of the Committee longest in office shall retire but shall be eligible for re-election. The Committee for the time being may exercise all such powers and do all such acts and things as the Club is authorized to exercise and do and which are not by the Constitution or Rules of the Club directed or required to be exercised or done by the Club in General Meeting;

7.2 In order to constitute a quorum to enable a Committee meeting to be held there shall be at least five members of the Committee present;

7.3 The members of the Club shall elect a President / Chairman and Deputy Chairman of the Club. The President / Chairman shall preside over all meetings of the Club and in his absence the Deputy Chairman shall preside. In the absence of the President / Chairman and the Deputy Chairman the members of the Committee shall appoint one of themselves to act as Chairman. The Chairman for the time being of any meeting whether committee or general meeting shall have a casting vote as well as a deliberative vote;

7.4 The Committee shall meet once each eight weeks or more often if they deem it necessary and Minutes of all resolutions shall be entered in a book, to be kept for that purpose. The Secretary may take part in all discussions of the Committee;

7.5 The Committee may from time to time appoint such sub-committees including team selection committees, as they deem necessary of expedient and may delegate or refer to them such of the powers and duties of the Committee as a Committee may determine. Such Sub-Committees shall conduct their business in accordance with and be bound by the directions of the Committee.

8. ELECTION OF COMMITTEE AND OFFICE BEARERS

8.1 Each candidate for election shall be nominated in writing signed by the proposer and seconder and Endorsed with the consent of the candidate and duly signed by him;

8.2 The nomination shall specify the office for which the candidate is nominated;

8.3 All nominations together with the written approval required in Clause 8.1 of the Constitution shall be lodged with the Secretary not less than seven days before the Annual General Meeting;

8.4 If no more persons are nominated for any office than there are vacancies the Chairman of the Annual General Meeting shall declare such persons duly elected;

8.5 If more candidates are nominated than there are vacancies then such election shall be by ballot. Such ballot shall be subject to the direction of the President or Chairman of the Annual General Meeting so far as these Rules do not provide and any decision made either by the President or Chairman relating to the ballot or the conduct thereof including the interpretation of these rules shall be final and conclusive. A Returning Officer shall be appointed by the Committee prior to the opening of the Meeting. He shall conduct the ballot and shall certify to the Chairman the names of the persons elected. The ballot shall be held on the same day as the Meeting but the committee shall decide what hour the ballot shall commence. The required number of candidates receiving the greatest number of votes shall be elected;

8.6 Notwithstanding anything herein contained all Officers of the Club shall be deemed to continue in office until their successors shall have been duly elected under these Rules;

8.7 Where a vacancy shall occur in any elective office the Committee shall have the power to appoint Any eligible person to fill such vacancy until the next Annual General Meeting; and any person so appointed shall retire at such last mentioned Annual General Meeting but subject to the Rules and Constitution of the Club shall be eligible for election at such Meeting.

9. PATRON

A patron may be elected at an Annual General Meeting. Vice-Patrons may be elected at an Annual General Meeting or appointed by the Management Committee.

10. CHAIRMAN

The President shall be the Chairman of all Meetings of the Club and of the Management Committee. In his absence the Vice-President shall be Chairman and in his absence those members present shall appoint one of their own number to be Chairman of that Meeting.

11. DUTIES OF TREASURER

The Honorary Treasure shall:

- a) Receive the Contributions of members and all other monies due to the Club;
- b) Keep a correct account of income and expenditure;
- c) Pay all monies received into a Bank Account in the name of the Club;
- d) Keep correct account books showing the financial affairs of the Club and the particulars usually shown in books of account of a like nature, and shall submit a monthly summary of the financial affairs of the Club to the Committee and a full statement thereof to the Annual General Meeting. A copy of the Annual Financial Report shall be presented to each member at the Annual General Meeting, such statement having been examined and certified correct by the Auditor of the Club;
- e) All payments made by or on account of the Club shall be by order of the Committee by cheques signed by any two of the President / Chairman, the Secretary, the Treasurer or such person as is nominated by the Committee for that purpose.

12. SECRETARY

The Secretary shall keep current minutes of all meetings of the Committee of the Club and of all Special Meetings, conduct correspondence under direction of the Committee and, in general, perform functions usually appertaining to this office.

13. AUDITORS

There shall be one or more Auditors (not members of the Committee). Such Auditor or Auditors shall audit the Accounts and have power to call for the production of all books, papers, accounts and documents relating to the affairs of the Club. The Committee shall have the power to fill any temporary vacancy in the office of Auditor.

14. GENERAL MEETINGS

14.1 The Annual General Meeting of the Club shall be held in the month of November each year. Due notice of such Meeting shall be sent to Members at least fourteen days before the date of such Meeting. At this meeting the Committee shall submit a statement of accounts for the past year, the election of offices for the current year shall take place and such other business as shall be specified in the notice calling the Meeting shall be transacted. No proposed alteration of these Rules shall be dealt with except in accordance with Rule 15 hereof. The order of business shall be:

- a) Reading and submission of Minutes of the previous Annual General Meeting;
- b) The Committee shall present a report for the past year;
- c) Consideration of general and financial reports for the year under review;
- d) Election of Officers for the ensuing year;
- e) Consideration of any matter of broad policy which may be permitted by the Chairman.

14.2 A Special Meeting of Members may be called at any time by the Committee or by the Secretary on his/her receiving a written request specifying the matter to be discussed and the motion of motions to be submitted and signed by at least fifteen members. Thereupon fourteen days notice in writing of such meeting and of the business to be brought before it, to which discussion shall be strictly confined shall be given by the Secretary to the members or if the Committee sees fit notice of such meeting may be given by inserting an advertisement in 'The Advertiser', or 'Courier' and 'The Sunday Mail' newspapers not less than fourteen days before the Meeting;

14.3 No member shall vote at any Special Meeting unless his subscriptions and all monies due by him/her to the Club have been paid;

14.4 The quorum at the Annual General Meetings or a Special Meeting shall be fifteen members present and entitled to vote.

15. ALTERATION OF THE CONSTITUTION

15.1 This Constitution may be amended only at an Annual or Special General Meeting of the Club;

15.2 No motion for an alteration or addition to this Constitution shall be submitted to a vote of the Club unless notice thereof, together with the proposed alteration or addition, shall have been handed to the Club Secretary and be signed by the Proposer and Seconder at least fourteen days prior to the date of the meeting at which the alteration or addition is proposed to be made;

15.3 Any proposed alteration or addition to this Constitution shall be carried by at least a two-thirds Majority of those present at the meeting and entitled to vote.

16. INTERPRETATION OF THE RULES

If any matter shall arise for which these Rules do not provide or if there be doubt as to the interpretation thereof, the direction or opinion as the case may be of the Committee shall be acted upon and shall be conclusive.

17. WINDING UP

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 shall not be paid to or distributed amongst the members but shall be given or transferred to some other institution or institutions having objects similar to that of the Club and which shall prohibit the distribution of its or their property amongst its or their members.

18. CONDUCT ON THE FIELD

The Coach is required to inform the Management Committee immediately after the occurrence on the field of any act of misconduct of any player calculated to lower the dignity of the Club. Any player reported by the Captain for any offence on the field shall be dealt with by the Management Committee.

19. ACCEPTANCE OF THE CONSTITUTION

Payment of Membership by fees by any Member shall be deemed to constitute an acceptance of this Constitution and Rules whether or not the Member was present at the Meeting at which they were adopted, and of all rules, regulations and by-laws made by the Management Committee, and any breach of same will render the Member liable to any disciplinary action decided by the Management Committee.

20. COLOURS

The colours of the Club shall be green and gold.

21. ADDRESSES OF MEMBERS

Members shall from time to time communicate their addresses to the Secretary and all notices posted to them at their last known address shall be considered as duly received.

22. COMPLAINTS

All complaints shall be made in writing to the Secretary.

23. RESIGNATION

A member may resign from membership of the Association by giving written notice thereof to the Secretary or Public Office of the Association. Any member so resigning shall be liable for any outstanding subscription which shall be recovered as a debt due to the Association.