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Part 1 – Preliminary

1. Definitions

(1) In this constitution:

ordinary board member means a member of the board who is not an office-bearer of the society.

secretary means:

- (a) the person holding office under these rules as secretary of the society, or
- (b) if no such person holds that office – the public officer of the society

special general meeting means a general meeting of the society other than an annual general meeting.

the Act means the *Associations Incorporation Act 2009*

the Regulation means the Associations Incorporation Regulation 2016

(2) In this constitution:

- (a) a reference to a function includes a reference to a power, authority and duty, and
- (b) a reference to the exercise of a function includes, if the function is a duty, a reference to the performance of the duty.

(3) The provisions of the *Interpretation Act 1987* apply to and in respect of this constitution in the same manner as those provisions would so apply if these rules were an instrument made under the Act.

(4) **Association** means the NSW Australian Football History Society.

(5) **Board** means the committee of the NSW Australian Football History Society.

2. Name

The name of the Society shall be the .New South Wales Australian Football History Society Incorporated hereinafter referred to as "the Society".

3. Objectives

The objectives of the Society shall be;

- (1) To promote, protect and preserve the unique character of Australian Football in NSW;
- (2) To research, acquire, record, catalogue and the preservation of any material of a significant historical nature to Australian Football in NSW.
- (3) To document important activities involving Australian Football within NSW.
- (4)
- (5) To offer advice, assistance and recommendations to the AFL(NSW/ACT), where required.
- (6) Conduct such events which may be advantageous to the further advancement to the Society.

4. Administration

The Society shall be administered by a Board of Management (hereinafter referred to as "the Board".)

Amended 14
March 2017

Amended 14
March 2017

Amended 14
March 2017

Deleted 14
March 2017



Part 2 – Membership

5. Membership qualifications

(1) Categories of Membership

Membership of the Society will consist of the following categories:

- (a) Office-Bearers (with voting rights);
- (b) Board Members (with voting rights);
- (c) Members (with voting rights);
- (d) Associate Members (with voting rights)
- (e) Life Members (with voting rights).

Amended 14
March 2017

(2) Membership Categories

- (a) The Board may segment membership shown in 5 (1) (c) into categories. Such Categories shall be described in the by laws.

Added 19 Feb 2013

Amended 14
March 2017

5A. Membership interpretation

(1) A person is a member of the Society if that person:

- (a) Office-Bearer - is an Office-Bearer who has been elected under Clause 18.
- (b) Board Member - is a Board Member who has been elected under Clause 18.
- (c) Member - is a Member who has been elected under Clause 6.
- (d) Associate Members - is an Associate Member who has been elected under Clause 6 to represent a group or organisation.
- (e) Life Members - is a Life Member who has been elected under Clause 6A.

Amended 14
March 2017

6. Application for membership

(1) An application by person, group or organisation for membership of the society:

- (a) must be made in writing (including by email or other electronic means, if the board so determines) in the form set out in Appendix 1 or for membership renewal in Appendix 4, to these rules, and
- (b) must be lodged (including by electronic means, if the committee so determines) with the secretary of the society.

(2) As soon as practicable after receiving an application for membership, the secretary must refer it to the board which is to determine whether to approve or to reject the nomination.

(3) As soon as practicable after the board makes that determination, the secretary must:

- (a) notify the nominee, in writing, (including by email or other electronic means, if the board so determines) that the board approved or rejected the applicant (whichever is applicable), and
- (b) if the board approved the application, the applicant to pay (within the period of 28 days after receipt by the applicant of the notification) the sum payable under these rules by a member as entrance fee and annual subscription.

(4) The secretary must, on payment by the applicant of the amounts referred to in clause (3)

- (b) within the period referred to in that provision, enter the nominee's name in the register of members and, on the name being so entered, the applicant becomes a member of the society.

6A. Life member

The Society may elect as a Life Member any person who has rendered invaluable service to the Society. Any such election may only be made with the approval of a three fourths majority of members voting at an Annual General Meeting, provided that at least seven days prior notice of such nomination(s) has been given in writing and approved by the Board.

7. Cessation of membership

A person ceases to be a member of the society if the person:

- (a) dies, or
- (b) resigns membership, or
- (c) is expelled from the society
- (d) subject to clause 11 (2) (c) fails to renew their membership within 28 days of the due date.

Amended 19 Feb 2013



8. Membership entitlements not transferable

A right, privilege or obligation which a person has by reason of being a member of the society:

- (a) is not capable of being transferred or transmitted to another person, and
- (b) terminates on cessation of the person's membership.

9. Resignation of membership

- (1) A member of the Society may resign from membership of the Society by first giving to the secretary written notice of at least 1 month (or any other period that the board may determine) of the member's intention to resign and, on the expiration of the period of notice, the member ceases to be a member.
- (2) If a member of the Society ceases to be a member under subclause (1), and in every other case where a member ceases to hold membership, the secretary must make an appropriate entry in the register of members recording the date on which the member ceased to be a member.

10. Register of members

- (1) The secretary must establish and maintain a register of members of the Society (whether in written or electronic form) specifying the name and postal, residential or email address of each person who is a member of the Society together with the date on which the person became a member.
- (2) The register of members must be kept in New South Wales:
 - (a) at the main premises of the Society, or
 - (b) if the Society has no premises, at the Society's official address.
- (3) The register of members must be open for inspection, free of charge, by any member of the Society at any reasonable hour.
- (4) A member of the Society may obtain a copy of any part of the register on payment of a fee of not more than \$1 for each page copied.
- (5) If a member requests that any information contained on the register about the member (other than the member's name) not be available for inspection, that information must not be made available for inspection.
- (6) A member must not use information about a person obtained from the register to contact or send material to the person, other than for:
 - (a) the purposes of sending the person a newsletter, a notice in respect of a meeting or other event relating to the Society or other material relating to the Society, or
 - (b) any other purpose necessary to comply with a requirement of the Act or the Regulation.
- (7) If the register of members is kept in electronic form:
 - (a) it must be convertible into hard copy, and
 - (b) the requirements in subclauses (2) and (3) apply as if a reference to the register of members is a reference to a current hard copy of the register of members.

11. Fees and subscriptions

- (1) A member of the society must, on admission to membership, pay to the society a fee of \$1 or, if some other amount is determined by the board for that category of membership, that other amount.

Amended 14
March 2017

Amended 14
March 2017



- (2) In addition to any amount payable by the member under clause (1), a member of the society must pay to the society an annual membership fee of \$2 or, if some other amount is determined by the board, that other amount:
- (a) except as provided by paragraph (b), before 30 November in each calendar year, or
 - (b) if the member becomes a member on or after 30 November in any calendar year – on becoming a member and before 30 November in each succeeding calendar year.
 - (c) the Board may extend the date mentioned in (a) and (b) until 1 February of the succeeding year. In such case the member is required to complete the application form set out in Appendix 4.
 - (d) the Board may permit the incremental payment of the fee for categories described in rule 5 (2) (a) over a period not beyond the subsequent 30 November as long as the base fee for a member is paid by the due date.

Amended
19 Feb 2013

Added 19 Feb 2013

12. Members' liabilities

The liability of a member of the society to contribute towards the payment of the debts and liabilities of the society or the costs, charges and expenses of the winding up of the society is limited to the amount, if any, unpaid by the member in respect of membership of the society as required by rule 11.

Amended 14
March 2017

13. Resolution of internal disputes

- (1) A dispute between a member and another member (in their capacity as members) of the society, and disputes between members and the society, are to be referred to a community Justice Centre for mediation in accordance with the *Community Justice Centres Act 1983*.
- (2) If a dispute is not resolved by mediation within 3 months of the referral to a Community Justice Centre, the dispute is to be referred to arbitration.
- (3) The *Commercial Arbitration Act 2010* applies to a dispute referred to arbitration.

Amended 14
March 2017

14. Disciplining of members

- (1) A complaint may be made to the board by any person that a member of the Society:
 - (a) has refused or neglected to comply with a provision or provisions of this constitution, or
 - (b) has wilfully acted in a manner prejudicial to the interests of the Society.
- (2) The board may refuse to deal with a complaint if it considers the complaint to be trivial or vexatious in nature.
- (3) If the board decides to deal with the complaint, the board:
 - (a) must cause notice of the complaint to be served on the member concerned, and
 - (b) must give the member at least 14 days from the time the notice is served within which to make submissions to the board in connection with the complaint, and
 - (c) must take into consideration any submissions made by the member in connection with the complaint.
- (4) The board may, by resolution, expel the member from the society or suspend the member from membership of the society if, after considering the complaint and any submissions made in connection with the complaint, it is satisfied that the facts alleged in the complaint have been proved and the expulsion or suspension is warranted in the circumstances.



- (5) If the board expels or suspends a member, the secretary must, within 7 days after the action is taken, cause written notice to be given to the member of the action taken, of the reasons given by the board for having taken that action and of the member's right of appeal under clause 15.
- (6) The expulsion or suspension does not take effect:
 - (a) until the expiration of the period within which the member is entitled to appeal against the resolution concerned, or
 - (b) if within that period the member exercises the right of appeal, unless and until the Society confirms the resolution under clause 12,whichever is the later.

15. Right of appeal of disciplined member

- (1) A member may appeal to the society in general meeting against a resolution of the board under rule 14, within 7 days after notice of the resolution is served on the member, by lodging with the secretary a notice to that effect.
- (2) The notice may, but need not, be accompanied by a statement of the grounds on which the member intends to rely for the purposes of the appeal.
- (3) On receipt of a notice from a member under clause (1), the secretary must notify the board which is to convene a general meeting of the society to be held within 28 days after the date on which the secretary received the notice.
- (4) At a general meeting of the society convened under clause (3):
 - (a) no business other than the question of the appeal is to be transacted, and
 - (b) the board and the member must be given the opportunity to state their respective cases orally or in writing, or both, and
 - (c) the members present are to vote by secret ballot on the question of whether the resolution should be confirmed or revoked.
- (5) The appeal is to be determined by a simple majority of votes cast by members of the Society.



Part 3 – The Board

16. Powers of the Board

The board is to be called the **Board of Management** of the society and, subject to the Act, the Regulation this constitution and to any resolution passed by the society in general meeting:

- (a) is to control and manage the affairs of the society, and
- (b) may exercise all such functions as may be exercised by the society, other than those functions that are required by these rules to be exercised by a general meeting of members of the society, and
- (c) has power to perform all such acts and do all such things as appear to the board to be necessary or desirable for the proper management of the affairs of the society.

Amended 14
March 2017

17. Composition and membership of the Board

- (1) The board is to consist of:
 - (a) the office-bearers of the society, and
 - (b) five ordinary members, each of whom is to be elected at the annual general meeting of the society under rule 18.

Note. Section 28 of the Act contains further requirements concerning eligibility for membership and composition of the board.

Added 14
March 2017

- (1A) The total number of board members is to be ten (10).
- (2) The office-bearers of the society are to be:

- (a) the president
- (b) the vice-president
- (c) the treasurer, and
- (d) the secretary.

Added 14
March 2017

- 2(A) A board member may hold up to 2 offices (other than both the offices of president and vice president).
- 2B) There is no maximum number of consecutive terms for which a board member may hold office.
- (3) Each member of the board is, subject to this constitution, to hold office until immediately before the election of board members at the annual general meeting next following the date of the member's election, and is eligible for re-election.

Deleted 14
March 2017

- (4)

Amended 14
March 2017

18. Election of Board Members

- (1) Nominations of candidates for election as office-bearers of the society or as ordinary members of the board:
 - (a) must be made in writing, in the form set out in Appendix 3 to these rules and signed by two members of the society and accompanied by the written consent of the candidate (which may be endorsed on the form of the nomination), and
 - (b) must be delivered to the secretary of the society at least 7 days before the date fixed for the holding of the annual general meeting at which the election is to take place.
- (2) If insufficient nominations are received to fill all vacancies on the board, the candidates nominated are taken to be elected and further nominations are to be received at the annual general meeting.
- (3) If insufficient further nominations are received, any vacant positions remaining on the board are taken to be casual vacancies.
- (4) If the number of nominations received is equal to the number of vacancies to be filled, the persons nominated are taken to be elected.
- (5) If the number of nominations received exceeds the number of vacancies to be filled, a ballot is to be held.
- (6) The ballot for the election of office-bearers and ordinary members of the board is to be conducted at the annual general meeting in such usual and proper manner as the board may direct.



Added 14
March 2017

- (7) A person nominated as a candidate for election as an office-bearer or as an ordinary board member of the Society must be a member of the Society.

19. Secretary

- (1) The secretary of the society must, as soon as practicable after being appointed as secretary, lodge notice with the society of his or her address.
- (2) It is the duty of the secretary to keep minutes (whether in written or electronic form) of:
- (a) all appointments of office-bearers and members of the board, and
 - (b) the names of members of the board present at a board meeting or a general meeting, and
 - (c) all proceedings at board meetings and general meetings.
- (3) Minutes of proceedings at a meeting must be signed by the chairperson of the meeting or by the chairperson of the next succeeding meeting.
- (4) The signature of the chairperson may be transmitted by electronic means for the purposes of subclause (3).

Added 14
March 2017

20. Treasurer

It is the duty of the treasurer of the society to ensure:

- (a) that all money due to the society is collected and received and that all payments authorised by the society are made, and
- (b) that correct books and accounts are kept showing the financial affairs of the society, including full details of all receipts and expenditure connected with the activities of the society.

21. Casual vacancies

For the purposes of these rules, a casual vacancy in the office of a member of the board occurs if the member:

- (a) dies, or
- (b) ceases to be a member of the society, or
- (c) becomes an insolvent under administration within the meaning of the *Corporations Act 2001* of the Commonwealth, or
- (d) resigns office by notice in writing given to the secretary, or
- (e) is removed from office under rule 22, or
- (f) becomes a mentally incapacitated person, or
- (g) is absent without the consent of the board from all meetings of the board held during a period of 6 months.
- (h) is convicted of an offence involving fraud or dishonesty for which the maximum penalty on conviction is imprisonment for not less than 3 months, or
- (i) is prohibited from being a director of a company under Part 2D.6 (Disqualification from managing corporations) of the *Corporations Act 2001* of the Commonwealth.

Added 14

March 2017

22. Removal of member

- (1) The society in general meeting may by resolution remove any member of the board from the office of member before the expiration of the member's term of office and may by resolution appoint another person to hold office until the expiration of the term of office of the member so removed.
- (2) If a member of the board to whom a proposed resolution referred to in clause (1) relates makes representations in writing to the secretary or president (not exceeding a reasonable length) and requests that the representation be notified to the members of the society, the secretary or the president may send a copy of the representations to each member of the society or, if the representations are not so sent, the member is entitled to require that the representations be read out at the meeting at which the resolution is considered.



Amended 14
March 2017

23. Board meetings and quorum

- (1) The board must meet at least three times in each period of 12 months at such place and time as the board may determine.
- (2) Additional meetings of the board may be convened by the president or by any member of the board.
- (3) Oral or written notice of a meeting of the board must be given by the secretary to each member of the board at least 48 hours (or such other period as may be unanimously agreed on by the members of the board) before the time appointed for the holding of the meeting.
- (4) Notice of a meeting given under clause (3) must specify the general nature of the business to be transacted at the meeting and no business other than that business is to be transacted at the meeting, except business which the board members present at the meeting unanimously agree to treat as urgent business.
- (5) Any three members of the board constitute a quorum for the transaction of the business of a meeting of the board.
- (6) No business is to be transacted by the board unless a quorum is present and if, within half an hour of the time appointed for the meeting, a quorum is not present, the meeting is to stand adjourned to the same place and at the same hour of the same day in the following week.
- (7) If at the adjourned meeting a quorum is not present within half an hour of the time appointed for the meeting, the meeting is to be dissolved.
- (8) At a meeting of the board:
 - (a) the president or, in the president's absence, the vice-president is to preside, or
 - (b) if the president and the vice-president are absent or unwilling to act, such one of the remaining members of the board as may be chosen by the members present at the meeting is to preside.

Added 14
March 2017

23A Appointment of society members as board members to constitute quorum

- (1) If at any time the number of board members is less than the number required to constitute a quorum for a board meeting, the existing board members may appoint a sufficient number of members of the society as board members to enable the quorum to be constituted.
- (2) A member of the board so appointed is to hold office, subject to this constitution, until the annual general meeting next following the date of the appointment.
- (3) This clause does not apply to the filling of a casual vacancy to which clause 21 applies.

Added 14
March 2017

23B Use of technology at Board Meetings

- (1) A committee meeting may be held at 2 or more venues using any technology approved by the committee that gives each of the committee's members a reasonable opportunity to participate.
- (2) A committee member who participates in a board meeting using that technology is taken to be present at the meeting and, if the member votes at the meeting, is taken to have voted in person.

24. Delegation by board to sub-committee

- (1) The board may, by instrument in writing, delegate to one or more sub-committees (consisting of such member or members of the society as the board thinks fit) the exercise of such of the functions of the board as are specified in the instrument, other than:
 - (a) this power of delegation, and
 - (b) a function which is a duty imposed on the board by the Act or by any other law.
- (2) A function the exercise of which has been delegated to a sub-committee under this rule may, while the delegation remains unrevoked, be exercised from time to time by the sub-committee in accordance with the terms of the delegation.



- (3) A delegation under this section 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.
- (4) Despite any delegation under this rule, the board may continue to exercise any function delegated.
- (5) Any act or thing done or suffered by a sub-committee acting in the exercise of a delegation under this rule has the same force and effect as it would have if it had been done or suffered by the board.
- (6) The board may, by instrument in writing, revoke wholly or in part any delegation under this rule.
- (7) A sub-committee may meet and adjourn, as it thinks proper.

25. Voting and decisions

- (1) Questions arising at a meeting of the board or of any sub-committee appointed by the board are to be determined by a majority of the votes of members of the board or sub-committee present at the meeting.
- (2) Each member present at a meeting of the board or of any sub-committee appointed by the board (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.
- (3) Subject to rule 23(5), the board may act despite any vacancy on the board.
- (4) Any act or thing done or suffered, or purporting to have been done or suffered, by the board or by a sub-committee appointed by the board, is valid and effectual despite any defect that may afterwards be discovered in the appointment or qualification of any member of the board or sub-committee.



Part 4 – General Meetings

Amended 14
March 2017

26. Annual general meetings - holding of

- (1) The Society must hold its first annual general meeting within 18 months after its registration under the Act.
- (2) The Society must hold its annual general meetings:
 - (a) within 6 months after the close of the Society's financial year, or
 - (b) within any later time that may be allowed or prescribed under section 37 (2) (b) of the Act.

27. Annual general meetings – calling of and business at

- (1) The annual general meeting of the society is, subject to the Act and to rule 23, to be convened on such date and at such place and time as the board thinks fit.
- (2) In addition to any other business which may be transacted at an annual general meeting, the business of an annual general meeting is to include the following:
 - (a) to confirm the minutes of the last preceding annual general meeting and of any special general meeting held since that meeting,
 - (b) to receive from the board reports on the activities of the society during the last preceding financial year,
 - (c) to elect office-bearers of the society and ordinary members of the board,
 - (d) to receive and consider the statement which is required to be submitted to members under the Act.
- (3) An annual general meeting must be specified as such in the notice convening it.

Amended 14
March 2017

28. Special general meetings – calling of

- (1) The board may, whenever it thinks fit, convene a special general meeting of the society.
- (2) The board must, on the requisition in writing of at least 5 percent of the total number of members, convene a special general meeting of the society.
- (3) A requisition of members for a special general meeting:
 - (a) must state the purpose or purposes of the meeting, and
 - (b) must be signed by the members making the requisition, and
 - (c) must be lodged with the secretary, and
 - (d) may consist of several documents in a similar form, each signed by one or more of the members making the requisition and
 - (e) must state the purpose or purposes of the meeting.
- (4) If the board fails to convene a special general meeting to be held within 1 month after that date on which a requisition of members for the meeting is lodged with the secretary, any one or more of the members who made the requisition may convene a special general meeting to be held not later than 3 months after that date.
- (5) A special general meeting convened by a member or members as referred to in clause (4) must be convened as nearly as is practicable in the same manner as general meetings are convened by the board and any member who consequently incurs expenses is entitled to be reimbursed by the society for any expense so incurred.
- (6) For the purposes of subclause (3):
 - (a) a requisition may be in electronic form, and
 - (b) a signature may be transmitted, and a requisition may be lodged, by electronic means.

Added 14
March 2017

Added 14
March 2017

29. Notice

- (1) Except if the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the society, the secretary must, at least 14 days before the date fixed for the holding of the general meeting, give a notice to each member specifying the place, date and time of the meeting and the nature of the business proposed to be transacted at the meeting.
- (2) If the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the society, the secretary must, at least 21 days before the date fixed for the holding of the general meeting, cause notice to be given to each member



specifying, in addition to the matter required under clause (1), the intention to propose the resolution as a special resolution.

Added 14
March 2017

Note. A special resolution must be passed in accordance with section 39 of the Act.

- (3) No business other than that specified in the notice convening a general meeting is to be transacted at the meeting except, in the case of an annual general meeting, business which may be transacted under rule 27(2).
- (4) A member desiring to bring any business before a general meeting may give notice in writing of that business to the secretary who must include that business in the next notice calling a general meeting given after receipt of the notice from the member.

Amended 14
March 2017

30. Quorum for General Meetings

- (1) No item of business is to be transacted at a general meeting unless a quorum of members entitled under these rules to vote is present during the time the meeting is considering that item.
- (2) 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.
- (3) If within half an hour after the appointed time for the commencement of a general meeting a quorum is not present, the meeting:
 - (a) if convened on the requisition of members, is to be dissolved, and
 - (b) in any other case, is to stand adjourned to the same day in the following week at the same time and (unless another place is specified at the time of the 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.
- (4) If at the adjourned meeting a quorum is not present within half an hour after the time appointed for the commencement of the meeting, the members present (being at least three) is to constitute a quorum.

31. Presiding member

- (1) The president or, in the president's absence, the vice-president, is to preside as chairperson at each general meeting of the society.
- (2) If the president and the vice-president are absent or unwilling to act, the members present must elect one of their number to preside as chairperson at the meeting.

32. Adjournment

- (1) The chairperson of 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 is to be transacted at an adjourned meeting other than the business left unfinished at the meeting at which the adjournment took place.
- (2) If a general meeting is adjourned for 14 days or more, the secretary must give written or oral notice of the adjourned meeting to each member of the society stating the place, date and time of the meeting and the nature of the business to be transacted at the meeting.
- (3) Except as provided in clauses (1) and (2), 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.

33. Making of decisions

- (1) A question arising at a general meeting of the Society is to be determined by:
 - (a) a show of hands or, if the meeting is one to which clause 37 applies, any appropriate corresponding method that the board may determine, or

Amended 14
March 2017



- (b) if on the motion of the chairperson or if 5 or more members present at the meeting decide that the question should be determined by a written ballot—a written ballot.
- (2) If the question is to be determined by a show of hands, a declaration by the chairperson 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 of the Society, is evidence of the fact without proof of the number or proportion of the votes recorded in favour of or against that resolution.
- (3) Subclause (2) applies to a method determined by the board under subclause (1) (a) in the same way as it applies to a show of hands.
- (4) If the question is to be determined by a written ballot, the ballot is to be conducted in accordance with the directions of the chairperson.

34. Special resolution

A resolution of the society is a special resolution:

- (a) if it is passed by a majority which comprises at least three-quarters of such members of the society as, being entitled under these rules so to do, vote in person or by proxy at a general meeting of which at least 21 days' written notice specifying the intention to propose the resolution as a special resolution was given in accordance with these rules, or
- (b) where it is made to appear to the Commissioner that it is not practicable for the resolution to be passed in the manner specified in paragraph (a), if the resolution is passed in a manner specified by the Commissioner.

35. Voting

- (1) On any question arising at a general meeting of the society a member has one vote only.
- (2) All votes must be given personally or by proxy but no member may hold more than five proxies.
- (3) In the case of an equality of votes on a question at a general meeting, the chairperson of the meeting is entitled to exercise a second or casting vote.
- (4) A member or proxy is not entitled to vote at any general meeting of the society unless all money due and payable by the member or proxy to the society has been paid, other than the amount of the annual subscription payable in respect of the then current year.
- (5) A member is not entitled to vote at any general meeting of the Society if the member is under 18 years of age.

Added 14
March 2017

36. Appointment of proxies

- (1) Each member is to be entitled to appoint another member as proxy by notice given to the secretary no later than 24 hours before the time of the meeting in respect of which the proxy is appointed.
- (2) The notice appointing the proxy is to be in the form set out in Appendix 2 to these rules.

36A Postal or electronic ballots

- (1) The Society may hold a postal or electronic ballot (as the board determines) to determine any issue or proposal (other than an appeal under clause 12).
- (2) A postal or electronic ballot is to be conducted in accordance with Schedule 3 to the Regulation.

36B Use of technology at general meetings

- (1) A general meeting may be held at 2 or more venues using any technology approved by the board that gives each of the Society's members a reasonable opportunity to participate.
- (2) A member of an Society who participates in a general meeting using that technology is taken to be present at the meeting and, if the member votes at the meeting, is taken to have voted in person.



Part 5 – Miscellaneous

37. Insurance

The society may affect and maintain insurance.

38. Funds – source

- (1) The funds of the society are to be derived from entrance fees and annual subscriptions of members, donations and, subject to any resolution passed by the society in general meeting, such other sources as the board determines.
- (2) The funds of the Society, shall, if deemed necessary, be placed to the credit of the Society into a recognised bank or reputable financial institution, to be decided on by the Board and the account will carry the name of the NSW Australian Football History Society Incorporated.
- (3) The society must, as soon as practicable after receiving any money, issue an appropriate receipt.

Amended 15
March 2011

39. Funds – management

- (1) Subject to any resolution passed by the society in general meeting, the funds of the society are to be used in pursuance of the objects of the society in such manner as the board determines.
- (2) All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments must be signed by a member of the board or employees of the society, being members or employees authorised to do so by the board.
- (3) The Treasurer and Secretary, or other person authorised by the Board, of the Society shall have the power to spend any amount of up to two hundred and fifty dollars (\$250) on items that need immediate attention any such item must be to the benefit of the Society. Such expenditure shall be ratified at the subsequent Board and entered in the minutes thereof.
- (4) The financial year of the Society shall commence on the 1st day of January and terminate on the thirty first day of December in the same year.
- (5) The Treasurer, or person nominated by the Board, shall take charge of all moneys raised by all committees and members of the Society prior to the Annual General Meeting and at a date determined by the Board which will give the Treasurer ample time to formulate the Society's Annual Balance Sheet and Financial Statement for audit.
- (6) The Board may at any time, and from time to time create an account or trust for any special purpose and may subscribe the means by which such funds shall be maintained, and, at any time thereafter, may order that such special fund shall be closed and prescribe the manner in which all moneys remaining therein shall be used or applied.

Added
15 March
2011

40. Alteration of objects and rules

An application for registration of a change in the Society's name, objects or constitution in accordance with section 10 of the Act is to be made by the public officer or a board member.

Amended 17
March 2017

41. Society is Non-Profit

Subject to the Act and the Regulation, the Society must apply its funds and assets solely in pursuance of the objects of the Society and must not conduct its affairs so as to provide a pecuniary gain for any of its members.

Rule deleted
and this
added 14
March 2017

Note. Section 5 of the Act defines **pecuniary gain** for the purpose of this clause.



Amended 17
March 2017

42. Custody of books

Except as otherwise provided by this constitution, all records, books and other documents relating to the Society must be kept in New South Wales:

- (a) at the main premises of the Society, in the custody of the public officer or a member of the Society (as the board determines), or
- (b) if the Society has no premises, at the Society's official address, in the custody of the public officer.

Amended 17
March 2017

43. Inspection of books

(1) The following documents must be open to inspection, free of charge, by a member of the Society at any reasonable hour:

- (a) records, books and other financial documents of the Society,
 - (b) this constitution,
 - (c) minutes of all board, committee meetings and general meetings of the Society.
- (2) A member of the Society may obtain a copy of any of the documents referred to in subclause (1) on payment of a fee of not more than \$1 for each page copied.
- (3) Despite subclauses (1) and (2), the board may refuse to permit a member of the Society to inspect or obtain a copy of records of the Society that relate to confidential, personal, employment, commercial or legal matters or where to do so may be prejudicial to the interests of the Society.

44. Service of notices

- (1) For the purpose of these rules, a notice may be served on or given to a person:
- (a) by delivering it to the person personally, or
 - (b) by sending it by pre-paid post to the address of the person, or
 - (c) by sending it by facsimile transmission or some other form of electronic transmission to an address specified by the person for giving or serving the notice.
- (2) For the purpose of these rules, a notice is taken, unless the contrary is proved, to have been given or served:
- (a) in the case of a notice given or served personally, on the date on which it is received by the addressee, and
 - (b) in the case of a notice sent by pre-paid post, on the date when it would have been delivered in the ordinary course of post, and
 - (c) in the case of a notice sent by facsimile transmission or some other form of electronic transmission, on the date it was sent, or if the machine from which the transmission was sent produces a report indicating that the notice was sent on a later date, on that date.

45. Distribution of property on winding up of Society

- (1) Subject to the Act and the Regulations, in a winding up of the Society, any surplus property of the Society is to be transferred to another organisation with similar objects and which is not carried on for the profit or gain of its individual members.
- (2) In this clause, a reference to the surplus property of an Society is a reference to that property of the Society remaining after satisfaction of the debts and liabilities of the Society and the costs, charges and expenses of the winding up of the Society.

Note. Section 65 of the Act provides for distribution of surplus property on the winding up of an Society.



Appendix 1

(Rule 6 (1))

APPLICATION FOR MEMBERSHIP OF SOCIETY

New South Wales Australian Football History Society Incorporated
(incorporated under the *Associations Incorporation Act 2009*)

I,
(full name of applicant)

On behalf of
(use only if club/association/chapter or corporate body)

ofP/Code.....
(address)

Occupation
[for individuals only]

Phone:(h)(m) Email:

hereby apply to become a member of the above named incorporated society. In the event of my admission as a member, I agree to be bound by the rules of the society for the time being in force

As an (*please indicate*):

<input type="checkbox"/> Ordinary Member (<i>gold</i>) – 5 years (\$40) OR	<input type="checkbox"/> Ordinary Member (silver) – 3 years (\$25) OR	
<input type="checkbox"/> Ordinary Member (<i>bronze</i>) – 1 year (\$10)		
<input type="checkbox"/> Club – 1 year (\$50)	<input type="checkbox"/> League/Assn – 1 year (\$100)	<input type="checkbox"/> Chapter – 1 year (\$25)
<input type="checkbox"/> Foundation (\$1,000)	<input type="checkbox"/> Fellow (\$500)	<input type="checkbox"/> Benefactor (\$250)
<i>the immediate above are for life and available for Assn/Corp or individuals</i>		

Amended
19 Feb 2013

.....
Signature of applicant Date

(OFFICE USE)

I, a member of the society, nominate the applicant,
(full name of proposer)
who is personally known to me, for membership of the society.

.....
Signature of proposer Date

NOTE: Membership fee must be included with this application or by deposit in the Society's bank account directly or by electronic transfer to:

Amended 19
Feb 2013

The National Bank
BSB 082204 Account No. 176208454

If not using the automated membership system, send online forms to Memberships Officer: jeanette.eileen.hancock@gmail.com
or by post to NSWAFHS P O Box 98 Croydon Park NSW 2133

Please indicate your name in the deposit details

Appendix 2



(Rule 36 (2))

FORM OF APPOINTMENT OF PROXY

I,
(full name)

of
(address)

being a member of New South Wales Australian Football History Society Incorporated

hereby appoint
(full name of proxy)

of
(address)

being a member of that incorporated society, as my proxy to vote for me on my behalf at the general meeting of the society (annual general meeting or special general meeting, as the case

may be) to be held on the.....day of and at any adjournment of that meeting. (month and year)

My proxy is authorised to vote in favour of/against (delete as appropriate) the resolution (insert details if desired.).

OR

I authorise my proxy to vote on my behalf as they might think fit.
(tick which is desired)

.....
Signature of member appointing proxy

.....
Date

NOTE: A proxy vote may not be given to a person who is not a member of the society.

You can post to: NSW Australian Football History Society Inc
P O Box 98
CROYDON PARK NSW 2133



Amended 15 March 2011

Appendix 3 (Rule 18 (1)) NOMINATION FORM

I,
(full name)

of
(address)

being a member of New South Wales Australian Football History Society Incorporated

hereby nominate
(full name of nominee)

of
(address)

for the position of:

<input type="checkbox"/> President	<input type="checkbox"/> Vice President	<input type="checkbox"/> Secretary
<input type="checkbox"/> Treasurer	<input type="checkbox"/> Board Persons (5)	

Please tick position nominated for

at the Meeting of the NSW Australian Football History Society to be held on:

.....
Signature of member appointing proxy

.....
Date

I, the person nominated in this form, hereby acknowledge this proposal.

.....
Signature of person acknowledging nomination

.....
Date

You can post to:
NSW Australian Football History Society Inc
P O Box 98
CROYDON PARK NSW 2133



Added 19 Feb 2013

Appendix 4 (Rule 11 (2) (c)) APPLICATION FOR MEMBERSHIP RENEWAL OF THE SOCIETY

New South Wales Australian Football History Society Incorporated
(incorporated under the *Associations Incorporation Act 2009*)

I,
(full name of applicant)

On behalf of
(Use only if club/association/chapter or corporate body)

ofP/Code.....
(address)

Occupation
[for individuals only]

Phone: (h) (m) Email:

hereby apply to renew my membership of the above named incorporated society.
I agree to be bound by the rules of the society for the time being in force.

As an (please indicate):

<input type="checkbox"/> Ordinary Member (<i>gold</i>) – 5 years (\$40) OR	<input type="checkbox"/> Ordinary Member (silver) – 3 years (\$25) OR
<input type="checkbox"/> Ordinary Member (<i>bronze</i>) – 1 year (\$10)	
<input type="checkbox"/> Club – 1 year (\$50)	<input type="checkbox"/> League/Assn – 1 year (\$100)
<input type="checkbox"/> Chapter – 1 year (\$25)	
<input type="checkbox"/> Foundation (\$1,000)	<input type="checkbox"/> Fellow (\$500)
<input type="checkbox"/> Benefactor (\$250)	
<i>the immediate above are for life and available for Assn/Corp or individuals</i>	

.....
Signature of applicant Date

NOTE: Membership fee must be included with this application or by deposit in the Society's bank account directly or by electronic transaction to:
The National Australia Bank
BSB 082204 Account No. 176208454.

Send online forms to Memberships Officer: Jenny Hancock jeanette.eileen.hancock@gmail.com or by post to
NSWAFHS P O Box 98 Croydon Park NSW 2133

Please indicate your name in the deposit details