

Belmont Junior Football Club

CONSTITUTION



**BELMONT
JUNIOR FOOTBALL CLUB**

This Constitution complies with the *Associations Incorporation Act 2015* and is registered with the *Department of Mines, Industry Regulation and Safety Consumer Protection*

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PART 1 GENERAL PROVISIONS

1 Title

This body shall be called the “Belmont Junior Football Club (Inc.)”, hereinafter referred to as ‘the BJFC’ or ‘the Club’.

2 Definitions

In these rules, unless the contrary intention appears-

“**affiliated association**” and “**affiliated council**” means the WAFL league club in whose zone BJFC teams compete.

“**annual general meeting**” and “**AGM**” means the meeting convened under rule 20;

“**committee meeting**” means a meeting referred to in rule 19;

“**committee member**” means a person referred to in rule 7;

“**convene**” means to call together for a formal meeting;

“**Department**” means the government department with responsibility for administering the *Associations Incorporation Act (1987)*;

“**executive**” means the Executive Committee;

“**financial year**” means a period defined in sub-rule 24(a);

“**general meeting**” means a meeting to which all members are invited;

“**member**” generally means an Ordinary Member of the club - other types of membership include Associate, Honorary and Life memberships as described in rule 31;

“**ordinary resolution**” means a resolution other than a special resolution;

“**P & D Tribunal**” means Protests and Disputes Tribunal of affiliated association;

“**poll**” means voting conducted in written form (as opposed to a show of hands);

“**special general meeting**” and “**SGM**” means a general meeting other than the annual general meeting to which all members are invited and given at least 14 days notice in writing of before such meeting.;

“**special resolution**” is-

A resolution passed by a seventy five percent (75%) majority of those present and entitled to vote at an Annual General Meeting, Special General Meeting or Club Committee meeting. At a meeting at which a resolution proposed as a special resolution is submitted, a declaration by the person presiding that the resolution has been passed as a special resolution shall be evidence of the fact.

“**the Act**” means the *Associations Incorporation Act 1987*;

“**the Club**” means the body referred to in rule 1;

"the Chairperson" means-

(a) in relation to the proceedings at a Club Committee meeting, Executive Committee meeting or general meeting, the person presiding at any such meeting in accordance with rule 11; or

(b) otherwise than in relation to the proceedings referred to in paragraph (a), the person referred to in sub-rule 7(a)(i) or, if that person is unable to perform his or her functions, the Vice-President;

"the Commissioner" means the *Commissioner for Fair Trading* exercising powers under the Act;

"Committee" means the Club Committee of the BJFC referred to in rule 18;

"Executive Committee" means the Committee of the BJFC referred to in rule 17;

"Secretary" means the Secretary referred to in rule 13;

"Treasurer" means the Treasurer referred to in rule 14;

"Vice-President" means the Vice-President referred to in rule 11.

3 Affiliations

The BJFC may affiliate with such organisations as the Executive Committee deem necessary to further the objects of the club.

4 Objects

The objects of the BJFC are:

- (a) to promote and develop the game of Australian Rules Football;
- (b) the control and management of football teams as deemed necessary by the BJFC Executive Committee; and
- (c) to promote sport in general.

5 Attainments of Objects

a) The BJFC is a Not for Profit Incorporated body.

b) The BJFC will be empowered to do all things necessary which are incidental to and necessary for the attainment of the objects of the club.

c) The powers conferred on the BJFC are the same as those in Part 3 of the Act so that subject to the Act and any additions, exclusions or modifications inserted below, the

BJFC may do all things necessary or convenient for carrying out its objects and purposes, and in particular, may -

- (i) acquire, hold, deal with, and dispose of any real or personal property;
- (ii) open and operate bank accounts;
- (iii) invest its money -
 - in any security in which trust monies may lawfully be invested; or
 - in any other manner authorised by the rules of the BJFC;
- (iv) borrow money upon such terms and conditions as the Executive Committee thinks fit;
- (v) give such security for the discharge of liabilities incurred by the BJFC as the Executive Committee thinks fit;
- (vi) appoint agents to transact any business of the BJFC on its behalf;
- (vii) enter into any other contract it considers necessary or desirable; and
- (viii) may act as trustee and accept and hold real and personal property upon trust, but does not have power to do any act or thing as a trustee that, if done otherwise than as a trustee, would contravene this Act or the rules of the Association.

6 Administration

(a) The BJFC shall be managed by a committee hereinafter called the Club Committee comprised of those office bearers stipulated in rule 7(a), with the addition of any other Committee positions deemed necessary for the proper functioning of the club as described in rule 7(b). The Club Committee shall also include the immediate Past President if he so chooses to hold office as a member of the Club Committee.

(b) A second committee, hereinafter called the Executive Committee, comprised of:

- i) President;
- ii) Vice- President;
- iii) Junior Vice-President;
- iv) Secretary;
- v) Treasurer;
- vi) Registrar;
- vii) Coaching Co-ordinator: and
- viii) Auskick Coordinator.

shall meet as necessary to conduct any business of the club which is considered impractical to wait to deal with at the next scheduled monthly meeting of the Club

Committee. All business to be conducted by the Executive Committee must conform to the directions contained in rule 17.

7 Election of Office Bearers

(a) At an Annual General Meeting those present shall elect the following Office Bearers, all of whom must be Ordinary, Associate or Life Members of the BJFC:

- (i) President;
- (ii) Vice President;
- (iii) Junior Vice President;
- (iv) Secretary;
- (v) Treasurer;
- (vi) Registrar;
- (vii) Coach Coordinator
- (viii) Auskick Coordinator;
- (ix) Property and Merchandise Manager;
- (x) All team managers;
- (xi) Canteen Manager;
- (xii) All team coaches.
- (xiii) Coordinator Team Managers
- (xiv) Events/Fundraising Coordinator

(b) Additional Office Bearer's, determined to be necessary by the Executive Committee, and having titles and roles as stipulated, may be created and filled. The titles and duties of any newly created positions must be added to the by-laws before a person is appointed to that position. Additional Office Bearers may form part of either the Club Committee or Executive Committee, as determined at time of creation.

(c) Subject to sub-rule (f), an Office Bearer's term will be from his or her election at an annual general meeting until the election referred to in sub-rule (a) three years after his or her election. However, if there are no nominations for a particular position, the person last holding that position is eligible to continue until the next Annual General Meeting where a nomination for that position is received.

(d) Those present at an Annual General Meeting may also elect:

- (i) further Vice-Presidents; and
- (ii) a Patron.

(e) At the Annual General Meeting the BJFC may create and appoint members to, any Sub-Committees deemed necessary for the proper conduct of the business of the BJFC.

(f) If a casual vacancy within the meaning of sub-rule 25(j) in relation to an Office Bearer:

- (i) the Executive Committee may appoint a member to fill that vacancy; and
- (ii) an Office Bearer appointed under this sub-rule will hold office until the election referred to in sub-rule.

8 Rules Governing Nominations and Appointments

(a) Members of the Club Committee and Executive Committee shall hold office until the end of the Annual General Meeting at which their successors are elected.

(b) Nominations for office shall be declared open by the outgoing President at the Annual General Meeting.

(c) Should nominations for any office be received in excess of the vacancies, a ballot shall be taken at the Annual General Meeting.

(d) Should nominations equal the number of vacancies, the person nominated shall be deemed elected, should they so accept.

(e) Should insufficient nominations be received at an Annual General Meeting for the number of vacancies, and the outgoing member does not wish to continue in the position, the Executive Committee shall appoint a member to fill each position still remaining vacant.

(f) Only at the discretion and with agreement by vote of 75% of the members present at the Annual General Meeting, may two persons of the same family hold office on either the Executive Committee or Club Committee of the club at the same time.

9 Delegates

The Executive Committee will appoint and provide delegates to organisations with which it is affiliated, and these representatives shall be required to attend all scheduled meetings with those organisations.

10 Club Colours and Uniforms

(a) The colours of the BJFC shall be red and black. These colours shall be worn by all members of BJFC representative teams except where other colours are adopted from time to time with the approval of the Executive Committee.

(b) The Executive Committee may make by-laws regulating the wearing of uniforms by members, office bearers and other representatives of the BJFC.

PART 2 POWERS AND DUTIES OF OFFICE BEARERS

11 President, Vice-President and Junior Vice-President

The President shall:-

- (a) act as chairperson at all meetings of the BJFC.
- (b) maintain the impartiality of the chair.
- (c) conform to the rules of meeting procedure and maintain order throughout the meeting.
- (d) decide that the required quorum is present; intimate the objects of the meeting if it is one called to consider special matters; announce all other business matters of the meeting; decide points of order and points of privilege or priority; clarify any and all matters to those in doubt.
- (e) request confirmation of the minutes from the previous meeting and, if confirmed, sign same.
- (f) in the event of a ballot being required: announce the method of voting; exercise his / her right of a casting vote in the event of equality of votes; and announce the result of the vote.
- (g) decide and announce the next speaker, confine speakers to the matter under discussion and, if necessary, limit each speaker to a reasonable time period.
- (h) introduce any invited guests.
- (i) invited guests as at (h) can, at the President's discretion attend an Executive Meeting. They should be members of the general Committee such as Coaches, Canteen Manager or Grounds/Equipment/Merchandise Officer to assist with the discussion and casting vote.
- (j) expedite and finalise the business of the meeting within a reasonable time limit.
- (k) be an authorised signing officer for BJFC cheques.

- (l) be an *ex-officio* member of all sub-committees.
- (m) represent the BJFC at club and affiliated association functions as required.
- (n) schedule the time and place of the next meeting.
- (o) present an Annual Report at the Annual General Meeting.
- (p) perform any other duties committed to him or her by these rules.

In the absence of the President at any meeting, a Vice-President or Junior Vice-President shall preside as chairperson, and shall have all the powers and perform all the duties of the President. In the absence of the President, Vice Presidents and Junior Vice-President, the meeting shall be postponed until one of the before mentioned Office Bearer's is available.

12 Immediate Past President

The Immediate Past President may be invited by the President or a Vice-President to attend an Executive or Club Committee Meeting to act as adviser on policy matters that he or she, through past experience, is familiar with.

13 Secretary

The Secretary shall:-

- (a) convene all meetings of the BJFC;
- (b) be answerable for the giving of due notice for the calling of all meetings as provided in these rules;
- (c) keep full and accurate minutes of each meeting's proceedings;
- (d) co-ordinate the correspondence of the club;
- (e) on behalf of the club, comply with:
 - (i) section 27 of the Act with respect to the register of members of the club, as referred to in rule 34;
 - (ii) section 28 of the Act by keeping and maintaining in an up-to-date condition the rules of the club and, upon the request of a member of the club, must make available those rules for the inspection of the member and the member may make a copy of or take an extract from the rules but will have no right to remove the rules for that purpose; and
 - (iii) section 29 of the Act by maintaining a record of –
 - the names and residential or postal addresses of the persons who hold offices at the club provided for by these rules,

- including all offices held by the persons who constitute the Club Committee and the Executive Committee and persons who are authorised to use the common seal of the club under rule 30; and
- the names and residential or postal addresses of any persons who are appointed or act as trustees on behalf of the club, and the Secretary must, upon the request of an Ordinary Member or Associate Member of the club, make available the record for the inspection of the member and the member may make a copy of or take an extract from the record but will have no right to remove the record for that purpose;
- (f) unless the members resolve otherwise at an Annual General Meeting or Special General Meeting, have custody of all books, documents, records and registers of the club, including those referred to in paragraph e), but other than those required by rules 14 and 15 to be kept and maintained by, or in the custody of, the Treasurer or Registrar;
- (g) be an authorised signing officer for BJFC cheques;
- (h) make bookings for required facilities such as grounds, training venues, and other premises on behalf of the club; and
- (i) perform any other duties committed to him or her by these rules.

14 Treasurer

The Treasurer shall: -

- (a) not pay, lend or otherwise appropriate any of the funds of BJFC, or any other monies, for any other purpose except in accordance with the rules of the BJFC.
- (b) keep appropriate books of account that record all monies received and expended by the BJFC, together with date of receipt and expenditure.
- (c) have charge of the BJFC bank accounts and produce them for inspection at all reasonable times when requested by the President or Auditor.
- (d) examine all accounts to be passed for payment and make all authorised payments from the funds of BJFC.
- (e) forthwith pay all monies received into the bank account of the BJFC.
- (f) receive and issue proper receipts (when requested) for all monies paid by or to BJFC.
- (g) submit any books, accounts and receipts as may be required or directed by the President or the Auditor.
- (h) if required, assist the Auditor when auditing the accounts of BJFC.

- (i) prepare an annual statement of income and expenditure and a balance sheet for submission to the Annual General Meeting.
- (j) be an authorised signing officer for BJFC cheques and ensure that all cheques are signed by two authorised persons.
- (k) Be responsible for the collection on a regular basis of all monies paid to any person in the club by any of its members. Such monies will extend to monies paid to Team Managers for team related activities.
- (l) Keep accurate records of monies raised by individual teams or age groups; monies to be refunded to teams for end of season functions: and for other arrangements approved by the Club Committee.

15 Registrar

The Registrar shall:

- (a) Keep a complete and accurate record of each registered player, including games played annually, trophies won, and penalties levied.
- (b) Keep accurate personal records for each player in a form that can be provided to the secretary in order to meet that official's obligations under section 27 and 28 of the Act which meet the requirements of rule 27.
- (c) Ensure all players are properly registered with the BJFC and the affiliated council.
- (d) Shall be responsible for the provision of blank *Fairest and Best* voting slips to coaches and for the safe keeping of all completed voting slips in sealed envelopes until a date is set for the opening of same.
- (e) Designate a date and a venue for opening, and adjudicating the counting of, the club *Fairest and Best* voting envelopes and slips for each age group following the final home-and-away round of each season.

16 Property and Merchandise Manager

Shall be responsible for:

- (a) management of all equipment and property belonging to the BJFC.
- (b) keeping an accurate record of such equipment and property and for reporting all significant damage, loss or other discrepancy to the Club Committee in a timely manner.

(c) make arrangements for the purchase of all required equipment and property, except for canteen- and merchandise- related items, as directed by the Club Committee.

PART 3 COMMITTEES AND MEETINGS

17 Powers and Duties of the Executive Committee

The Executive Committee, subject to the control by members as recorded in the minutes, shall have the following powers and perform the following duties:-

a) Subject to rule 18, the Executive Committee of the Club shall consist of:

- i) President;
- ii) Vice- President;
- iii) Junior Vice-President;
- iv) Secretary;
- v) Treasurer;
- vi) Registrar; and
- vii) Auskick Coordinator
- viii) Coach Co-ordinator

(b) Should any urgent matters arise, and it is *impractical* to refer those matters to a subsequent Club Committee meeting, the Executive Committee shall have the power to deal with such matters.

(c) The President shall seek the opinion of all available Executive Committee members regarding those matters, using any means of communication deemed appropriate, and shall act in such manner as the majority of those members approve.

(d) In the event of there being no majority the President shall convene a meeting of the Executive Committee to decide upon those matters.

(e) All financial matters in excess of \$1500 will be required to be presented at the next Club Committee meeting.

(f) Appropriate minutes shall record all matters decided by the Executive Committee and be presented to the next Club Committee meeting.

(g) To control, superintend and manage the affairs of the BJFC, its officers, members and funds.

(h) To suspend, for any period as the Executive Committee may desire, or to expel, any member for any breach or infringement of the rules or for any misconduct or dereliction of duty or for any non-compliance with or disobedience of any order contained in any resolution of the Executive Committee or for conduct in its opinion unworthy of a member.

- (i) To control the finances of the BJFC.
- (j) To arbitrate on any disputes which may arise between teams or members thereof in connection with football and to determine any matter referred to it by any team or member.
- (k) To deal with, as it deems necessary, any team or member thereof which the Executive Committee determines is functioning in a manner detrimental to the welfare of the BJFC or to football in general.
- (l) To remove from office any official appointed under rule 7 and fill such vacancy thereby created.
- (m) To determine the membership and playing fees of the BJFC.
- (n) To appoint *ex-officio* members to the Club Committee.
- (o) To appoint coaches and managers for each of the BJFC teams.
- (p) Make, amend and rescind rulings and by-laws in accordance with rule 31.
- (q) Delegate, in writing, to one or more sub-Committees (consisting of such member or members of the club as the Committee thinks fit), or the Club Committee, the exercise of such functions of the Committee as are specified in the delegation other than:
 - i) the power of delegation;
 - ii) a function which is a duty imposed on the Committee by the Act or any other law.
- (r) Generally, all such power as may be necessary for the proper conduct of the business of the BJFC.

18 Powers and Duties of the Club Committee

The Club Committee, subject to the control by members as recorded in the minutes, shall have the following powers and perform the following duties: -

- (a) To fill any vacancy that may arise in the Club Committee due to circumstances described in sub-rule 25(j).
- (b) To handle written clearances as submitted by players of the BJFC.
- (c) To determine the number, reason and selection method for all trophies awarded by the BJFC before the first playing date of each season and update the by-laws to reflect any amendments.

19 Club Committee Meetings

- (a) The Club Committee shall meet at least once during each calendar month.

(b) The conduct of each meeting shall be as follows: -

1. Meeting opened;
2. Apologies;
3. Minutes of previous meeting;
4. Business arising from previous minutes;
5. Correspondence;
6. Reports (Treasurer's / accounts for payment; Delegate's; Registrar's; Coordinator's, any Sub-Committee's);
7. General Business;
8. Date of next meeting;
9. Meeting close.

(c) The Club Committee has the power to appoint *ex-officio* members to the Club Committee, but no *ex-officio* member has the power to vote.

(d) Any office bearer or Committee Member missing from meetings of the Club Committee without seeking prior leave of absence from those meetings as described in rule 25(j)(v) shall be liable to expulsion at the discretion of the Club Committee.

(e) As required under sections 21 and 22 of the Act, a Club Committee member having any direct or indirect pecuniary interest in a contract, or proposed contract, made by, or in the contemplation of, the Club Committee (except if that pecuniary interest exists only by virtue of the fact that the member of the Club Committee is a member of a class of persons for whose benefit the BJFC is established), must:

- (i) as soon as he or she becomes aware of that interest, disclose the nature and extent of his or her interest to the Club Committee; and
- (ii) not take part in any deliberations or decision of the Club Committee with respect to that contract.

(f) Sub-rule (e) (i) does not apply with respect to a pecuniary interest that exists only by virtue of the fact that the member of the Committee is an employee of the club.

(g) The Secretary must cause every disclosure made under sub-rule (e)(i) by a member of the Committee to be recorded in the minutes of the meeting of the Committee at which it is made.

20 Annual General Meetings and Special General Meetings

(a) The Annual General Meeting of the club's Ordinary Members and Associate Members shall be held as soon as practicable after the close of each season and no

later than the last day of the month of October in each year, and all Ordinary Members and Associate Members shall be given at least 14 days notice in writing before such meeting either by emails, advertising, Local Newspaper or BJFC website.

(b) The annual report and audited balance sheet or current financial statements shall be submitted to members at the Annual General Meeting.

(c) The election of office bearers and committee members, if required, for the ensuing three years shall take place at the Annual General Meeting together with any other business mentioned in the notice paper covering the meeting.

(d) The Committee must convene a General Meeting if the following requirements are met:

- (i) the request is made by at least 20% of Members eligible to vote at a General Meeting;
- (ii) the request is in writing, signed by all the Members making the request, and states the business to be conducted at the General Meeting; and
- (iii) the request is lodged with the Secretary or as otherwise directed by the Committee.

(e) On receipt of a request from Members under clause 0, the Committee must:

- (i) give all Members 21 days' notice of the General Meeting; and
- (ii) hold the General Meeting within 2 months of the date of the request.

21 Notice of Meetings

(a) 14 days notice must be given for an Annual General Meeting or Special General Meeting, either by email, advertising, Local Newspaper or BJFC website

(b) 7 days notice must be given for Club Committee meetings, either by email, advertising, Local Newspaper or BJFC website

(c) A minimum of 24 hours notice must be given for Executive Committee meetings.

(d) Subject to the Act, the Committee may cancel or postpone any General Meeting or change its venue by giving notice to all persons to whom the notice of the original meeting was given, but may not cancel a General Meeting which was called or requested by Members, without the prior written consent of those Members

22 Quorums

- (a) The quorum at an Annual General Meeting, or at any Special General Meeting, shall consist of the President or Vice-President, the Junior Vice-President, Secretary, Treasurer and at least one third (33%) of the financial members present at the meeting.
- (b) At Club Committee meetings, a quorum shall consist of the President or a Vice-President, the Secretary, Treasurer and five other Committee members. In the absence of the President, Vice-President, Secretary, or Treasurer, the meeting shall be postponed until one of the before mentioned members is available.
- (c) At Executive Committee meetings, a quorum shall consist of half of its members plus one.
- (d) Absentee votes are acceptable from Ordinary and Associate Members who are unable to attend in person at an Annual General Meeting or Special General Meeting. All Absentee Votes will close 24hrs prior to the Annual General Meeting or Special General Meeting.
- (e) If at any Annual General Meeting or Special General Meeting there be no quorum within 15 minutes of the appointed time for the meeting then the meeting shall either lapse, be adjourned for a period not exceeding 14 days, or the majority of the Ordinary and Associate Members present (being a minimum of 15 Ordinary or Associate Members) can decide unanimously to continue the meeting.
- (f) An ordinary member may be appointed the proxy for not more than 2 other members.
- (g) A form appointing a proxy sent by post or electronically is of no effect unless it is received by the Secretary not later than 48 hours before the commencement of the meeting.

23 Voting at Meetings

- a) The decisions on any questions to be decided at BJFC meetings shall be by show of hands, except whereupon a resolution carried by a majority of the members present, it is decided to submit the question to ballot.
- b) At General Meetings:
 - (i) Voting is limited to Ordinary, Associate and Life Members.

- (ii) Junior Members: have no voting rights.
 - (iii) Ordinary Members: each registered, financial Junior Member may be represented by one (1) parent or guardian of that member as an Ordinary Member, thereby providing each Ordinary Member with one (1) deliberative vote. Families with more than one junior member may have a maximum of two (2) representative Ordinary Members.
 - (iv) Associate Members: have one (1) vote.
 - (v) Life Members: have one (1) vote.
 - (vi) Honorary Members: have no voting rights.
 - (vii) Patrons / Vice Patrons: have no voting rights.
- c) At Club Committee / Executive Committee Meetings:
- (i) Club Committee: voting is limited to Office Bearers and those Committee Members appointed under rule 7(b), each of whom have one (1) deliberative vote.
 - (ii) Executive Committee: each member shall have one (1) deliberative vote.
 - (iii) President/Chairperson: shall not be entitled to a *deliberative* vote.
 - (iv) In the event of a tied vote at a Club Committee or Executive Committee meeting, the President/Chairperson shall exercise a *casting* vote.

PART 4 FINANCIAL MATTERS

24 Financial Matters

- a) The financial year of the BJFC shall begin on 01 October and terminate on the 30th of September each year and all BJFC books and accounts shall close on that day. The *Annual Statement of Income and Expenditure and Balance Sheets* (the 'statements') shall be submitted by the Treasurer to the Secretary for presentation at the next Annual General Meeting of the BJFC. The BJFC books shall be audited every 3 years or at the changeover of the Treasurer, whichever shall be first.
- b) The income and property of BJFC whence-ever derived, shall be applied solely towards the promotion of its objects as set forth in this constitution and no portion thereof shall be paid or transferred directly or indirectly by way of dividend bonus or otherwise howsoever to its members, provided that nothing herein shall prevent the payment in good faith of remuneration to any officer, servant, or duly elected office bearer of the BJFC for services rendered to the BJFC.

c) Fees and Accounts.

(i) The BJFC shall levy on each playing member, all fees, and any other charges as may be fixed from time to time with respect to football matters, all such monies to be paid within thirty days of the date of Round 1 of the Home and Away season.

(ii) Banking accounts will be opened in the name of BJFC with any recognised banking institution(s) approved by the Club Committee. These accounts shall be operated by any two of the following three signatories: President, Secretary and Treasurer.

(iii) No more than one (1) member of the same family may be appointed as a signatory to the BJFC cheque accounts.

d) Auditor

(i) One or more persons shall be appointed at the Annual General Meeting of the BJFC to audit the accounts and books of the BJFC every three (3) years and at other times when instructed by the Club Committee.

(ii) The Auditors shall examine and audit all the books and accounts of the BJFC annually, and have the power to call for all books, papers, accounts, receipts, etc., relating to the affairs of the BJFC, report thereon to the Annual General Meeting, or at any time as requested by the Executive Committee.

PART 5 MEMBERSHIP

25 Categories of Membership and Associated Fees

(a) The Registrar shall review annual membership fees for all classes of membership and shall report his or her findings or recommendations to the Executive Committee no later than one month prior to the gazetted registration day.

(b) Junior Members: Persons under the age of 18 years shall be eligible to join as Junior Members at such special fee as determined in rule 25(a) but they shall not be entitled to hold office, vote, or take part in business procedure at meetings of the club.

(c) Ordinary Members: One dollar of the annual registration fee paid by each Junior Member will represent a nominal fee, for one (1) parent or guardian of that member, to join BJFC as an Ordinary Member, thereby providing the Ordinary Member with voting rights at an Annual General Meeting or Special General Meeting.

(d) Associate Members: The Club Committee may accept nominations from parties interested in becoming Associate Members of the club. The Club Committee must ensure that the best interests of the club are served by accepting such nominees as members. An appropriate fee, determined by the Club Committee and published in the by-laws, will be levied on Associate Members. Associate Members can vote at any Annual General Meeting or Special General Meeting.

(e) Honorary Members: The Club Committee may appoint Honorary Members to the BJFC who are adults (without children playing for the club) who wish to assist in the administration of the BJFC. Such Honorary Memberships will be conferred for a maximum period of twelve months, and such members shall not be eligible to vote unless they are current members of the BJFC under another category of membership.

(f) Life Membership:

(i) Shall only be awarded for outstanding services to the club.

(ii) Any player who plays 150 games for BJFC shall be awarded life Membership. If a player is unable to play 150 games at the club because the club was unable to field a team; therefore, the player played at another club, they will still be recognised on the BJFC Honour Board once 150 games has been played but not granted Life Membership. (Players who choose to leave voluntarily where the club can field an aged group team will not be eligible for either the Honour Board or Life Member).

(iii) Nominations for life membership must be lodged with the Executive Committee prior to the committee meeting held immediately before the Annual General Meeting or Special General Meeting. The person/s nominated may then be invited by the Executive / Club Committee to become a Life Member. If accepted, this invitation must be sanctioned by a Special Resolution of those Ordinary and Associate Members in attendance at the AGM and then presented at an end of year youth windup.

(iv) Life members may only be elected by those present at an AGM, Executive Committee Meeting or Special General Meeting.

(v) Only one life membership may be granted in any one year. Or at the discretion of the Club President, after discussion/vote, an additional Life Membership may be granted where 2 nominated members have given **equal meritorious** service to the club.

(g) Registered financial members of the BJFC shall be considered to be members for a period of 12 months, applying from the first official Registration Day held by the club each year, the date of which is to be nominated by the Club Committee.

(h) It shall be compulsory for all Junior Members to verify their date of birth by production of a birth certificate, extract of same or a statutory declaration upon joining the club. This document shall be made available to the Registrar as and when deemed necessary.

(i) Membership of the BJFC may be terminated upon:

- i) receipt by the Secretary or another Committee member of a notice in writing from a member of his/her intention to resign from the BJFC. Such person remains liable to pay to the BJFC the amount of any fees due and payable by that person to the BJFC but remaining unpaid at the date of termination.
- ii) non-payment by a member of fees within the bounds set by the Club Committee from time to time unless the Club Committee decides otherwise.

(j) Casual vacancies in membership of the Club Committee may occur in the office of a Committee member. An office becomes vacant if the Committee member;

- (i) dies;
- (ii) resigns by notice in writing delivered to the Chairperson or, if the Committee member is the Chairperson, to the Vice-Chairperson and that resignation is accepted by resolution of the Committee;
- (iii) is convicted of an offence under the Act;
- (iv) is permanently incapacitated by mental or physical ill-health;
- (v) is absent from more than-
 - 3 consecutive Committee meetings; or
 - 3 Committee meetings in the same financial year without tendering an apology to the person presiding at each of those Committee meetings; of which meetings the member received notice, and the Committee has resolved to declare the office vacant;
- (vi) ceases to be a member of the Association; or
- (vii) is the subject of a resolution passed by a general meeting of members terminating his or her appointment as a Committee member.

26 Register of Members

(a) The Secretary, on behalf of the BJFC, must comply with section 27 of the Act by ensuring that the Registrar keeps and maintains in an up-to-date condition a register of the members of the BJFC and their residential or postal addresses, and upon the request of a member of the BJFC, shall make the register available for inspection by the member and the member may make a copy of or take an extract from the register but shall have no right to remove the register for that purpose.

(b) To respect the privacy of Junior Members, their names only, and not their contact details, shall be made available for inspection by other members when requested under sub-rule (a).

(c) The register must be so kept and maintained at the Registrar's place of residence or at such other place or in such other form as the members at an Annual General Meeting or Special General Meeting decide.

(d) The Registrar must cause the name of any person who dies or who ceases to be a member under sub-rule 25 (i) to be deleted from the register of members referred to in sub-rule (a).

27 Grievance Procedure

At times parents may have issues that concern them and/or their child. The Belmont Junior Football Club requires that all issues are resolved to the satisfaction of all parties in a timely fashion.

One role of the Coaching Co-ordinator is to facilitate resolution of issues or concerns where the member does not feel comfortable in approaching the coach directly.

All members have a responsibility to participate in reasonable actions to resolve issues. In the event of a grievance being raised by parents in regard to these areas or other areas of concern, the procedures below detail the steps to expedite issue resolution.

PROCEDURE

1. Any person wishing to raise an issue can contact the following people:
 - a. Football / Team related – Team Manager
 - b. Coaching related – Coaches Co-Ordinator
 - c. General issue – Club President.

Where possible the person reporting the issue should make suggestions that may resolve the issue.

As soon as possible, but no later than 14 days, after an issue has been reported, the Team Manager, Coach and/or Club President and the claimant, must meet and try and resolve the issue.

2. Where the initial parties cannot resolve the issue, the Team Manager will refer the matter to the Club President, Coaching Co-Ordinator or Executive Committee as soon as possible. Within 28 days after the Secretary is given the notice, a committee meeting must be convened to consider and determine the dispute. Any decision reached will be advised to the parties by the President with written confirmation to follow.

3. The consent of the Committee must be obtained before any external parties are involved in the resolution of Club issues. Only the Club President is authorised to make public statements on behalf of the Club. (in the absence of the Club President, the Vice President may issue said statement).

4. The Team Manager and/or Coach may at any time call the Club President or Coaches Co-Ordinator for assistance.

Any football or team related issue reported to the President, where the Team Manager and/or Coach has not been given the initial opportunity to resolve any such issue, will be referred back to the Team Manager/Coach for initial resolution.

All persons must take reasonable actions to avoid situations that could cause serious injury or harm to health of players, officials or the public. If any hazard is identified the Committee are to be informed as soon as possible.

5. If –

- (a) the dispute is between one or more members and the Association; and
- (b) any party to the dispute gives written notice to the Secretary stating that the party
 - (i) does not agree to the dispute being determined by the Committee; and
 - (ii) requests the appointment of a mediator under Rule 23,the Committee must not determine the dispute and a Mediator appointed.

27.1. Mediation Process

1. The person appointed as mediator by the Committee may be a member or former member of BJFC, but must not –

- (a) have a personal interest in the matter that is the subject of the mediation, or
- (b) be biased in favour of or against any party.

2. The parties to the mediation must attempt in good faith to settle the matter.

3. The mediation must be confidential, and any information given at the mediation cannot be used in any other proceedings relating to the matter that is subject of the mediation.

4. Should there be any costs associated with the mediation, they are to be paid by the party or parties that requested the appointment of the mediator.

At all times the Club President is to be informed of all grievances across the club.

28 Suspension and Expulsion

The Executive Committee may expel from the club, or otherwise punish or penalise, any member whose conduct, in the opinion of the Executive Committee, discredits or is injurious to the character of the club, providing that such member shall have the right to appeal to a Special General Meeting, which may confirm, vary or revoke the decision of the Executive Committee. Voting on this issue shall (both in a Club Committee and Special General meetings) be by secret ballot.

29 Appeals

Individual members shall have the right of appeal on any matter relative to disciplinary action taken by the Executive Committee within 14 days. Such appeal must be in writing. Refer to By-law 14.13.

PART 6 ANCILLARY PROVISIONS

30 Common Seal

The Common Seal of the BJFC shall be in the custody of the Secretary and shall be affixed to any document only pursuant to the resolution of the Club Committee. The affixation of the Seal shall be witnessed by the President and Secretary.

31 Alterations to the Constitution and By-laws

1. No alteration, repeal or addition shall be made to the Constitution except at an Annual General Meeting, or Special General Meeting called for that purpose, and notice of all motions to alter, repeal or add to the Constitution shall be given to members

fourteen (14) days prior to the Annual General Meeting, or seven (7) days prior to a Special General Meeting called for that purpose.

2. The Secretary shall forward such notices of motion to each Committee member at least fourteen (14) days prior to the Annual General Meeting or seven (7) days prior to a Special General Meeting.

3. Alterations to the by-laws can be made either at Executive Committee meetings or at an Annual General Meeting or Special General Meeting provided advice of the proposed alteration(s) has been duly notified to members.

4. Such motions, or any part thereof, shall be of no effect unless passed by a Thirty-Three percent (33%) majority (Special Resolution) of those present and entitled to vote at the Annual General Meeting, Special General Meeting or Executive Committee meeting, as the case may be.

5. Within one (1) month of the passing of a Special Resolution, the Secretary shall notify the Department of Consumer and Employment Protection of the amendment.

32 Club Three Year Policy

The BJFC has adopted a club three year policy whereby the maximum number of years that Executive Committee Members can remain consecutively in any one position is 3 years, unless special circumstances exist.

33 Working with Children Check.

All Committee members from The Executive and Club Committee are required to produce a WWCC to attain a position with the BJFC if they do not have a child within the club. The BJFC if financially viable for the year will reimburse payment of the WWCC upon verification of receipt to the Treasurer. In the event that payment for WWCC has already been made by an employer or other body other than committee member, payment from the BJFC will not reimburse as this is deemed fraud. The BJFC shall pay for the WWCC once within the year, in the event that the WWCC is not current and payment has already been made for that year time frame through BJFC funding, it is the responsibility of the committee member to finance a WWCC at their own expense.

34 **Police Clearance.**

All committee members from the Executive, Club Committee are required to produce a current Federal Police Clearance to attain a position with the B.J.F.C. The B.J.F.C if financially viable for the year will reimburse payment of the Police Clearance upon verification of receipt to the Treasure. In the event that payment for Police Clearance has already been made by an employer or other body than committee member payment from the club will not reimburse as this is deemed **FRAUD**. The Club shall pay for a Police Clearance is not current and payment has already been made for that year time frame through club funding it is the responsibility of the committee member to finance a current police clearance at their own expense.

35 **Social Media Policy.**

The “organisation” refers to the West Australian Football Commission and to Junior Football Clubs.

“Members” refer to administrators, clubs, club members, coaches, officials, registered players, sponsors, support personnel, spectators, parents and umpires.

The Internet and Information and Communication Technologies (ICT) devices / equipment bring great benefits to all users and can contribute to the effective operation of the organisation and its members through the ability to disseminate information, the ability to promote the sport and clubs and to provide to members with the ability to connect with others within the organisation.

The West Australian Football Commission (WAFC) has an obligation to ensure that affiliated clubs maintain a safe physical and emotional environment for all its members and this includes cyber safety and the safe and responsible use of ICT. Individual members also have a responsibility to use ICT in a safe and responsible way, and not bring the game into disrepute.

Junior Football stakeholders including clubs and its members will create a cybersafe environment by:

- Using the organisation’s name, motto, crest, and/or logo only in an appropriate way in line with the organisation’s guidelines.

- Using the organisation or affiliated club's websites to provide information about competitions, committee, policies, rules, social events or other important sport related activities.

Using SMS and /or email by officials, managers, coaches etc to communicate organisation business and organisation sanctioned social events (via parents in the case of juniors).

- Using the organisation or affiliated clubs social network pages to promote positive organisation new and event (with permission obtain from featured individual(s) and via parents for juniors).
- Ensuring contents of post or electronic communication doesn't breach any organisation policies or code of conduct.
- Ensuring contents of post or electronic communication doesn't breach state or commonwealth law. This includes not engaging in "sexting" where a member sends or is in possession of inappropriate sexualised image of a person under the age of 18 years – this is a criminal offence in WA and the Police will be informed immediately.
- Not engaging in cyber bullying, including but not limited to:
 - harassing, teasing, intimidating or threatening another person via electronic means
 - sending or posting inappropriate digital pictures or images, emails / instant / phone / Text Message, or website postings (including social network sites ie Facebook or blogs) and is irrespective of whether the page could be viewed by the wider public or not.
- Members will remain responsible for and be vigilant of the content and security of their individual accounts such as email, social networking (ie Facebook) micro blogging (ie. Twitter), video sharing (ie. YouTube), pictures sharing (ie picture sharing (ie Instagram) and mobile phones.

The West Australian Football Commission and Junior Clubs take any breaches of the policy seriously. Any person (including, but not limited to players, officials, members, umpires, spectators, and parents) or clubs who breach this policy can be called before the controlling bodies tribunal under the **by-law** and can be charged for *'misconduct of a serious nature*

36 Dissolution

The BJFC may at any time, with the consent of a majority of 33% of the members present at a Special General Meeting called for the purpose, be dissolved. If upon the dissolution or winding up of the BJFC there remains, after the satisfaction of all its liabilities, any property whatsoever, the same shall not be paid to or distributed among the members of the BJFC but shall be given or transferred the Western Australian Football League to be disbursed in full to the Robert Wiley Foundation to promote and develop Junior Football, or in default thereof, or if any insofar as effect, cannot be given to such determination, then such payment or distribution shall be distributed to another association that promotes the development of Junior Football to be determined by the outgoing President of the Club.

37 Joint Club Affiliation

If the dynamics / Administrative functions changes for the BJFC on a casual or permanent basis (merge / umbrella teams) with other clubs, it's imperative that the BJFC does not lose its name or legacy, a Special General Meeting is to be called so this can be voted on, by the current Executive and Club Committee, Past Executive, Life Members and Registered Financial Members.

Sub Committee for Joint Club Affiliation shall consist of;

1. The Club Presidents of the Clubs involved
2. The Club Vice - Presidents of the Clubs involved
3. The Club Junior Vice - Presidents of the Clubs involved
4. The Club Coaches Co-ordinators of the Clubs involved
5. One Secretary as elected.

Ex-Officio Committee shall consist of;

1. The Club Treasurer's of the Clubs involved
2. The Club Registrars of the Clubs involved

All decisions made by the Sub Committee are to be presented to the BJFC Committee at the next BJFC Executive or General meeting whichever shall be first, as a form of transparency.

All Financial decisions must be made in the presence of Club Treasurers, if this is not possible a final decision shall be postponed.

Each Club shall be guided by their individual constitution in such matters as milestone and trophy awards.

Affiliated teams shall be decided on a year to year and team by team basis. Each club has the option to field a stand-alone team dependant on registration numbers in any given year.

37.1 Uniforms

The affiliated team players will wear a jersey/jumper/polo that incorporates ALL four (or more) colours of the said clubs. Shorts and socks colours to be decided once jersey design/colour agreed. Any changes to this concept must be presented to and approved by the Sub – Committee before being presented to BJFC Executive Committee for final approval.

The uniform colours may be subject to change if more than two clubs enter this concept. Provided Red and Black are included as stated to retain BJFC name and legacy.

Refer to by-law 18.1

All previous constitutions are hereby repealed,

Signed by Club President: _____

Print Name: _____ **Date:** ____/____/____

Signed by Other Executive Member: _____

Title: _____

Print Name: _____ **Date:** ____/____/____