



MACKAY WANDERERS FOOTBALL CLUB INC.

CONSTITUTION

16/11/2015

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Constitution

1. NAME

The name of the incorporated association shall be Mackay Wanderers Football Club Inc. (in this constitution called “the Club”).

2. OBJECTS

The objects for which the Club is established are:

- a) To promote, encourage and foster the game of football at the grassroots level in the Mackay region in every way possible, and to establish, promote or assist in establishing or promoting, and to subscribe to or become a member of an association or amalgamate with any other association or club whose objects are similar or in part similar to the objects of the Club or the establishment or promotion of which may be beneficial to their club.
- b) To attain the highest possible level of accreditation for the club as set by Football Federation Australia.
- c) To raise funds by contributions of members and any other lawful means for the purpose of club development.

3. CLUB COLOURS

- a) The club colours shall be; red, white and gold.
- b) Shirts, shorts and socks shall be predominately red with white and/or gold trim.

4. ABBREVIATIONS

Where the following abbreviations appear throughout the constitution they shall have the following meanings as set out hereunder: -

- a) A.G.M. Annual General Meeting
- b) G.M. General Meeting

- c) S.G.M. Special General Meeting
- d) M.C.M. Management Committee Meeting

5. POWERS

The powers of the Club are:

- a) To subscribe to, become a member of and co-operate with any other association, club or organisation, whether incorporated or not, whose objects are altogether or in part similar to those of the Club provided that the Club shall not subscribe to or support with its funds any club, association or organisation which does not prohibit the distribution of its income and property among its member to an extent at least as great as that imposed on the Club under or by virtue of rule 34 i)
- b) In furtherance of the objects of the Club to buy, sell and deal in all kinds of articles, commodities and provisions, both liquid and solid, for the members of the Club or persons frequenting the Club's premises;
- c) To purchase, take on lease or in exchange, hire and otherwise acquire any lands, building, easements or property, real and personal, and any rights or privileges which may be requisite for the purposes of, or capable of being conveniently used in connection with, any of the objects of the Club: Provided that in case the Club shall take or hold any property which may be subject to any trusts the Club shall only deal with the same in such manner as is allowed by law having regard to such trusts;
- d) To enter into any arrangements with any Government or Authority that are incidental or conducive to the attainment of the objects and the exercise of the powers of the Club; to obtain from any such or Authority any rights, privileges and concessions which the Club may think it desirable to obtain; and to carry out, exercise and comply with any such arrangements, rights, privileges and concessions;
- e) To appoint, employ, remove or suspend such managers, clerks, secretaries, servants, workmen and other persons as may be necessary or convenient for the purposes of the Club;
- f) To remunerate any person or body corporate for services rendered, or to be rendered, and whether by way of brokerage or otherwise placing or assisting to place or guaranteeing the placing of any unsecured notes, debentures or other securities of the incorporated association, or in or about the incorporated association or promotion of the incorporated association or in the furtherance of its objects;
- g) To construct, improve, maintain, develop, work, manage, carry out, alter or control any houses, buildings, grounds, works or conveniences which may seem calculated directly or indirectly to advance the Club's interests, and to contribute to, subsidise or otherwise assist and take part in the construction, improvement, maintenance, development, working, management, carrying out, alteration or control thereof;
- h) To invest and deal with the money of the Club not immediately required in such manner as may from time to time be thought fit;

- i) To take, or otherwise acquire, and hold shares, debentures or other securities of any company or body corporate;
- j) In furtherance of the objects of the Club to lend and advance money or give credit to any person or body corporate; to guarantee and give guarantees or indemnities for the payment of money or the performance of contracts or obligations by any person or body corporate, and otherwise to assist any person or body corporate;
- k) To borrow or raise money either alone or jointly with any other person or legal entity in such manner as may be thought proper and whether upon fluctuating advance account or overdraft or otherwise to represent or secure any moneys and further advances borrowed or to be borrowed along or with others as aforesaid by notes secured or unsecured, debentures or debenture stock perpetual or otherwise, or by mortgage, charge, lien or other security upon the whole or any part of the incorporated association's property or assets present or future and to purchase, redeem or pay off any such securities;
- l) To draw, make, accept, endorse, discount, secure and issue promissory notes, bills of exchange
- m) In furtherance of the objects of the Club manage, develop, exchange, lease, dispose of, turn to account or otherwise deal with all or any part of the property of the Club;
- n) To take or hold mortgages, liens or charges, to secure payment of the purchase price, or any unpaid balance of the purchase price, of any part of the Club's property of whatsoever kind sold by the Club, or any money due to the Club from purchasers and others;
- o) To take any gift of property whether subject to any special trust or not, for any one or more of the objects of the Clubs but subject always to the proviso in sub-rule (5 c);
- p) To take such steps by personal or written appeals, public meetings or otherwise, as may from time to time be deemed expedient for the purpose of procuring contributions to the funds of the Club, in the shape of donations, annual subscriptions or otherwise;
- q) To print and publish any newspapers, periodicals, books or leaflets that the Club may think desirable for the promotion of its objects;
- r) In furtherance of the objects of the Club to amalgamate with any one or more incorporated associations having objects altogether or in part similar to those of the Club and which shall prohibit the distribution of its

or their income and property among its or their members to an extent at least as great as that imposed upon the Club under or by virtue of rule 34 i)

- s) In furtherance of the objects of the Club to purchase or otherwise acquire and undertake all or any part of the property, assets, liabilities and engagements of any one or more of the incorporated associations with which the Club is authorised to amalgamate;
- t) In furtherance of the objects of the Club to transfer all or any part of the property, assets, liabilities and engagements of the Club to any one or more of the incorporated associations with which the Club is authorised to amalgamate;
- u) To make donations for patriotic, charitable or community purposes;
- v) To transact any lawful business in aid of the Commonwealth of Australia in the prosecution of any way in which the Commonwealth of Australia is engaged;
- w) To do all such other things as are incidental or conducive to the attainment of the objects and the exercise of the powers of the Club.

6. CLASSES OF MEMBERS

- a) The membership of the Club shall consist of the following classes of members:
 - (i) Player Members
 - (ii) Ordinary Members
 - (iii) Honorary Members
 - (iv) Honorary Life Members
- (i) Player Members:
 - Any Senior who applies for registration as a senior football player in accordance with the requirements for the time being of the Mackay Regional Football Zone Inc., Football Queensland and Football Federation Australia, or the relevant governing association of the time, whose application is accepted by the Management Committee, shall be a Player Member.
- (ii) Ordinary Members:

- The parent(s), legal guardian(s), partner(s) and families of every Player Member shall automatically be Ordinary Members of the Club.
- Any person who is appointed by the Management Committee as a Coach or Manager of a team and who is not an Ordinary Member in terms of (a) above shall be an Ordinary Member of the Club.
- Any person who is interested in pursuing the objects of the Club, and who makes application in the form prescribed (see appendix 2) by the Management Committee, and who is accepted by the Management Committee, shall be an Ordinary Member of the Club.

(iii) Honorary Members:

- Upon the recommendation of the Management Committee the Club may, at any general meeting upon a 75% majority, appoint persons to honorary membership of the Club on such terms and conditions as shall be determined at such general meeting. Honorary membership may be bestowed on any person whose membership is deemed to be of particular benefit to the Club, and who would not otherwise be a member of the Club.

(iv) Honorary Life Members:

- At the August G.M. a special notice of intention to make a nomination for life membership shall be forwarded no less than 14 days after nomination closing date. See Appendix 4.
- Any person, who has rendered outstanding service to the Club for a period of at least ten (10) years, or less considering an exceptional level of service to the club, may be elected a life member.
- No more than two (2) life members are to be elected in one year.
- A life member must be elected by a two-thirds majority of members present and entitled to vote at the meeting.
- Nominations with justification for Life Members duly seconded must be lodged with the Secretary no later than August 31st.
- If more than two (2) members are nominated, a secret ballot will be held. Members are to vote for the two (2) nominees of their choice. The two (2) nominees who acquire the highest votes will become the nominees for that year.
- All life members are exempt from club membership fees, home fixtures entry fee and the club portion of player registration fees. Life members will be entitled to receive a complimentary ticket for two to the Annual Presentation night and may attend and vote at a G.M., S.G.M. or A.G.M.

b) The numbers of each class of membership shall be unlimited.

c) Every person who at the date of incorporation of the Club was a member of the unincorporated association and who on or before the day of incorporation agrees in writing to become a member of the Club shall be

admitted by the Management Committee to the same class of membership of the Club as that member held in the unincorporated association, and shall not be required to pay any further subscription until the next due date for payment of that subscription.

- d) Every application for any class of membership of the Club shall make application in writing, signed by the applicant, in such form as the Management Committee from time to time prescribes. (SEE APPENDIX 2)

7. MEMBERSHIP FEES

- a) The membership fees for each class of membership shall be such sum as the members shall from time to time at any general meeting so determine.
- b) The membership fees for each class of membership shall be payable at such time and in such manner as the Management Committee shall from time to time determine.

8. ADMISSION AND REJECTION OF MEMBERS

- a) At the next meeting of the Management Committee after the receipt of any application and the fee applicable for any class of membership, such application shall be considered by the Management Committee, who shall thereupon determine upon the admission or rejection of the applicant.
- b) Any applicant who receives a majority of the votes of the members of the Management Committee present at the meeting at which such application is being considered shall be accepted as a member to the class of membership applied for.
- c) Should any application for membership be rejected by the Management Committee, the Secretary shall forthwith give the applicant notice in writing of such rejection.

9. TERMINATION OF MEMBERSHIP

- a) A member may resign from the Club at any time by giving notice in writing to the Secretary. Such resignation shall take effect at the time such notice is received by the Secretary unless a later date is specified in the notice when it shall take effect on that later date.

- b) If a member:
 - (i) is convicted of an indictable offence; or
 - (ii) fails to comply with any of the provision of this Constitution; or
 - (iii) has membership fees in arrears for a period of two months or more; or
 - (iv) conducts them self in a manner considered to be injurious or prejudicial to the character or interests of the Club, the Management Committee shall consider whether their membership shall be terminated.
- c) The member concerned shall be given a full and fair opportunity of presenting their case and if the Management Committee resolves to terminate their membership it shall instruct the Secretary to advise the member in writing accordingly.

10. APPEAL AGAINST REJECTION OR TERMINATION OF MEMBERSHIP

- a) A person whose application for membership has been rejected or whose membership has been terminated may within one month of receiving written notification thereof, lodge with the Secretary written notice of their intention to appeal against the decision of the Management Committee.
- b) Upon receipt of a notification of intention to appeal against rejection or termination of membership the Secretary shall convene, within three months of the date of receipt by the member of such notice, a general meeting to determine the appeal. At any such meeting the applicant shall be given the opportunity to fully present their case and the Management Committee or those members thereof who rejected the application for membership or terminated the membership subsequently shall likewise have the opportunity of presenting their case. The appeal shall be determined by the vote of the members present at such meeting.
- c) Where a person whose application is rejected, does not appeal against the decision of the Management Committee within the time prescribed by this Constitution or so appeals but the appeal is unsuccessful, the Secretary shall forthwith refund the amount of any fee applicable as determined by the Management committee.

11. REGISTER OF MEMBERS

- a) The management committee must keep a register of members of the association.
- b) The register must include the following particulars for each member—
 - (i) the full name of the member;
 - (ii) the postal or residential address of the member;

- (iii) the date of admission as a member;
 - (iv) the date of death or time of resignation of the member;
 - (v) details about the termination or reinstatement of membership;
 - (vi) any other particulars the management committee or the members at a general meeting decide.
- c) The register must be open for inspection by members of the association at all reasonable times.
 - d) A member must contact the secretary to arrange an inspection of the register.
 - e) However, the management committee may, on the application of a member of the association, withhold information about the member (other than the member's full name) from the register available for inspection if the management committee has reasonable grounds for believing the disclosure of the information would put the member at risk of harm.

12. THE MANAGEMENT COMMITTEE

a) Powers and Duties of Management Committee:

The Management Committee shall be called the Management of the Club and, subject to the Act, the Regulations and this Constitution and to any resolution passed by the Club in General Meeting shall: -

- (i) Control and manage the affairs of the Club.
- (ii) Exercise all such functions as may be exercised by the Club other than those functions that are required by this Constitution to be exercised by a General Meeting of members of the Club; and
- (iii) Perform all such acts and do all such things as appear to the Committee to be necessary or desirable for the proper management of the affairs of the Club.
- (iv) Form Sub-Committees (consisting of such member or members of the Club as the Management thinks fit) which it deems necessary to aid in the running of the Club.
- (v) Admit or reject any player seeking registration with, or transfer from the club.
- (vi) Admit or reject persons seeking Club Membership.
- (vii) Submit or reject teams as formed by Team Managers to Association for inclusion in Association competitions.
- (viii) Determine disputes between players, managers, coaches etc.
- (ix) Approve or refuse application for transfer or regrading of any player between teams in the club.
- (x) Ensure that the club grounds are up to Association standards.
- (xi) Recommend the appointment of a Canteen Co-ordinator for each season.
- (xii) Formulate By-Laws under which the Club will operate each year.
- (xiii) Determine budgets for particular Club activities.

b) Management Committee

The Management Committee shall be elected by eligible members at the A.G.M. each year, and shall comprise of: -

- (i) President.
- (ii) Senior Vice President.

- (iii) Junior Vice President.
- (iv) Financial Controller. (Treasurer)
- (v) Secretary (Public Officer).

- c) The Management shall hold office in an honorary capacity for the term required.
- d) A Management Committee member may be deemed guilty of conduct considered prejudicial to the interest of the Club and may be removed from office by a majority vote at a Special General Meeting.
- e) Any Management Committee member wishing to resign may do so by giving written notice to the Honorary Secretary.
- f) In the event of failure to fill any Management position at the Annual General Meeting, or when a vacancy occurs during the year at a G.M., the meeting shall endeavour to fill the office. No person may hold more than "one" Management position.
- g) Should any Management Committee member absent them self without reasonable excuse, to be decided by the Management Committee, for three consecutive meetings the Chairperson shall declare the office vacant.

13. COMMITTEE

The Committee shall be elected by eligible members at the A.G.M. each year, and shall comprise of at least, but not restricted to, the following:

- (i) Sponsorship and Fundraising Co-ordinator.
- (ii) Registrar.
- (iii) Junior Co-ordinator
- (iv) Equipment Co-ordinator.
- (v) Ground Co-ordinator.
- (vi) Canteen Co-ordinator.
- (vii) Any position or Sub-Committee deemed necessary by the Management Committee.

Refer to Mackay Wanderers FC By-Laws.

14. MEMBERSHIP OF THE MANAGEMENT COMMITTEE

- a) The Management Committee of the Club shall consist of a President, Senior Vice President, Junior Vice President, Secretary, Treasurer, and such number of other members being not less than two nor more than six, all of whom shall be members of the Club, as the members of the Club at any general meeting may from time to time elect or appoint.
- b) At the Annual General Meeting of the Club, all the members of the Management Committee for the time being shall retire from office, but shall be eligible upon nomination for re-election.
- c) For a two year term:
- d) The election of officers and other members of the Management Committee shall take place in the following manner:
- e) Any two members of the Club shall be at liberty to nominate any other member to serve as an officer or other member of the Management Committee;
- f) The nomination, which shall be in writing and signed by the member and their proposer and seconder, shall be lodged with the Secretary at least seven days before the Annual General Meeting at which the election is to take place.
- g) Balloting lists shall be prepared (if necessary) containing the names of the candidates in alphabetical order, and each member present at the Annual General Meeting shall be entitled to vote for any number of such candidates not exceeding the number of vacancies;
- h) Should, at the commencement of such meeting, there be an insufficient number of candidates nominated, nominations may be taken from the floor of the meeting.

15. ELECTION OF MANAGEMENT and GENERAL COMMITTEE

- a) The candidates for Club Management and General Committee can be as in Appendix 4 or be nominated and seconded at the A.G.M. Any persons unable to attend the A.G.M. may be eligible for election to office by submitting to the Secretary a nomination form as in [Appendix 4](#).
- b) Election shall be by secret ballot if more than one candidate applies, or is nominated for the same position.

- c) Only eligible Club Members (and Life Members who continue to show interest within the Club) shall have the right to nominate, be nominated or vote at the election of the Executive or Committee.
- d) Only eligible members present at the A.G.M. or S.G.M. may vote. Proxy votes will be accepted when accompanied by a reasonable reason for non-attendance as determined by the Management Committee.
- e) Upon any question arising at a G.M. or S.G.M. of the Club a member has ONE (1) vote, when there is an equality of votes the question shall be decided in the negative.
- f) A member is not entitled to vote at any G.M., A.G.M. or S.G.M. of the club unless all monies due and payable by the member have been paid and they have met any meeting attendance requirements. Balloting lists shall be prepared (if necessary) containing the names of the candidates in alphabetical order, and each member present at the Annual General Meeting shall be entitled to vote for any number of such candidates not exceeding the number of vacancies;
- g) Should, at the commencement of such meeting, there be an insufficient number of candidates nominated, nominations may be taken from the floor of the meeting.

16. DUTIES AND FUNCTIONS OF MANAGEMENT COMMITTEE MEMBERS

a) President:

The President shall: -

- (i) Manage the overall strategic and Operational direction of the Club.
- (ii) Be an ex officio member of all sub committees.
- (iii) Be Chairperson at meetings and shall conduct such meetings in accordance with this Constitution.
- (iv) Be the Club's representative at Official Functions.
- (v) Promote Mackay Wanderers Football Club through all avenues.
- (vi) Undertake responsibilities as defined by the club Position Description.
- (vii) Have one deliberate vote.

b) Senior Vice President:

The Senior Vice President shall:-

- (i) Assist the President.
- (ii) Manage matters involving the running of the senior teams of the Club. The senior teams are the open men's teams and teams playing in the Zone competition or higher.
- (iii) Undertake responsibilities as defined by the club Position Description.
- (iv) Have one deliberate vote.

c) Junior Vice President:

The Junior Vice President shall:-

- (i) Assist the President.
- (ii) Promote Mackay Wanderers Football Club through avenues such as schools etc.
- (iii) Manage matters involving the running of the junior teams of the Club. The junior teams are mixed teams U5 to U18.
- (iv) Oversee the development of the skills and knowledge of junior coaches through the promotion of accredited coaching courses/clinics and arrange for these courses to be run and for coaches to attend.
- (v) Oversee the development of the skills and knowledge of junior players through the running of player clinics and player education.
- (vi) With the Junior Coaching Co-ordinator; organise Grading of all players from competitive grades into teams and teams into grades.
- (vii) Undertake responsibilities as defined by the club Position Description.
- (viii) Have one a deliberate vote.

d) Financial Controller (Treasurer):

The Financial Controller shall:-

- (i) Receive all monies giving official receipt in return.
- (ii) Bank all monies at least once a week in Club's bank account.
- (iii) Have charge of Club's bank and chequebooks.
- (iv) Give a financial report at G.M. and A.G.M.
- (v) Pay all accounts.
- (vi) Undertake responsibilities as defined by the club Position Description.
- (vii) Have one deliberate vote.

e) Secretary (Public Officer): (Herein referred to as The Secretary)

The Secretary shall: -

- (i) Be an ex officio member of all sub committees.
- (ii) Record the names of all members present and business transacted at every meeting.
- (iii) Hold the official seal and undertake any other duties necessary in the running of the Club.
- (iv) Within one month after the passing of a special resolution altering the statement of the objects or the constitution of the Constitution of the Club, lodge with the Office of Fair Trading notice in the prescribed form setting out particulars of the alteration.
- (v) Shall if required notify the Office of Fair Trading of their address. Should he or she change that address notify the Office of Fair Trading within 14 days after such change.
- (vi) Shall within one month after the Annual General Meeting of the Club lodge with the Office of Fair Trading in the prescribed form verified as prescribed a financial annual statement as required.
- (vii) Shall keep a register of names and addresses of all members of the Club for each year.

- (viii) Should they desire to resign as Secretary, they shall notify the Committee of any obligations that need to be done as per any constitution pursuant to the Clubs Incorporation Act etc.
- (ix) Undertake responsibilities as defined by the club Position Description.
- (x) Have one deliberate vote.

17. POSITION DESCRIPTIONS

The Club shall maintain Position Descriptions for all Management and General Committees, coaches, managers and other defined roles in the Club. The Position Descriptions list objects, responsibilities and accountability for each role. Position Descriptions can be amended by the Committee as seen fit. The Secretary shall be responsible for recording and maintaining all Position Descriptions.

18. RESIGNATION FROM MANAGEMENT COMMITTEE

Any member of the Management Committee may resign from membership of the Management Committee at any time by giving notice in writing to the Secretary but such resignation shall take effect at the time such notice is received by the Secretary unless a later date is specified in the notice when it shall take effect on that later date or such member may be removed from office at a general meeting of the Club where that member shall be given the opportunity to fully present their case. The question of removal shall be determined by the vote of the members present at such a general meeting. Any member resigning shall notify the Committee of any obligations that need to be fulfilled.

19. VACANCIES ON MANAGEMENT COMMITTEE

The Management Committee shall have power at any time to appoint any member of the Club to fill any casual vacancy on the Management Committee until the next annual general meeting.

- a) The continuing members of the Management Committee may act notwithstanding any casual vacancy in the Management Committee, but if and so long as their number is reduced below the number fixed by or pursuant to this Constitution as the necessary quorum of the Management Committee. The continuing member or members may act for the purpose of increasing the number of members of the Management Committee to that number or of summoning a general meeting of the Club but for no other purpose.

20. FUNCTIONS OF THE MANAGEMENT COMMITTEE

- a) Except as otherwise provided by this Constitution and subject to resolutions of the members of the Club carried at any general meeting the Management Committee:
 - (i) shall have the general control and management of the administration of the affairs, property and funds of the Club; and
 - (ii) shall have authority to interpret the meaning of this Constitution and any matter relating to the Club on which this constitution is silent.

- b) The Management Committee may exercise all the powers of the Club:
 - (i) to borrow or raise or secure the payment of money in such manner as the members of the Club may think fit and secure the same or the payment or performance of any debt, liability, contract, guarantee or other engagement incurred or to be entered into by the Club in any way, and in particular, by the issue of debentures, perpetual or otherwise, charged upon all or any of the Club's property, both present and future, and to purchase, redeem or pay off any such securities;
 - (ii) to borrow money from members at a rate of interest not exceeding interest at the rate for the time being charged by bankers for overdrawn accounts on money lent, whether the term of the loan be short or long, and to mortgage or charge its property or any part thereof and to issue debentures and other securities, whether outright or as security for any debt, liability or obligation of the Club, and to provide and pay off any such securities; and...
 - (iii) to invest in such manner as the members of the Club may from time to time determine.

21. DUTIES AND FUNCTIONS OF COMMITTEE MEMBERS

- a) Sponsorship/Fundraising Co-ordinator:

The Sponsorship/Fundraising Co-ordinator shall:

- (i) Co-ordinate sponsorship and fundraising for the Club as a whole or for individual teams. All sponsorship must go through the Sponsorship/ Fundraising Co-ordinator (Sub-Committee may be formed if necessary).
- (ii) Take all sponsorship and fundraising to the Executive/Committee for approval before being finalised.

- (iii) Undertake responsibilities as defined by the club Position Description
- (iv) Have one deliberate vote.

b) Registrar:

The Registrar shall: -

- (i) Register all players in accordance with appropriate Association constitution.
- (ii) Check all team nomination sheets and submit them to appropriate Associations as required, during Registration period.
- (iii) Register teams as required by Associations.
- (iv) Keep records of all Club players details.
- (v) Undertake responsibilities as defined by the club Position Description
- (vi) Ensure all registration fees are paid.
- (vii) Have one deliberate vote.

c) Junior Co-ordinator:

The Junior Co-ordinator shall: -

- (i) Assist the Junior Vice President in matters relating to junior teams.
- (ii) Be responsible for all Junior fixtures home and away.
- (iii) Assist with junior draws for season.
- (iv) Assist with grading all junior players into teams.
- (v) Make recommendations for junior teams Coaches and Managers.
- (vi) Be in charge of any team Fun Day allocations.
- (vii) Undertake responsibilities as defined by the club Position Description.
- (viii) Have one deliberate vote.

d) Equipment Co-ordinator:

The Equipment Co-ordinator shall: -

- (i) Be responsible for all playing equipment (Shirts, Shorts, Socks and Balls etc.) and gear for the Clubs use at training and Fun Days (Portable Goals, Nets, Corner Flags, Seats, B. B Q., and P.A. System etc.)
- (ii) At the start of each season hand out appropriate gear to each team manager and collect such gear at the end of each season.
- (iii) Undertake responsibilities as defined by the club Position Description.
- (iv) Have one deliberate vote.

e) Ground Co-ordinator:

The Ground Co-ordinator shall: -

- (i) Make recommendations in regards to work to be done to grounds.
- (ii) Make sure all grounds are playable, and with Executive Committee call off games and training if grounds are unplayable due to weather etc.
- (iii) Organise grounds to be marked to Association standards at all times.
- (iv) Form subcommittee if required.
- (v) Undertake responsibilities as defined by the club Position Description.
- (vi) Have one deliberate vote.

f) Canteen Co-ordinator:

The Canteen Co-ordinator shall: -

- (i) Ensure that the canteen is always adequately stocked.
- (ii) Organising the roster as required for canteen duty.
- (iii) Liaise with Financial Controller to ensuring a cash float is available and canteen income is banked.
- (iv) Form Canteen sub-Committee if required.
- (v) Undertake responsibilities as defined by the club Position Description.
- (vi) Have one deliberate vote.

g) General Committee Members:

- (i) Help with general running of club.
- (ii) Participate in the running of the sub-committees as required.
- (iii) Have one deliberate vote.

22. MEETINGS OF MANAGEMENT COMMITTEE

The Management Committee will hold Management Meetings at least 3 times each year or whenever deemed necessary or warranted to run the club.

- a) A special meeting of the Management Committee shall be convened by the Secretary on the requisition in writing signed by not less than one-third of the members of the Management Committee, which requisition shall clearly state the reasons why such special meeting is being convened and the nature of the business to be transacted thereat.
- b) At every meeting of the Management Committee a simple majority of a number equal to the number of members elected and/or appointed to the Management Committee as at the close of the last general meeting of the members, shall constitute a quorum.

- c) Subject as previously provided in their rule, the Management Committee may meet together and regulate its proceedings as it thinks fit: Provided that questions arising at any meeting of votes, and the case of equality of votes, the question shall be deemed to be decided in the negative.
- d) A member of the Management Committee shall not vote in respect of any contract or proposed contract with the Club in which they are interested, or any matter arising thereout, and if they do so vote, their vote shall not be counted.
- e) Not less than fourteen days' notice shall be given by the Secretary to members of the Management Committee of any special meeting of the Management Committee. Such notice shall clearly state the nature of the business to be discussed thereat.
- f) The President shall preside as Chairperson at every meeting of the Management Committee, or if there is no President, or if at any meeting the President is not present within ten minutes after the time appointed for holding the meeting, then the members may choose one of the numbers to be Chairperson of the meeting.
- g) If within half an hour from the time appointed for the commencement of a Management Committee meeting a quorum is not present, the meeting, if convened upon the requisition of members of the Management Committee, shall lapse. In any other case it shall stand adjourned to the same day in the next week at the same time and place, or to such other day and at such other time and place as the Management Committee may determine, and if at the adjourned meeting a quorum is not present within half an hour from the time appointed for the meeting, the meeting shall lapse.
- h) The Management Committee may delegate any of its powers to a sub-committee consisting of such members of the Club as the Management Committee thinks fit. Any sub-committee so formed shall in the exercise of the powers so delegated conform to any regulations that may be imposed on it by the Management Committee.
- i) A sub-committee may elect a Chairperson of its meetings, if no such Chairperson is elected, or if at any meeting the Chairperson is not present within ten minutes after the time appointed for holding the meeting, the members present may choose one of their numbers to be Chairperson of the meeting.
- j) A sub-committee may meet and adjourn as it thinks proper. Questions arising at any meeting shall be determined by a majority of votes of the members present and, in the case of an equality of votes, the question shall be deemed to be decided in the negative.

- k) An act performed by the Management committee, a subcommittee or a person acting as a member of the management committee is taken to have been validly performed. This applies even if the act was performed when there was a defect in the appointment of a member of the Management committee, subcommittee or person acting as a member of the management committee, or a management committee member, subcommittee member or a person acting as a member of the management committee was disqualified from being a member.

- l) A written resolution signed by each member of the management committee is as valid and effectual as if it had been passed at a committee meeting that was properly called and held. This may consist of several documents, in like form, each signed by 1 or more members of the committee.

23. DELEGATES

Delegates to approved bodies shall vote as authorised by the Club and where not instructed vote in a manner that they deem to be in the best interest of the Club.

24. BANK AUTHORITY

All payments issued by the Club shall be endorsed by any TWO of the following: -

- (i) President
- (ii) Senior Vice President
- (iii) Junior Vice President
- (iv) Treasurer
- (v) Secretary

25. FUND SOURCE

- a) The funds of the Club shall be derived from Registration fees, Annual Subscriptions of members, Donations, Sponsorship, Social Activities, Canteen Operations, Fun Days, and any other sources as the Management/General Committee determines.

- b) All money received by the Club shall be deposited as soon as practicable and without deduction to the credit of the Club's bank account.

- c) The Club shall, as soon as practicable after receiving any money, issue an appropriate receipt.

- d) All funds raised shall be used in Accordance with the Objects of the Club.

26. PAYMENTS ETC., TO MANAGEMENT COMMITTEE AND MEMBERS

No Management/ General Committee position shall be a paid or salaried office of the club. Any member in these positions shall not be paid any remuneration or other benefit in money or money's worth for these positions, except for repayment of out-of-pocket expenses for doing club business (itemised account to be lodged to committee for approval).

27. ANNUAL GENERAL MEETING

- a) Annual General Meeting:
 - (i) Will be held within three months of the close of the financial year. The Management Committee will decide on a date.
 - (ii) The date is to be made known to members at least one (1) month before the A.G.M.
 - (iii) Members must be financial and have attended at least three monthly meetings held after previous A.G.M. to vote at current A.G.M.
 - (iv) The A.G.M. will deal with revisions, alterations and/or amendments to this Constitution.
 - (v) Office Bearers for the following period will be elected at the A.G.M.

- b) The business to be transacted at every annual general meeting shall be:
 - (i) the receiving of the Management Committee's report and the statement of income and expenditure, assets and liabilities and mortgages, charges and securities affecting the property of the Club for the preceding financial year;
 - (ii) the receiving of the auditor's report upon the books and accounts for the preceding financial year;
 - (iii) the election of members of the Management Committee; and
 - (iv) the appointment of an auditor.

- c) Duration of Decisions:

Except where otherwise specifically provided for by this Constitution and By Laws, all decisions at a G.M. or S.G.M. will have force and effect only for the year in which they are made.

28. SPECIAL GENERAL MEETING

The Secretary shall convene a Special General Meeting:

- a) when directed to do so by the Management Committee; or
- b) on the requisition in writing signed by not less than one-third of the members presently on the Management Committee or not less than the number of Ordinary Members of the Club which equals double the number of members presently on the Management Committee plus one. Such requisition shall clearly state the reasons why such special general meeting is being convened and the nature of the business to be transacted thereat; or
- c) on being given a notice in writing of an intention to appeal against the decision of the Management Committee to reject an application for membership or to terminate the membership of any person.
- d) At any general meeting the number of members required to constitute a quorum shall be at least the number of members elected or appointed to the Management committee at the close of the association's last general meeting plus one (1). However, if all members of the Club are members of the management committee, the quorum is the total number of members less one (1).
- e) No business shall be transacted at any general meeting unless a quorum or members is present at the time when the meeting proceeds to business. For the purposes of this rule "member" includes a person attending as a proxy or as representing a corporation which is a member.
- f) If within half an hour from the time appointed for the commencement of a general meeting a quorum is not present, the meeting, if convened upon the requisition of members of the Management Committee or the Association, shall lapse. In any other case it shall stand adjourned to the same day in the next week at the same time and place or to such other day and at such other time and place as the Management Committee may determine, and if at the adjourned meeting a quorum is not present within half an hour from the time appointed for the meeting, the members present shall be a quorum.
- g) The Chairperson may, with the consent of any meeting at which a quorum is present (and shall if so directed by the meeting), adjourn the meeting from time to time and from place to place, but no business shall be transacted at any adjourned meeting other than the business left unfinished at the meeting from which the adjournment took place. When a meeting is adjourned for thirty days or more, notice of the adjourned meeting shall be given as in the case of an original meeting. Save as aforesaid it shall not be necessary to give any notice of an adjournment or of the business to be transacted at an adjourned meeting.

29. GENERAL MEETING

The Secretary shall convene all general meetings of the Club by giving not less than fourteen days' notice of any such meeting to the members of the Club.

a) The manner by which such notice shall be given shall be determined by the Management Committee; Provided that notice of any meeting convened for the purpose of hearing and determining the appeal of a member against the rejection or termination of their membership by the Management Committee, shall be given in writing. Notice of a general meeting shall clearly state the nature of the business to be discussed thereat.

b) Unless otherwise provided by this Constitution, at every general meeting:

(i) the President shall preside as Chairperson, or if there is no President, or if they are not present within fifteen minutes after the time appointed for the holding of the meeting or is unwilling to act, then the members present shall elect one of the number to be Chairperson of the meeting;

(ii) the Chairperson shall maintain order and conduct the meeting in a proper and orderly manner;

(iii) every question, matter or resolution shall be decided by a majority of votes of the members present;

(iv) every member present shall be entitled to one vote and in the case of an equality of votes the vote decision will be deemed to be in the negative. No member shall be entitled to vote at any general meeting if their annual subscription is in arrears at the date of the meeting;

(v) voting shall be by show of hands or a division of members, unless not less than one-fifth of the members present demand a ballot, in which event there shall be a secret ballot. The Chairperson shall appoint two members to conduct the secret ballot in such manner as he shall determine and the result of the ballot as declared by the Chairperson shall be deemed to be the resolution of the meeting at which the ballot was determined;

(vi) a member may vote in person or by proxy or by attorney and on a show of hands every person present who is a member or a representative of a member shall have one vote and in a secret ballot every member present in person or by proxy or by attorney or other duly authorised representative shall have one vote;

(vii) The instrument appointing a proxy shall be in writing, in the common or usual form under the hand of the appointer or of their attorney duly authorised in writing or, if the appointer is a corporation, either under

seal or under the hand of an officer or attorney duly authorised. A proxy may, but need not be, a member of the Club. The instrument appointing a proxy shall be deemed to confer authority to demand or join in demanding a secret ballot;

- (viii) Where it is desired to afford members an opportunity of voting for or against a resolution the instrument appointing a proxy shall be in the following form or a form as near thereto as circumstances permit:

ASSOCIATION:

I, _____ of _____,

being a member of the above named Association, hereby appoint

_____ of _____, or failing the member

_____ of _____, as my proxy to vote for me on my behalf at the (annual) general meeting of the Club, to be held on the _____ day of

_____, 20____, and at any adjournment thereof.

Signed their _____ day of _____, 20____

Signature

Their form is to be used - * in favour of / * against - the resolution

* Strike out whichever is not desired. (Unless otherwise instructed, the proxy may vote as they think fit).

The instrument appointing a proxy shall be deposited with the Secretary prior to the commencement of any meeting or adjourned meeting at which the person named in the instrument proposes to vote; and

30. MINUTES OF MEETINGS

- a) The Secretary shall ensure full and accurate minutes of all questions, matters, resolutions and other proceedings of every Management Committee meeting and general meeting to be entered into a minute book. To ensure the accuracy of the recording of such minutes; the minutes of every Management Committee meeting shall be signed by the Chairperson of that meeting or the Chairperson of the next Committee meeting verifying their accuracy.

- b) Similarly, the minutes of every general meeting shall be signed by the Chairperson of that meeting or the Chairperson of the next meeting of the club that is a general meeting or annual general meeting, verifying their accuracy. If asked by a member of the association, the secretary must, within 28 days after the request is made, make the minute book for a particular general meeting available for inspection by the member at a mutually agreed time and place, and give the member copies of the minutes of the meeting. The association may require payment from the member to pay reasonable costs of providing copies of the minutes.

31. BY-LAWS

The Management Committee may from time to time make, and amend or repeal by-laws, not inconsistent with this Constitution, for the internal management of the Association and any by-law may be set aside by a general meeting of members.

32. ALTERATION OF CONSTITUTION

Subject to the provisions of the Clubs Incorporation Act 1981, this Constitution may be amended, repealed or added to by a special resolution carried at a general meeting. However, an amendment, repeal or addition is valid only if it is registered by the chief executive.

33. COMMON SEAL

The Management Committee must ensure the association has a Common Seal and is kept securely. The Common Seal shall only be used by the authority of the Management Committee and every instrument to which the seal is affixed shall be signed by a member of the Management Committee and shall be countersigned by the Secretary or by a second member of the Management Committee or by some other person appointed by the Management Committee

34. FUNDS AND ACCOUNTS

- a) the funds of the Club shall be banked in the name of the Club in such bank as the Management Committee may from time to time direct.
- b) Proper books and accounts shall be kept and maintained either in written or printed form in the English language showing correctly the financial affairs of the Club and the particulars usually shown in books of a like nature.
- c) All moneys shall be banked as soon as practicable after receipt thereof.
- d) All amounts of one hundred dollars or over shall be paid by cheque or direct debit signed by any two of the President, Secretary, Treasurer or other member authorised from time to time by the Management Committee.
- e) Cheques shall be crossed "not negotiable" except those in payment of wages, allowances or petty cash recoupments which may be open.
- f) The Management Committee shall determine the amount of petty cash which shall be kept on the impreza system.
- g) All expenditure shall be approved or ratified at a Management Committee meeting.
- h) As soon as practicable after the end of each financial year, the Treasurer shall cause to be prepared a statement containing particulars of:
 - (i) the income and expenditure of the financial year just ended; and
 - (ii) the assets and liabilities and of all mortgages, charges and securities affecting the property of the Club at the close of that year.
 - (iii) All such statements shall be examined by the auditor who shall present their report upon such audit to the Secretary prior to the holding of the annual general meeting next, following the financial year in respect of which such audit was made.

- i) The income and property of the Club whencesoever derived shall be used and applied solely in promotion of its objects and in the exercise of its powers as set out herein and no portion thereof shall be distributed, paid or transferred directly or indirectly by way of dividend, bonus or otherwise by way of profit to or amongst the members of the Club provided that nothing herein contained shall prevent the payment in good faith of interest to any such member in respect of monies advanced by the member the Club or otherwise owing by the Club to the member or of remuneration to any officers or servants of the Club or to any member of the Club or other person in return for any services actually rendered to the Club provided further that nothing herein contained shall be construed so as to prevent the payment or repayment to any member of out-of-pocket expenses, money lent, reasonable and proper charges for goods hired by the Club or reasonable and proper rent for premises demised or let to the Club.

35. DOCUMENTS

The Management Committee shall provide for the safe custody of books, documents, instruments of title and securities of the Club.

36. FINANCIAL YEAR

The financial year of the Club shall close on 30 June in each year.

APPENDIX 1

APPLICATION FOR HONORARY MEMBERSHIP OF MACKAY WANDERERS FOOTBALL CLUB INCORPORATED FOR THE SEASON

Please print all information

NAME _____

ADDRESS _____

SUBURB _____ STATE _____ Post Code _____

Phone _____ Mobile _____

Email _____

I hereby apply to become a member of **MACKAY WANDERERS** Football Club Incorporated. In the event of my admission as a member, I agree to be bound by the Constitution of **MACKAY WANDERERS** Football Club Incorporated as set out in its Constitution and By Laws.

Signature of Applicant _____

Date of Application _____

Receipt No _____

Date of Membership Granted _____ Membership No _____

APPENDIX 2

APPLICATION FORM FOR COACH/MANAGER

SURNAME _____

GIVEN NAMES _____

ADDRESS _____

SUBURB _____ STATE _____ Post Code _____

Phone _____ Mobile _____

Email _____

MALE / FEMALE _____ DATE OF BIRTH _____

POSITION APPLIED FOR COACH MANAGER

(Please circle position applied for)

DETAILS

ANY COACHING FFA COACHING ACCREDITATION CURRENTLY

HELD _____

PREVIOUS

EXPERIENCE _____

PREVIOUS CLUB POSITION HELD _____

AGE AND/OR GRADE PREFERRED _____

FIRST AID TRAINING

Do you possess any first aid training qualifications or certificates (e.g. St Johns Ambulance)? Yes/No?

If yes, please attach a copy.

CHILD PROTECTION POLICY

Have you previously undertaken a Child Protection Check (e.g. working with Children Blue Card?)

Yes/No

If yes, please attach a copy. If no, and you will be working with children, we ask that you apply for a Blue Card online at www.bluecard.qld.gov.au. This is free of charge.

I (full name) _____ agree that if appointed as a COACH or MANAGER, I will abide by the CONSTITUTION and REGULATIONS of **MACKAY WANDERERS** FOOTBALL CLUB Inc. and the MRFZ whilst participating in any of the club's activities.

SIGNED _____ DATE _____

APPENDIX 3

MACKAY WANDERERS FOOTBALL CLUB Inc.

Committee and Club Position Nomination Form

Name:

Address:

Contacts: Phone (h): _____ Mobile: _____

Phone (w): _____ Email: _____

I wish to nominate for the following:

1. MANAGEMENT COMMITTEE

- | | | | |
|--------------------------|-----------------------|--------------------------|----------------------|
| <input type="checkbox"/> | President | <input type="checkbox"/> | Financial Controller |
| <input type="checkbox"/> | Senior Vice President | <input type="checkbox"/> | Secretary |
| <input type="checkbox"/> | Junior Vice President | | |

2. COMMITTEE

- | | | | |
|--------------------------|--|--------------------------|------------------------|
| <input type="checkbox"/> | Sponsorship and Fundraising Co-ordinator | <input type="checkbox"/> | Gear Co-ordinator |
| <input type="checkbox"/> | Registrar | <input type="checkbox"/> | Ground Co-ordinator |
| <input type="checkbox"/> | Junior Co-ordinator | <input type="checkbox"/> | Canteen Co-ordinator |
| <input type="checkbox"/> | General Committee Member | <input type="checkbox"/> | Other (preferred role) |

Nominee Signature: _____ Date: _____

Nomination Endorsement

(Nominator) Name & Signature _____ Date: _____

Nomination Endorsement

(Secunder) Name & Signature _____ Date: _____

APPENDIX 4

MACKAY WANDERERS FOOTBALL CLUB Inc.

Honorary Life Member Nomination Form

Name:

Address:

Contacts: Phone (h): _____ Mobile: _____

Phone (w): _____ Email: _____

I wish to nominate: _____

Reasons for nomination:

Nominee Signature: _____ Date: _____

Nomination Endorsement

(Nominator) Name & Signature _____ Date: _____

Nomination Endorsement

(Secunder) Name & Signature _____ Date: _____