

Annexure Clause:

This is the annexure of 5 pages marked "A" referred to in the Form 1: Application for Incorporation of Association signed by me and dated.....signature.....

Statement of compliance clause:

The rules of St. Ives Triathlon Club Incorporated herein are in accordance with Section 11 and provided for those matters specified in Schedule 1 of the *Associations Incorporation Act* 1984. Signature:.....

St. Ives Triathlon Club Incorporated Association Rules

Part I Preliminary

1. Interpretation and Definitions

(1) These rules are to be interpreted using the definitions as provided in the *Associations Incorporation Act 1984* (NSW), the *Associations Incorporation Regulation 1999* (NSW), the *Model Rules* as provided in Schedule 1 of the *Regulation*, and in accordance with provisions of the *Interpretation Act 1987* (NSW).

(2) "the Club" means St. Ives Triathlon Club Incorporated.

Part II Membership

2. Membership Qualifications

All members of the public are eligible to join who are physically fit and can undertake training and competition in the disciplines of triathlon and the like.

(1) all individuals are responsible for deciding whether they have the requisite level of fitness;

(2) application for membership or renewal of membership must be made on the Club's application form together with payment of an annual membership fee and any joining fee;

(3) the annual fee and any joining fee will be determined by the Committee;

(4) membership will be renewed annually;

(5) formal resignation is not required as membership will lapse if not renewed annually.

3. Register of Members

A register of members' names, addresses, phone numbers, and other contact details will be held by the president and the secretary.

4. Fees

An annual fee and joining fee will be determined by the Committee at the annual general meeting or other meeting as may be required.

5. Members' Liabilities

Liability of members is limited only to that amount that may be unpaid for annual fees and any joining fees for membership, as provided in rule 4, notwithstanding any debts or liabilities the Club might have or incur.

6. Disciplining of Members

Any complaints must be raised at a meeting with all members of the Committee present and as many members as possible. The matter will be discussed and a resolution decided upon by a majority of two thirds of those present. Up to three appeals may be made by the disciplined member.

7. Internal Disputes

Internal disputes between members, in their capacity as members of the Club, initially will attempted to be resolved by the Committee at a special meeting. If a matter cannot be settled it will be referred to a Community Justice Centre for mediation in accordance with the *Community Justice Centres Act 1983 (NSW)*.

Part III The Committee

8. Powers of the Committee

The Committee is the Club's managing body, subject to the *Associations Incorporation Act*, the *Associations Incorporation Regulation*, and these rules, and to any resolution passed by the Club in a general meeting. The Committee has the following powers:

- (1) to control and manage the affairs of the Club;
- (2) may exercise all functions of the club except those reserved by these rules to be exercised by a general meeting of members of the Club;
- (3) authority to do all acts that are desirable for the proper management of the Club.

9. Constitution and Membership of the Committee

(1) The Committee shall be constituted by the office bearers of the Club and any ordinary members of the Club as determined at any general meeting of the members.

(2) The office bearers of the Club are:

- (a) the president;
- (b) the treasurer;
- (c) the secretary (and public officer);
- (d) the communications officer; and
- (e) the race director.

(3) Each Committee member will hold office until conclusion of the annual general meeting following the date of the member's election or appointment.

(4) In the event of a casual vacancy on the Committee, the Committee may appoint a member of the Club to fill the vacancy.

10. Election of Office Bearers and Committee Members

(1) Nominations of candidates for election as office bearers will be accepted at the annual general meeting.

(2) Ordinary Club members may be nominated as candidates for election to the Committee if a motion is carried at the annual general meeting to do so.

11. Casual Vacancies on the Committee

A casual vacancy on the Committee occurs if a Committee member:

- (1) dies; or
- (2) ceases to be a member of the Club; or
- (3) becomes incapacitated; or
- (4) resigns by giving notice in person or in writing; or
- (5) is absent for six months without giving notice to the Committee or without the Committee's agreement; or
- (6) is removed from the Committee and office, if an office bearer, by a resolution of a general meeting.

12. Quorum and Procedure at Committee Meetings

- (1) The Committee only needs to meet as often as required for the proper management of the Club. Meetings can be convened by the president or any member of the Committee.
- (2) Any three Committee members constitute a quorum.
- (3) No business is to be transacted unless a quorum is present.
- (4) Oral or written notice of a Committee meeting must be given by the convenor of the meeting at least 48 hours (or other such period as unanimously agreed by the Committee) in advance.
- (5) The president, when present will preside at Committee meetings, if absent then any present Committee member, as agreed by those present.

Part IV General Meeting

13. Calling of General Meetings and Business Conducted

- (1) The Club must hold one annual general meeting per year and it must be within six months of the end of the financial year, convened at a time and place the Committee thinks fit. Business at the annual general meeting is to include:
 - (a) confirmation of the minutes from the previous annual general meeting and of any special general meeting since that meeting;
 - (b) receive reports from the Committee on the activities of the Club throughout the preceding financial year;
 - (c) election of office bearers and any ordinary members of the Committee;
 - (d) to receive and consider the financial statement which is required to be submitted to members under s.26(6) *Associations Incorporation Act*.
- (2) Special general meetings may be convened:
 - (a) for the purpose of conducting any business normally conducted at the annual general meeting and other business allowed by these rules; and
 - (b) by:
 - (i) the Committee as the Committee thinks fit; or
 - (ii) where at least **one third** of the membership requisition the Committee to convene such, it may be convened by the ordinary members;
 - and
 - (c) one week's notice must be given to the Club's membership; and
 - (d) at a time and place the convenor thinks fit.
- (3) General meetings will be presided by:
 - (a) the president, when present; or
 - (b) if absent, then any Committee member present, as agreed by those present of the Committee; or
 - (c) if no Committee member is present, and,
 - (i) it is the annual general meeting; or
 - (ii) **two thirds** of the Club membership are present,then any ordinary member as agreed by those present, may preside.

14. General Meetings Procedure

- (1) No item of business is to be transacted at a general meeting unless a quorum of members, entitled to vote, is present at the time the item is being considered.

(2) **All members** with paid up annual membership are entitled to vote and their vote will count as **one vote only**. Proxies may be appointed but notice of such appointment must be communicated to the secretary at least 24 hours before the meeting, so that such arrangement can be verified.

(3) A **quorum** for the purposes of a general meeting is constituted by **five members** present in person.

(4) If within 30 minutes of the appointed time for the start of the general meeting a quorum is not present the meeting:

(a) if convened on requisition of members, is to be dissolved; and

(b) in any other case, is to stand adjourned to the same day next week at the same time and place, unless otherwise specified at the time of the adjournment by the person presiding, in which case members must be notified. In any event the subsequent meeting must be within a fortnight of the adjournment.

(5) If at a meeting subsequent to an adjournment a quorum is not present within 30 minutes of the appointed start time, **three members** will constitute a **quorum**.

(6) A show of hands or verbal indication is sufficient for casting votes.

(7) If the vote is **hung** on a motion then the motion is defeated as there is **no majority**.

15. Notice of General Meetings

Notice of general meetings must be given at least three days prior to the meeting. In the case of the annual general meeting at least seven days notice is required.

Part V Miscellaneous

16. Source of Funds

(1) Funds of the Club are derived from membership fees, Club event entry fees, donations and any other sources that the Committee determines is appropriate.

(2) All money received by the Club is to be deposited to the Club's bank account as soon as practicable.

(3) Receipts should be issued for moneys received as soon as practicable.

17. Funds Management

(1) All funds are to be managed by the treasurer and applied for purposes as determined by the Committee.

(2) All, cheques, money orders, bills of exchange, promissory notes, and other negotiable instruments must be signed by the treasurer.

18. Alteration of Objects and Rules

The statement of objects and these rules may be amended only by special resolution, which requires a **majority of two thirds** of a general meeting.

19. Common Seal

(1) The common seal of the Club shall be kept by the secretary.

(2) The common seal can only be affixed to an instrument with the authority of the Committee.

20. Custody of Books

All records, books and other documents relating to the Club are to be kept by the secretary of the Club, except those ledgers and accounts that are to be kept by the treasurer.

21. Inspection of Books

All records, books and other documents must be open to inspection by members of the Club a any reasonable hour, free of charge.

22. Affiliation

The club will annually renew its affiliation with Triathlon NSW, or in the event it ceases to exist, other such bodies that represent triathlon and multisport for the state of NSW, at the discretion of the Club.

23. Statement of Objects

The objects of the Club are to promote fun, fitness and competition through participation in triathlon and other multisport events. Generally the primary object is to promote the sport of triathlon throughout the Club's local district and adjacent areas.

24. Nonprofit Clause

The assets and income of the Club shall be applied exclusively to the promotion of its objects and no portion shall be paid or distributed directly or indirectly to the members of the Club except as bona fide remuneration for services rendered or expenses incurred on behalf of the Club.

25. Dissolution Clause

In the event of the Club being dissolved, the amount which remains after such dissolution and the satisfaction of all debts and liabilities shall be paid and applied by the Club in accordance with its powers to any organisation which has similar objects and which has rules prohibiting the distribution of its assets or income to its members.

26. Limitation of Liability to Members

In the event of litigation, or claim by other means, against the Club, and any of its officers, members, or agents, by a member, the liability is limited to the amount of insurance for which the Club, and any of its officers, members, or agents, are actually indemnified, in respect of the claim.