



**ASSOCIATIONS
INCORPORATION
ACT (1981)**

INCLUSIVE OF 1ST July 1998 - AMENDMENTS

RULES OF ASSOCIATION

For

Ruperstwood Football Club Inc

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RULES OF ASSOCIATION OF RUPERTSWOOD FOOTBALL CLUB INC

1. Name

The name of the incorporated association is Rupertswood Football Club Inc (in these Rules called "the Club").

2. Definitions

(1) In these Rules, unless the contrary intention appears-

- (a) the singular includes the plural;
- (b) the masculine includes the feminine.

"Act" means the **Associations Incorporation Act 1981**;

"Annual Renewal Date" means the date determined by the Committee on which Membership Fees for non Playing Members are due and payable;

"Annual Subscription" means the amount payable for membership of the Club in accordance with Schedule 2: Annual Subscriptions;

"Committee" means the Committee of management of the Club;

"Commission" means the Liquor Licensing Commission;

"Financial Year" means the year ending on 30 September;

"Football" means any formal code of football played in Australia.

"General Meeting" means a meeting of Members convened in accordance with Rule 15;

"Liquor Control Reform Act" means the Liquor Control Reform Act 1998 or any amendment of re-enactment thereof;

"Member" means a Member of the Club as defined in Rule 6;

"Ordinary Member of the Committee" means a Member of the Committee who is not an officer of the Club under Rule 26;

"Playing Member" means any member actively participating in a sport as defined in Rule 3;

"Regulations" means regulations under the Act;

"Relevant Documents" has the same meaning as in the Act;

"Rules" means the Rules of Association of the Club;

"Sanctioned Undertakings" means any activity, job, task, promotion or undertaking covered by these Rules, or authorised by the Committee in accordance with the Act, Regulations, or these Rules, for the express benefit or purpose of the Club;

(2) In these Rules, a reference to the Secretary of the Club is a reference-

- (a) if a person holds office under these Rules as Secretary of the Club - to that person; and
- (b) in any other case, to the public officer of the Club.

3. The Purposes of the Club are:

- (1) To promote, manage and encourage healthy recreation for the Members through any code of Football played in Australia or any other sport agreed to by the Committee as being in the interests of the Club and to the benefit of the Members;
- (2) To purchase, lease, rent, accept donations of and otherwise acquire plant, stock, equipment and material and maintain the same for the use of the Club.;
- (3) To construct, establish, provide, furnish and maintain such buildings, arenas, sporting, entertainment or recreational facilities as the Club may determine from time to time;
- (4) Generally do or take part in any matters conducive or ancillary or incidental to this Statement of Purposes or any of them;
- (5) In the event of doubt, uncertainty or dispute concerning this Statement of Purposes or any matter relevant thereto, they shall receive a wide and liberal interpretation;
- (6) To recruit and train personnel to provide services to the Club and its Members as required to meet the purposes of the Club in accordance with these Rules and the rules of Football.

4. Powers

Solely for the objective of furthering the Purposes of the Club set out above, the Club shall have power as follows:

- (1) the powers of a natural person, including the powers given by the Associations Incorporation Act but subject to any limitations imposed by that Act;
- (2) to indemnify any person for any loss or damage incurred as a result of conducting Sanctioned Undertakings on behalf of the Club, who has become liable to pay any amount by way of damages or otherwise, such indemnity being limited to direct losses not including injury or inconsequential losses.
 - (a) Payment of indemnity under Rule 4(2) may be in an agreed form including but not limited to monetary payment, or goods and services to the equivalent agreed value of the claim at the time the claim loss or damaged was incurred;
- (3) to subscribe to, become a Member of and cooperate with any other associations, club or organisation, whether incorporated or not, whose objectives are altogether or in part similar to those of the Club;
- (4) to buy, sell and deal in articles, commodities and provisions, both liquid and solid, for the Members of the Club, or persons requesting use of the Club's premises, as allowed by law in a manner appropriate for the Club and approved by the Committee;
- (5) to provide, social, dining and entertainment activities and facilities for its Members at venues that are appropriate for such activities;
- (6) to acquire, or lease, and maintain suitable premises and facilities for the proper functioning of the Club;
- (7) to promote friendship and sociability amongst the Members in a manner appropriate for the Club and approved by the Committee;
- (8) to hold and renew any licence, permit or authority under the Liquor Control Reform Act or any amendment or re-enactment thereof;

- (9) to purchase, take on lease or in exchange, hire and otherwise acquire any lands, buildings, 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 purposes of the Club provided that the Club shall only deal with the same in such manner as is allowed by law;
- (10) to enter into any arrangements with any governments or recognised authorities that are incidental or conducive to the attainment of the purposes and the exercise of the powers of the Club, to obtain from any such government or authority any rights, privileges and concessions which the Club may think is desirable to obtain and to carry out, exercise and comply with any such arrangements, rights, privileges and concessions;
- (11) to construct, improve, maintain, develop, work, manage, carry out, alter or control any houses, buildings, grounds, works or conveniences which directly or indirectly 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;
- (12) to appoint, employ, remove or suspend such managers, clerks, secretaries, workmen and other persons as may be necessary or convenient for the purposes of the Club, on a voluntary or contract basis where contract payments are authorised by the Committee in accordance with these Rules;
- (13) 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;
- (14) 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 secure any moneys or further advances borrowed by notes secured or unsecured, or by mortgage, charge, lien or other security upon the whole or any part of the Club's property or assets present or future and to pay off any such securities;
- (15) to sell, improve, manage, develop, exchange, lease, dispose of, turn to account or otherwise deal with all or any part of the property and rights of the club;
- (16) 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;
- (17) to take any gift of property whether subject to any special trust or not, for any one or more of the purposes of the Club;
- (18) 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 form of donations, annual subscriptions or otherwise;
- (19) to print and publish any newspapers, periodicals, books or leaflets that the Club may think desirable for the promotion of its purposes;
- (20) to make donations for patriotic, charitable or community purposes; and
- (21) to do all such other things as are incidental or conducive to the attainment of the purposes and exercise of the powers of the Club.

5. Alteration and Interpretation of the Rules

- (1) No amendment shall be made to these Rules other than by Special Resolution at the Annual General Meeting or at a Special General Meeting called for that purpose and passed by a 75% majority of voters registered in person or by proxy.
- (2) For so long as the Club is licensed by the Liquor Licensing Commission, the Secretary of the Club shall within 14 days from the making of any amendment or alteration in the rules of the Club forward to the Registrar of the Commission a certified copy of every such amendment or alteration.
- (3) Notwithstanding anything to the contrary herein contained the Committee, upon the advice of the Club's legal advisers, may in connection with any proceedings before the Commission make such amendment(s) of these Rules as may be required to comply with the Liquor Control Reform Act or any requirement, direction, submission or policy of the Commission. Any such amendment shall unless otherwise determined by the Committee take effect forthwith and the Committee shall cause a copy of such amendment or amendments to be displayed in a conspicuous position in the Club premises within seven days after the making thereof.
- (4) Any question of interpretation which arises under these Rules or a by-law of the Club shall be resolved by the Committee in accordance with Rule 3(5)

6. Membership

- (1) A person who applies for and is approved membership as provided in these Rules is eligible to be a member of the Club on payment of the Annual Subscription(s) payable under these Rules and set out in Schedule 2: Annual Subscriptions.
- (2) An application of a person for membership of the Club must-
 - (a) be made in writing in the form approved by the Committee for such purpose, and
 - (b) be lodged with the Secretary of the Club, and
 - (c) May be accompanied by payment of the sum payable as the Annual Subscription.
- (3) As soon as practicable after the receipt of an application, the Secretary must refer the application to the Committee.
- (4) The Committee must determine whether to approve or reject the application, and any amount paid as an Annual Subscription will be held on account until the application is either approved or rejected.
- (5) If the Committee approves an application for Membership, the Secretary must, as soon as practicable-
 - (a) notify the applicant in writing of the approval for Membership; and
 - (b) request payment within 28 of the amount payable under these Rules as the Annual Subscription.
 - (i.) An official receipt issued by the Club and signed by a member of the Committee may form written notification under sub-rule (5)(a), subject to reasonable opportunity for the Committee to make a determination under sub-rule (4).
- (6) The Secretary must, within 28 days after receipt of the amounts referred to in sub-rule (5), enter the applicant's name in the register of Members.
- (7) An applicant for Membership becomes a Member and is entitled to exercise the rights of Membership when his or her name is entered in the register of Members.

- (8) If the Committee rejects an application, the Committee must, as soon as practicable, notify the applicant in writing that the application has been rejected and refund in full all Annual Subscription amounts paid at the time of the application.
- (9) A right, privilege, or obligation of a person by reason of Membership of the Club-
 - (a) is not capable of being transferred or transmitted to another person; and
 - (b) terminates upon the cessation of Membership whether by death or resignation or otherwise.

7. Register of Members

- (1) The Secretary must keep and maintain a register of Members containing-
 - (a) the name and address of each Member; and
 - (b) the date on which each Member's name was entered in the register.
- (2) The register is available for inspection free of charge by any Member upon formal request submitted to the Committee in writing and clearly stating the reason and purpose for the inspection.
- (3) A Member may not make a copy of entries in the register, unless approved by the Committee, or allowed by the Act, Regulations, or supported by law.
- (4) The register of Members shall be open at any time to the inspection of a licensing inspector in whose division the licensed premises are situated and any authorised member of the police force or other law enforcement body.

8. Visitors

- (1) A visitor shall be entitled to enter and remain on the premises in the company of a Member who shall enter the name and address of the visitor in a book kept on the premises for that purpose.
- (2) The Committee shall determine the terms and conditions under which Members can sign in visitors to the Club.
- (3) A visitor's behaviour on the premises shall be the responsibility of the introducing Member who may be disciplined by the Committee for the behaviour of the visitor.
- (4) A member of the Committee, the Nominee or his representative, shall have the right to exclude or evict any visitor or member whose behaviour on the premises is or has at any time been considered as objectionable or prejudicial to the interests of the Club.
- (5) A visitor shall not be supplied with liquor on the Club premises unless the visitor is accompanied by a Member.

9. Ceasing Membership

- (1) A Member of the Club who has paid all moneys due and payable by a Member to the Club may resign from the Club by giving one month's notice in writing to the Secretary of his or her intention to resign.
- (2) After the expiry of the period referred to in sub-rule (1)--
 - (a) the Member ceases to be a Member; and
 - (b) the Secretary must record in the register of Members the date on which the Member ceased to be a Member.
- (3) A person who is elected a Member, having previously resigned from the Club, may be required by the Committee to pay a further Annual Subscription.

10. Discipline, suspension and expulsion of Members

- (1) Subject to these Rules, if the Committee is of the opinion that a Member has refused or neglected to comply with these Rules, or has been guilty of conduct unbecoming a Member or prejudicial to the interests of the Club, the Committee may by resolution--
 - (a) fine Members;-
 - (i.) an amount not exceeding \$1000.00 per Member; or
 - (ii.) where a fine or penalty has been imposed on the Club by an official body, including fines or penalties under the Liquor Control Reform Act, as a direct result of the conduct of any Member(s), an amount not exceeding the total fine or penalty imposed on the Club, proportioned equally amongst those Member(s) who caused the fine or penalty by their actions,
 - (b) suspend that Member from Membership of the Club for a specified period; or
 - (c) expel that Member from the Club, or
 - (d) caution and/or reprimand the Member.
- (2) A resolution of the Committee under sub-rule (1) does not take effect unless--
 - (a) at a meeting held in accordance with sub-rule (3), the Committee confirms the resolution; and
 - (b) if the Member exercises a right of appeal to the Club under this rule, the Club confirms the resolution in accordance with this rule.
- (3) A meeting of the Committee to confirm or revoke a resolution passed under sub-rule (1) must be held not earlier than 14 days, and not later than 28 days, after notice has been given to the Member in accordance with sub-rule (4).
- (4) For the purposes of giving notice in accordance with sub-rule (3), the Secretary must, as soon as practicable, cause to be given to the Member a written notice--
 - (a) setting out the resolution of the Committee and the grounds on which it is based; and
 - (b) stating that the Member, or his or her representative, may address the Committee at a meeting to be held not earlier than 14 days and not later than 28 days after the notice has been given to that Member; and
 - (c) stating the date, place and time of that meeting; and
 - (d) informing the Member that he or she may do one or both of the following--
 - (i.) attend that meeting;
 - (ii.) give to the Committee before the date of that Meeting a written statement seeking the revocation of the resolution;
 - (e) informing the Member that, if at that meeting, the Committee confirms the resolution, he or she may, not later than seven (7) days after that meeting, give the Secretary a written notice to the effect that he or she wishes to appeal to the Club in General Meeting against the resolution.
- (5) At a meeting of the Committee to confirm or revoke a resolution passed under sub-rule (1), the Committee must--
 - (a) give the Member, or his or her representative, an opportunity to be heard; and
 - (b) give due consideration to any written statement submitted by the Member; and
 - (c) determine by resolution whether to confirm or to revoke the resolution.

- (6) Any member whom the Committee has determined to expel shall remain a Member under suspension for a period of seven (7) days. If upon the expiration of the said period the Member has failed to give notice in accordance with sub-rule (4)(e) requiring the Committee's decision to be reviewed at a General Meeting, the Member shall immediately cease to be a member but if the Member has given notice in accordance with sub-rule (4)(e) the Member shall continue to be a member under suspension until the resolution of the General Meeting convened in accordance with this Rule. Upon any such member ceasing to be a Member the Secretary shall forthwith remove his name from the books of the Club.
- (7) If the Secretary receives a notice under sub-rule (6), he or she must notify the Committee and the Committee must convene a General Meeting of the Club to be held within 28 days after the date on which the Secretary received the notice.
- (8) At a General Meeting of the Club convened under sub-rule (7)--
 - (a) no business other than the question of the appeal may be conducted; and
 - (b) the Committee may place before the meeting details of the grounds for the resolution and the reasons for the passing of the resolution; and
 - (c) the Member, or his or her representative, must be given an opportunity to be heard; and
 - (d) the Members present must vote by secret ballot on the question whether the resolution should be confirmed or revoked.
- (9) A resolution is confirmed if, at the General Meeting, not less than two-thirds of the Members present vote in person, in favour of the resolution. In any other case, the resolution is revoked.
- (10) No Member under suspension shall be entitled to exercise any of the rights and privileges of the Club during the period of suspension, including voting rights.
- (11) A Member who resigns or is expelled or suspended shall not be entitled to any refund of money already paid by him to the Club whether by way of entrance fee, subscription or levy.

11. Disputes and mediation

- (1) The grievance procedure set out in this rule applies to disputes under these Rules between--
 - (a) a Member and another Member; or
 - (b) a Member and the Club.
- (2) The parties to the dispute must meet and discuss the matter in dispute, and, if possible, resolve the dispute within 28 days after the dispute comes to the attention of all of the parties.
- (3) If the parties are unable to resolve the dispute at the meeting, or if a party fails to attend that meeting, then the parties must, within 14 days, hold a meeting in the presence of a mediator.
- (4) The mediator must be--
 - (a) a person chosen by agreement between the parties; or
 - (b) in the absence of agreement--
 - (i.) in the case of a dispute between a Member and another Member, a person appointed by the Committee of the Club; or

- (ii.) in the case of a dispute between a Member and the Club, a person who is a mediator appointed or employed by the Dispute Settlement Centre of Victoria (Department of Justice).
- (5) A Member of the Club can be a mediator.
- (6) The mediator cannot be a Member who is a party to the dispute.
- (7) The parties to the dispute must, in good faith, attempt to settle the dispute by mediation.
- (8) The mediator, in conducting the mediation, must--
 - (a) give the parties to the mediation process every reasonable opportunity to be heard; and
 - (b) allow due consideration by all parties of any written statement submitted by any party; and
 - (c) ensure that natural justice is accorded to the parties to the dispute throughout the mediation process.
- (9) The mediator must not determine the dispute.
- (10) If the mediation process does not result in the dispute being resolved, the parties may seek to resolve the dispute in accordance with the Act or otherwise at law.

12. Annual General Meetings

- (1) The Committee may determine the date, time and place of the Annual General Meeting of the Club.
- (2) The notice convening the Annual General Meeting must specify that the meeting is an Annual General Meeting.
- (3) The ordinary business of the Annual General Meeting shall be--
 - (a) to confirm the minutes of the previous Annual General Meeting and of any General Meeting held since that meeting; and
 - (b) to receive from the Committee reports upon the transactions of the Club during the last preceding Financial Year; and
 - (c) to elect officers of the Club and the Ordinary Members of the Committee; and
 - (d) to receive and consider the statement submitted by the Club in accordance with section 30(3) of the Act.
- (4) The Annual General Meeting may conduct any special business of which notice has been given in accordance with these Rules.

13. Special General Meetings

- (1) In addition to the Annual General Meeting, any other General Meetings may be held in the same year.
- (2) All General Meetings other than the Annual General Meeting are Special General Meetings.
- (3) The Committee may, whenever it thinks fit, convene a Special General Meeting of the Club.
- (4) If, but for this sub-rule, more than 15 months would elapse between Annual General Meetings, the Committee must convene a Special General Meeting before the expiration of that period.

- (5) The Committee must, on the request in writing of Members representing not less than 10 per cent of the total number of Members, convene a Special General Meeting of the Club.
- (6) The request for a Special General Meeting must--
 - (a) state the purpose and objectives of the meeting; and
 - (b) be signed by the Members requesting the meeting; and
 - (c) be sent to the address of the Secretary.
- (7) If the Committee does not cause a Special General Meeting to be held within one month after the date on which the request is received at the address of the Secretary, the Members making the request may convene a special General Meeting to be held not later than 3 months after that date.
- (8) If a Special General Meeting is convened by Members in accordance with this rule, it must be convened in the same manner so far as possible as a meeting convened by the Committee and all reasonable expenses incurred in convening the Special General Meeting must be refunded by the Club to the persons incurring the expenses, limited to an amount equivalent to the amount the would be incurred by the Club if the Special General Meeting had been convened by the Committee.

14. Special business

- (1) All business that is conducted at a Special General Meeting and all business that is conducted at the Annual General Meeting, except for business conducted under the Rules as ordinary business of the Annual General Meeting, is deemed to be special business.

15. Notice of General Meetings

- (1) The Secretary of the Club, at least 14 days, or if a special resolution has been proposed at least 21 days, before the date fixed for holding a General Meeting of the Club, must cause to be sent to each Member of the Club, a notice stating the place, date and time of the meeting and the nature of the business to be conducted at the meeting.
- (2) The place, date and time of any General Meeting must have reasonable consideration for the ability of members to attend the meeting, including;-
 - (a) the place must be within one (1) hours travel time by car of 60% of members home addresses, and
 - (b) must, excluding national public holidays unless special circumstances require otherwise, commence between the hours of;-
 - (i.) 5.00pm and 10.00pm Monday to Friday, or
 - (ii.) 9.00am and 10.00pm Saturday or Sunday
- (3) Notice may be sent--
 - (a) by prepaid post to the address appearing in the register of Members; or
 - (b) if the Member has elected, by facsimile transmission or electronic transmission.
- (4) No business other than that set out in the notice convening the meeting may be conducted at the meeting.
- (5) A Member intending to bring any business before a meeting may notify in writing, or by electronic transmission, at any time prior to notice being sent in accordance with sub-rule (1), the Secretary of that business, who must include that business in the notice calling the next General Meeting.

16. Quorum at General Meetings

- (1) No item of business may be conducted at a General Meeting unless a quorum of Members entitled under these Rules to vote is present at the time when the meeting is considering that item.
- (2) The Officers of the Club plus ten (10) Members personally present (being Members entitled under these Rules to vote at a General Meeting) constitute a quorum for the conduct of the business of a General Meeting.
- (3) If, within half an hour after the appointed time for the commencement of a General Meeting, a quorum is not present-
 - (a) in the case of a meeting convened upon the request of Members--the meeting must be dissolved; and
 - (b) in any other case--the meeting shall stand adjourned to the same day in the next week at the same time and (unless another place is specified by the Chairperson at the time of the adjournment or by written notice to Members given before the day to which the meeting is adjourned) at the same place.
- (4) If at the adjourned meeting the quorum is not present within half an hour after the time appointed for the commencement of the meeting, the Officers of the Club plus the Members personally present (being not less than 3) shall be a quorum.

17. Presiding at General Meetings

- (1) The President, or in the President's absence, the Vice-President, shall preside as Chairperson at each General Meeting of the Association.
- (2) If the President and the Vice-President are absent from a General Meeting, or are unable to preside, the Members present must select one of their number to preside as Chairperson.

18. Adjournment of meetings

- (1) The person presiding may, with the consent of a majority of Members present at the meeting, adjourn the meeting in accordance with Rule 16 (3) (b).
- (2) No business may be conducted at an adjourned meeting other than the unfinished business from the meeting that was adjourned.
- (3) If a meeting is adjourned for 14 days or more, notice of the adjourned meeting must be given in accordance with Rule 15.
- (4) Except as provided in sub-rule (3), it is not necessary to give notice of an adjournment or of the business to be conducted at an adjourned meeting.

19. Members eligible to vote

- (1) Members eligible to vote shall be those Members listed under Rule 20 who shall equal in total not less than sixty per centum of the total members with voting rights.

20. Voting at General Meetings

- (1) At a General Meeting of the Club, members have the following voting rights:-
 - (a) Life, Ordinary, and Student Members:-
 - (i.) One Vote
 - (b) Social Members:-
 - (i.) One Vote
 - (c) Junior Members:-
 - (i.) One Vote per Junior Member as given by a parent or legal guardian.
 - (ii.) In the case of a Junior Member, a parent or legal guardian may vote on behalf of the Junior Member, however only one parent or guardian may vote on any given issue, either by proxy or by personal attendance at a General Meeting.
 - (d) Honorary Members, Members under suspension, reciprocal members from other clubs, and other categories adopted by the Committee from time to time in accordance with Schedule 1 – Membership Types:-
 - (i.) No Voting rights
- (2) For the purpose of clarity, Family Membership is comprised of two (2) or more of the above membership types and therefore does not include voting rights other than those rights prescribed above for the types of membership that are included under Family Membership in accordance with Schedule 1: Membership Types.
- (3) All votes must be given personally or by proxy.
- (4) In the case of an equality of voting on a question, the Chairperson of the meeting is entitled to exercise a second or casting vote.
- (5) A Member is not entitled to vote at a General Meeting unless all moneys due and payable by the Member to the Club have been paid.

21. Poll at General Meetings

- (1) If at a meeting a poll on any question is demanded by not less than 5 Members, it must be taken at that meeting in such manner as the Chairperson may direct and the resolution of the poll shall be deemed to be a resolution of the meeting on that question.
- (2) A poll that is demanded on the election of a Chairperson or on a question of an adjournment must be taken immediately and a poll that is demanded on any other question must be taken at such time before the close of the meeting as the Chairperson may direct.

22. Manner of determining whether resolution carried

If a question arising at a General Meeting of the Club is determined on a show of hands-

- (a) a declaration by the Chairperson that a resolution has been-
 - (i.) carried; or
 - (ii.) carried unanimously; or
 - (iii.) carried by a particular majority; or
 - (iv.) lost; and
- (b) an entry to that effect in the minute book of the Club--

is evidence of the fact, without proof of the number or proportion of the votes recorded in favour of, or against, that resolution.

23. Proxies

- (1) Each Member is entitled to appoint another Member as a proxy by notice given to the Secretary no later than 24 hours before the time of the meeting in respect of which the proxy is appointed.
- (2) The notice appointing the proxy must be--
 - (a) for a meeting of the Club convened under rule 10 (7), in the form set out in Appendix 2; or
 - (b) in any other case, in the form set out in Appendix 3.

24. Committee of Management

- (1) The affairs of the Club shall be managed by the Committee of Management (Committee).
- (2) The Committee--
 - (a) shall control and manage the business and affairs of the Club.
 - (b) may, subject to these Rules, the Regulations and the Act, exercise all such powers and functions as may be exercised by the Club other than those powers and functions that are required by these rules to be exercised by Special General Meetings of the Members of the Club.
 - (c) subject to these Rules, the Regulations and the Act, perform all such acts and things as appear to the Committee to be essential to the proper management of the business and affairs of the Club including the creation, amending and withdrawal of by-laws and standing operating procedures.
 - (d) shall be the sole authority for the interpretation of these Rules and the Regulations and the decision of the Committee upon any matter not provided for by these Rules and the Regulations shall be final and binding on the Members.
 - (e) shall stand down at each Annual General Meeting in accordance with the following schedule:
 - i. Annual General Meetings falling in odd years:
 1. Vice President - Senior, Treasurer, odd numbered Ordinary Committee Member(s).
 - ii. Annual General Meetings falling in even years:
 1. President, Vice President – Junior, Secretary, even numbered Ordinary Committee Member(s).
- (3) Subject to section 23 of the Act, the Committee shall consist of a minimum of--
 - (a) the officers of the Club; and
 - (b) an Ordinary Member from each representative level (i.e. Senior Football, and Junior Football) of any sport or recreation the club participates in, being a minimum of 2 Ordinary Members to a maximum number nominated by the Committee --
each of whom shall be elected at the Annual General Meeting of the Club in accordance with sub-rule (2) (e).

25. Sub-Committees

- (1) The Committee shall convene sub-Committee(s) to assist with the operation of the Club as it sees fit, and shall determine the Chairperson of each sub-Committee and the positions within each sub-Committee.

- (2) Only persons appointed or approved by the Committee under this rule will be entitled to sit on a sub-Committee.
- (3) All sub-Committee(s) shall report directly to, and make recommendations to the Committee and only the Committee is able to make decisions that are binding on the Club.
- (4) The Committee may accept, reject, modify or request further clarification of any report or recommendation made to it by any sub-Committee.
- (5) All sub-Committees will be disbanded at the next Annual General Meeting, or a date agreed to by the Committee, whichever is the earliest.

26. Office holders

- (1) The officers of the Club shall be--
 - (a) a President;
 - (b) Two Vice-Presidents being Vice President - Senior, and Vice President - Junior;
 - (c) a Treasurer; and
 - (d) a Secretary. (who shall also be the Public Officer for the purposes of the Associations Incorporations Act)
- (2) The provisions of Rule 28, so far as they are applicable and with the necessary modifications, apply to and in relation to the election of persons to any of the offices referred to in sub-rule (1).

27. Ordinary Members of the Committee

- (1) Subject to these Rules, each Ordinary Member of the Committee shall hold office until the conclusion of the Annual General Meeting next in accordance with Rule 24(2)(e) but is eligible for re-election.
- (2) In the event of a casual vacancy occurring in the office of an Ordinary Member of the Committee, the Committee may appoint a Member of the Club to fill the vacancy and the Member appointed shall hold office until the conclusion of the Annual General Meeting next following the date of the appointment in accordance with Rule 24(2)(e).

28. Election of officers and ordinary Committee Members

- (1) Nominations of candidates for election as officers of the Club or as Ordinary Members of the Committee must be--
 - (a) made in writing, signed by two Members of the Club and accompanied by the written consent of the candidate (which may be endorsed on the form of nomination); and
 - (b) delivered to the Secretary of the Club not less than 28 days before the date fixed for the holding of the Annual General Meeting.
- (2) The name and addresses of persons proposed for election as Committee members shall be displayed in a conspicuous place at the Club premises for one week prior to the date of the Annual General Meeting
- (3) A candidate may only be nominated for one office, or as an Ordinary Member of the Committee, prior to the Annual General Meeting.
- (4) If insufficient nominations are received to fill all vacancies on the Committee, the candidates nominated shall be deemed to be elected and further nominations may be received at the Annual General Meeting.

- (5) If the number of nominations received is equal to the number of vacancies to be filled, the persons nominated shall be deemed to be elected.
- (6) If the number of nominations exceeds the number of vacancies to be filled, a ballot must be held.
- (7) The ballot for the election of officers and Ordinary Members of the Committee must be conducted at the Annual General Meeting in such manner as the Committee may direct, and passed by a majority of voters registered in person or by proxy, representing sixty percent (60%) of Members eligible to vote in accordance with Rule 20.

29. Committee powers

The Committee shall have the power to:

- (1) make, amend and rescind by-laws or policies for the good conduct of the Club and management of the Club's activities, in accordance with the Rules and the Act;
- (2) amend Schedule 1: Membership Types and Schedule 2: Annual Subscriptions, in accordance with the purposes of the Club: such changes to be approved by a three quarters majority at a meeting of the Committee and entered in the minutes of the meeting;
- (3) establish sub-Committees consisting of Members of the Committee and/or other Members of the Club;
- (4) refer any matter to a sub-Committee for comment, review or recommendation;
- (5) act on any recommendations made by a sub-committee;
- (6) appoint or remove a Member of the Club as the Nominee in accordance with these Rules and the Liquor Control Reform Act;
- (7) receive, hear and determine complaints;
- (8) impose fines on members in accordance with the Rules;
- (9) enter into contracts for services with other persons on behalf of the Club;
- (10) authorise payment to any Member of an honorarium, subject to these Rules;
- (11) generally conduct, manage and oversee the business of the Club; and
- (12) make recommendation to a General Meeting of the Members that money be borrowed for any special purposes pertaining to Club matters and to proceed with borrowing such money under the conditions approved at such a General Meeting.

30. Vacancies

- (1) The office of an officer of the Club, or of an Ordinary Member of the Committee, becomes vacant if the officer or Member--
 - (a) ceases to be a Member of the Club under these rules; or
 - (b) becomes an insolvent under administration within the meaning of the Corporations Law; or
 - (c) is removed from office in accordance with the Rules, or
 - (d) resigns from office by notice in writing given to the Secretary.
- (2) If a vacancy (casual or otherwise) occurs on the Committee and it is desired to fill that vacancy before the next Annual General Meeting, the Committee may appoint one of its members to the vacant office and the Member appointed may continue in office in accordance with sub-rule (6).

- (3) If the Committee desires to fill a vacancy that occurs as a result of sub-rule (2), the Committee may approach an ordinary Member of the Club to nominate for the vacancy in accordance with Rule 28(1)(a), and the Committee may appoint the nominated Member to fill the vacancy following unanimous resolution by the Committee at a special meeting of the Committee convened solely for this purpose - such resolution being evidenced by an entry to that effect in the minutes of the same meeting.
- (4) If, under sub-rule (3), the Committee can not reach unanimous resolution, the nomination shall be considered rejected, and the Committee may resolve to call for nominations at a special General Meeting convened solely for that purpose.
- (5) Nominations for election to fill a vacancy under sub-rule (4) shall be conducted in the same manner as Rule 28.
- (6) A member who is elected or appointed to fill a vacancy under this rule shall hold office for such period as the member whose retirement or dismissal caused the vacancy would have served in accordance with Rule(24)(2)(e), and is eligible for re-election.

31. Meetings of the Committee

- (1) The Committee must meet at least 3 times in each year at such place and such times as the Committee may determine.
- (2) Any member of the Committee who is absent from three consecutive meetings of the Committee without leave of absence being granted or without reasonable cause or who is guilty of a breach of the rules or a by-law of the Club which is not remedied or excused or who ceases to be a Member shall be requested to forfeit his or her position on the Committee.
- (3) A special meeting of the Committee shall be held if the President or 3 Members of the Committee request in writing that such a meeting be held. The meeting shall be held as soon as possible after the request provided that at least 3 days' notice is given and shall consider only those matters for which it was specifically requested. The notice of such meeting may be given by telephone, or in person, or by facsimile or electronic transmission.

32. Notice of Committee meetings

- (1) Notice of each Committee meeting must be given to each Member of the Committee at least 2 business days before the date of the meeting.
- (2) Notice must be given to Members of the Committee of any special meeting specifying the general nature of the business to be conducted and no other business may be conducted at such a meeting.
- (3) Notice of each Committee meeting may be given in a manner specified under Rule (41).

33. Quorum for Committee meetings

- (1) Any 4 Members of the Committee constitute a quorum for the conduct of the business of a meeting of the Committee.
- (2) No business may be conducted unless a quorum is present.
- (3) If within half an hour of the time appointed for the meeting a quorum is not present--
 - (i.) in the case of a special meeting--the meeting lapses;
 - (ii.) in any other case--the meeting shall stand adjourned to the same place and the same time and day in the following week.
- (4) The Committee may act notwithstanding any vacancy on the Committee.

34. Presiding at Committee meetings

- (1) At meetings of the Committee-
 - (a) the President or, in the President's absence, the Vice-President Junior or Vice President Senior (in that order) presides; or
 - (b) if the President and the Vice-President(s) are absent, or are unable to preside, the Members present must choose one of their number to preside.

35. Voting at Committee meetings

- (1) Questions arising at a meeting of the Committee, or at a meeting of any sub-Committee appointed by the Committee, shall be determined on a show of hands or, if a Member requests, by a poll taken in such manner as the person presiding at that meeting may determine.
- (2) Members of the Club invited to attend a meeting under this Rule (Invited Members) for any purpose whatsoever, are not entitled to vote at the meeting unless the person presiding at the meeting authorises the Invited Member(s) to participate in a poll.
- (3) The person presiding at the meeting may request Invited Members to temporarily leave the meeting while a poll is taken.
- (4) The person presiding at the meeting must give due consideration to any reasonable objection raised against any Invited Member(s) participating in a poll.
- (5) The minutes of the meeting must record;-
 - (a) the names of Invited Member(s) authorised to participate in a poll, and
 - (b) the name of the person making the authorisation, and
 - (c) the consideration of any objections against any Invited Member(s) participation.
- (6) Each Member present at a meeting of the Committee, or at a meeting of any sub-Committee appointed by the Committee (including the person presiding at the meeting), is entitled to one vote and, in the event of an equality of votes on any question, the person presiding may exercise a second or casting vote.
- (7) In the event of an equality of votes on any question where the person presiding chooses not to exercise the right to a second or casting vote, the person presiding will declare the question deadlocked, and;-
 - (a) request a second vote be taken after a short break in the meeting specifically to allow Members to reconsider their vote, or
 - (b) defer the question for consideration at the next meeting of the Committee or sub-Committee, or
 - (c) declare the question lost on the basis of an equality of votes.

36. Removal of Committee Member

- (1) The Club in General Meeting may, by resolution, remove any Member of the Committee before the expiration of the Member's term of office and appoint another Member in his or her place to hold office until the expiration of the term of the first-mentioned Member.
- (2) A Member who is the subject of a proposed resolution referred to in sub-rule (1) may make representations in writing to the Secretary or President of the Club (not exceeding a reasonable length) and may request that the representations be provided to the Members of the Club.

- (3) The Secretary or the President may give a copy of the representations to each Member of the Club or, if they are not so given, the Member may require that they be read out at the meeting.

37. Minutes of meetings

- (1) The Secretary of the Club must keep minutes of the resolutions and proceedings of each General Meeting, and each Committee meeting, together with a record of the names of persons present at Committee meetings.
- (2) If the Secretary is unable to attend a meeting, the person presiding at the meeting shall assume responsibility for the taking of minutes for that meeting, and may request assistance from any person in attendance at the meeting.

38. Funds

- (1) The Treasurer of the Club must-
 - (a) collect and receive all moneys due to the Club and make all payments authorised by the Club; and
 - (b) keep correct accounts and books showing the financial affairs of the Club with full details of all receipts and expenditure connected with the activities of the Club.
- (2) All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments must be signed by two Members of the Committee.
- (3) The funds of the Club shall be derived from annual subscriptions, donations and such other sources as the Committee determines, and shall be used to provide facilities and services for the benefit of the Members in accordance with these Rules.
- (4) The Committee of the Club shall appoint as the Club's auditor a firm or person who meets the requirements of the Act.
- (5) The appointed Auditor shall audit the accounts and annual financial statements of the Club. The Auditor shall provide a written report on the audit for consideration by Members prior to the Annual General meeting.
- (6) The Members of the Club at a General Meeting may terminate a person's appointment as Auditor at any time.

39. Financial Year

- (1) The financial year of the Club shall commence on the 1st day of October in each year and terminate on the 30th day of September in the following year.
- (2) As a transitional arrangement only with the change from a reporting period ending 30 June to one ending 30 September, a 15 month financial year commencing 1 July 2006 to 30 September 2007 will apply.

40. Seal

- (1) The common seal of the Club must be kept in the custody of the Secretary.
- (2) The common seal must not be affixed to any instrument except by the authority of the Committee and the affixing of the common seal must be attested by the signatures either of two Members of the Committee or, of one Member of the Committee and of the public officer of the Club.

41. Notice to Members

- (1) Except for the requirement in Rule 15, any notice that is required to be given to a Member, by or on behalf of the Club, under these Rules may be given by-

- (a) delivering the notice to the Member personally; or
- (b) sending it by prepaid post addressed to the Member at that Member's address shown in the register of Members; or
- (c) facsimile transmission, if the Member has requested that the notice be given to him or her in this manner; or
- (d) electronic transmission, if the Member has requested that the notice be given to him or her in this manner.

42. Winding up

- (1) In the event of the winding up or the cancellation of the incorporation of the Club, the assets of the Club must be disposed of in accordance with the provisions of the Act.

43. Custody and inspection of books and records

- (1) Except as otherwise provided in these Rules, the Secretary must keep in his or her custody or under his or her control all books, documents and securities of the Club.
- (2) All accounts, books, securities and any other relevant documents of the Club must be available for inspection free of charge by any Member upon request.
- (3) A Member may make a copy of any accounts, books, securities and any other relevant documents of the Club, except as disallowed under Rule (7).
- (4) For the purpose of clarity, any information that is protected by laws relating to the privacy of information, is exempted from sub-rules (2) and (3).

44. Commission for liquor supplied

- (1) No Secretary, Manager or other officer or servant of the Club shall receive any payment or part payment by way of an allowance or commission from or upon the receipts of the Club for liquor supplied.

45. Supply of liquor to Members

- (1) No person under 18 years of age shall be supplied with liquor.
- (2) The supply of liquor to the Club shall be under the control of the Committee which shall control the Club in good faith as a Club in an orderly manner and in compliance with the provisions of the Liquor Control Reform Act.

Schedule 1: Membership Type

Schedule 1: Membership Types

This schedule is effective from <dd/mm/yyyy> as approved by a meeting of the Committee of the Club on <dd/mm/yyyy>, and should be read in conjunction with, and taken in context with the Rules Of Association for the Club.

1. MEMBERSHIP

- 1) The membership categories of the Club shall be:
 - (a) Life Members;
 - (b) Ordinary Members;
 - (c) Honorary Members;
 - (d) Temporary Members;
 - (e) Student Members;
 - (f) Junior Members;
 - (g) Family Membership;
 - (h) Social Members; and
 - (i) Such other category or categories of members with such rights and conditions as may be adopted by the Committee from time to time.
- 2) Life Members shall be elected by the Club from time to time; such persons to have served a minimum of xx years service in the promotion of the Club's objectives. Election of Life Members shall be at the Annual General Meeting by a three-fourths majority on prior recommendation by the Committee. Such members' names shall be displayed in the Clubrooms. No more than two Life Members shall be elected in any one year. Life Members shall be entitled to all the privileges of membership of the Club without further payment of any Annual Subscription.
- 3) An Ordinary Member is a person aged 18 years and over, who is not a full time student, and who has been duly elected and who has paid the Annual Subscription in accordance with sub-rule 14).
- 4) Honorary Members shall be:
 - (a) eligible Members of the Rupertswood Cricket Club as defined in the Rules of the Rupertswood Cricket Club; and
 - (b) parents and / or legal guardians of Junior Members; and
 - (c) members of any club which is competing against the Club on a particular day at the Club's nominated home venue, shall be nominated as an Honorary Member of the Club for that day only; and
 - (d) officials of the regional, state or national body with which the Club is affiliated, as nominated by a Committee Member.
- 5) The number of Honorary Members shall be determined at the discretion of the Committee and shall be entitled to such rights or entitlements as directed by the Committee.
- 6) A Temporary Member is anyone who has submitted an application for membership which has been accepted by the Committee in accordance with Schedule 2: Annual Subscriptions, who has not paid the Annual Subscription in full regardless of whether or not a delay in payment has been authorised by the Committee in accordance with sub-rule (9) of Schedule 2: Annual Subscriptions.

Schedule 1: Membership Type

- 7) No Temporary or Honorary Member shall be eligible to vote at any meeting of the Club or to oppose or second any person for the Committee of the Club.
- 8) A Student Member is a person aged 18 years and over who is a full-time student at the start of the Club year, who has been elected as such and who pays an Annual Subscription in accordance with sub-rule 14).
 - (a) Dependent children who have completed school studies and are 18 years or over at the start of the Club year and are earning less than the tax free threshold at the start of the Club year are Student Members, and shall be entitled to all privileges of the Club.
- 9) A Junior Member is a person under the age of 18 years who is elected as such for the purposes of using the sporting facilities of the Club, and who has been duly elected and who has paid an Annual Subscription in accordance with sub-rule 14). A Junior Member shall not be entitled to enter the licensed area of the Club except under conditions approved by the Liquor Control Reform Act.
- 10) Family Membership is available to a person and his/her partner and/or dependent children who are duly elected as Junior Members or Student Members, and who are listed on the Family Membership Application form.
 - (a) Dependent children are children for which the member has full or part time parental responsibility, and may include Student Members.
 - (b) Upon request by a member, the Committee may use its discretion to deem that family arrangements not covered by the above will be covered by a family membership, and the member shall supply sufficient reasonable information for the Committee to assess the request, with such information being treated in confidence.
 - (c) Individuals covered by a family membership will be classed as Ordinary Members, Junior or Student Members according to their age.
- 11) A Social Member is a person over the age of 18 years who has been elected to the Club as such and who pays an Annual Subscription in accordance with sub-rule 14).
- 12) A person awaiting election for membership may be elected an Honorary Member of the Club. Any two members of the Committee or their nominees shall constitute an election Committee for the purposes of this rule. The name and address of each of each Honorary Member and of the members of the Committee by whom they are elected shall be entered at the time of their election in a book to be kept for that purpose.
- 13) The Committee of the Club may grant reciprocal rights to the members of another club upon such terms and conditions as the Committee thinks fit.
- 14) The amount of the Annual Subscription for each category of members shall be fixed by the Committee and recorded at Schedule 2: Annual Subscriptions.
- 15) Schedule 2: Annual Subscriptions shall contain a date indicating the date from which the fees apply, and an entry in the minutes of the relevant Committee meeting recording that the Committee has amended and accepted the fees.
- 16) No person shall be allowed to become an Honorary Member of the Club or be relieved of the payment of any fees, except those possessing certain qualifications defined in these Rules and subject to conditions prescribed herein.
- 17) Subject to any direction of the Committee to the contrary, Life and Ordinary Members shall at all times have priority in the use of the facilities of the Club.

Schedule 1: Membership Type

2. ELECTION TO MEMBERSHIP OF CLUB

- (1) Every candidate for membership of the Club, other than Honorary Membership, shall be recommended by at least one Member, except in the case of Junior Membership where the recommendation may be made by a legal parent or guardian.
- (2) A dated application for membership shall be in writing in the form prescribed from time to time, and shall be signed by the proposed member and the existing Club Member making the recommendation in accordance with sub-rule (1).
- (3) Every completed application form shall be delivered to the Secretary who shall record the date of application in the register of proposed new members.
- (4) The Secretary shall forward a listing of proposed new members to the members of the Committee at least 7 days prior to the Committee meeting at which the nomination is to be considered.
- (5) A person shall be elected to membership of the Club, other than Honorary Membership, on the vote of at least 2 Committee persons and the Secretary shall keep a record of the number of members voting. Any person not so elected shall be so advised in writing by the Secretary.
- (6) Upon payment of the appropriate fee's and levies (if any), an elected person shall be enrolled as a member of the Club in the category of membership to which the person is elected. That person shall be entitled to the privileges and be liable to the obligations of membership applicable to that category of membership.
- (7) The Committee may direct the Secretary to remove from the books of the Club the name of any member whose annual subscription is not paid within the time stipulated by the Committee in any year.

Schedule 2: Annual Subscription

Schedule 2: Annual Subscriptions

This schedule is effective from <dd/mm/yyyy> as approved by a meeting of the Committee of the Club on <dd/mm/yyyy>, and should be read in conjunction with, and taken in context with the Rules Of Association for the Club.

Table Of Fees

Membership Type	Annual Subscription	Annual Renewal Date
Life Member	NIL	<<dd/mon>>
Ordinary Member	\$xx.xx	<<dd/mon>>
Honorary Member	NIL	<<dd/mon>>
Temporary Member	As per the applicable Membership Type	
Junior Member	\$xx.xx	<<dd/mon>>
Family Membership	\$xx.xx	<<dd/mon>>
Student Member	\$xx.xx	<<dd/mon>>
Social Member	\$xx.xx	<<dd/mon>>

Annual Subscription Details

- (1) The Annual Subscription is comprised of the following amounts and components:-
 - (a) \$xx Annual Club Membership (Single)
 - (b) \$xx Annual Club Membership (Family).
 - (c) \$xx Players Fee
 - (d) \$xx Annual Levies
- (2) The Committee may impose any and all components to each Membership Type as listed above.
- (3) Annual Levies may be imposed and varied by the Committee from year to year.
- (4) Details of any Annual Levies imposed, and terms under which the levy may be refunded in part or in full, must be disclosed in the relevant Application For Membership form.
- (5) Amounts payable under sub-rule (1) may be varied by the Committee each year prior to the date which is the official commencement of the season for any sport in which the Club participate, as defined in Rule 3.
- (6) For the purposes of ensuring timely registration of sporting participants with relevant bodies, authorities and organisations, the Committee may set two registration dates known as:-
 - (a) Pre Registration Day
 - (b) Registration Day
- (7) Full Annual Subscriptions due and payable for Playing Members must accompany registration as per sub-rule (6)(a) and sub-rule (6)(b) of this Schedule.
- (8) All other Annual Subscriptions are due and payable on the Annual Renewal Date, and must be accompanied by a valid Application For Membership for as prescribed from time to time.
- (9) Annual Subscriptions can not be paid by instalment, nor can individual components be paid separately, except in special circumstances approved by the Treasurer on written request from the person applying for membership or renewal.
- (10) Participation in any sport supported by the Club will not be permitted until full payment of the relevant Annual Subscription has been received by the Club.

APPENDIX 1

**APPLICATION FOR MEMBERSHIP OF
(NAME OF THE CLUB)**

I,....., ofdesire to become a
(*name and occupation*) (address)

Member of
(*name of Club*)

In the event of my admission as a Member, I agree to be bound by the rules of the Club for the time being in force.

.....
Signature of Applicant
Date

I,....., a Member of the Club,
(*name*)
nominate the applicant, who is personally known to me, for Membership of the Club.

.....
Signature of Proposer
Date

I,....., a Member of the Club, second
(*name*)
the nomination of the applicant, who is personally known to me, for Membership of the Club.

.....
Signature of Secunder
Date

APPENDIX 2

**FORM OF APPOINTMENT OF PROXY FOR MEETING OF
CLUB CONVENED UNDER RULE 10 (7)**

I,.....
(*name*)

of
(*address*)

being a Member of
(*name of Incorporated Club*)

appoint
(*name of proxy holder*)

of
(*address of proxy holder*)

being a Member of that Incorporated Club, as my proxy to vote for me on my behalf at the
meeting to be held on-

.....
(*date of meeting*)

and at any adjournment of that meeting.

I authorise my proxy to vote on my behalf at their discretion in respect of the following
resolution (insert details of resolution passed under Rule 10 (1)).

.....
Signed
Date

APPENDIX 3

FORM OF APPOINTMENT OF PROXY

I,
(name)

of
(address)

being a Member of
(name of Incorporated Club)

appoint
(name of proxy holder)

of
(address of proxy holder)

being a Member of that Incorporated Club, as my proxy to vote for me on my behalf at the annual/special* General Meeting of the Club to be held on

.....
(date of meeting)

and at any adjournment of that meeting.

My proxy is authorised to vote in favour of/against* the following resolution (insert details of resolution).

.....
Signed
Date

* Delete if not applicable