

## Willetton Junior Football Club Constitution changes 2019

In 2015 the Associations Incorporations Act was enacted, and this has created an opportunity to review our Club Constitution to ensure it complies with the new Act and is submitted to the governing body Associations Online before June 2019.

We had the option of adopting a generic model of rules *or* writing our own that followed the guidelines and requirements of the new Associations Incorporations Act 2015 and reflected how our Club operates.

Below is a summary of the changes to our Constitution which is the set of rules we must follow as Registered Players, Social Members and Committee Members. We hope you take the time to review the document so Club Members can vote through a special resolution to accept the new Constitution at the Season Launch on Saturday 6<sup>th</sup> of April. A notice of General Meeting has been sent to Members.

The new WJFC Constitution has 31 Rules in 19 pages and the previous WJFC Constitution had 27 Rules in 17 pages.

Please find below a summary of changes to our Constitution.

**Page 1.** The WJFC logo remains the same as previous Constitution.

**Page 2. *NEW*** Added Contents page to assist with document navigation

**Page 3.** Rule 1 Name of Association remains the same

**Page 3. *NEW*** Affiliations rule added to recognise bodies our club is affiliated with. This is now Rule 2

**Page 3-5.** Definitions considerably updated to comply with Act of 2015 and use the terminology within the Act. Definitions was previously Rule 2 and is now Rule 3. There are now 25 definitions instead of 20.

**Page 5.** Objects of Association remains the same except for minor rewording of 1(h) and the not for profit statement now becomes a new rule. Objects of Association was previously Rule 3 and now is Rule 4.

**Page 5. *NEW*** Rule 5, Not for profit body statement added to comply with 2015 Act. Conditions under which payments can be made to members is set out in accordance to the new Act.

**Page 6.** Rule 6. Powers of Association, minor rewording and layout changes to ensure compliance to 2015 Act. This was Rule 4 but is now Rule 6.

**Page 6.** Rule 7. Address remains the same wording. Added postal address, 6955 is the PO Boxes Post Code for Willetton. This rule was Rule 5 in the previous Constitution but is now Rule 7.

**Page 6.** Rule 8. Club Colours and Emblem remains the same. This rule was Rule 6 but now is Rule 8.

**Page 6-7.** Qualification for membership of Association. Previously Rule 8, now Rule 9. Major changes to this section

1. The use of online registration to join the Club,
2. the previous process of proposing by one member and seconding by another before becoming a member is not in line with the current process
3. Players without voting rights needed to be renamed to Registered Players.
4. Social Members are the nominated Parent(s) of Registered Players and they have voting rights and must ensure they provide the Club with an up to date email for all Club communications. The Act requires Members to be identified and kept on a Register.

5. The payment of annual fees has been added to this rule rather than as a separate rule “subscriptions of members of Association” which was in the previous Constitution, as Rule 9.
6. members must have a copy of the Constitution available on our website to understand their obligations to our Club, this is in line with the 2015 Act
7. Reference to the Junior Club Manual added to ensure all registered players and members understand they must comply to the rules and regulations laid out in the Manual.

**Page 7.** Rule 10 Register of Members of Association, previously Rule 8. Major changes to the wording in this section to reflect who is responsible to maintain the Register of Members.

1. The Registrar is responsible to ensure email addresses are up to date on Register
2. Members are responsible to advise the Club if they change their contact details.
3. Requests to view Register are sent through to the Secretary and may require a Statutory Declaration outlining the reason for the request.
4. The use of the Register for advertising is prohibited by the 2015 Act

**The previous Constitution contained Rule 9 Subscriptions of members of Association and this has been added into the new Rule 9 Qualifications for membership of the Club in the updated Constitution**

**Page 8.** Rule 11. Termination of membership of the Association, previously Rule 10. The current wording remains the same with the addition of sub rules explaining when annual membership ends and when a player transfers to another club and ceases membership.

**Page 8.** Rule 12. Suspension or expulsion of members of Association, previously Rule 11. Changes in wording to help simplify the explanation

**Page 9.** Rule 13 Resolving Disputes, changes in wording to ensure compliance to the 2015 Act. This has also been brought forward to Rule 13 in the new Constitution as it was Rule 26 in the previous constitution.

**Page 9. NEW** Rule 14 Mediation. Separate from Resolving Disputes which was combined under Rule 26 in the previous Constitution. This rule was mostly taken from the Model Rules to ensure compliance.

**Page 10. NEW** Rule 15 Mediation Process added as the 2015 Act requires a detailed procedure for dealing with disputes. This rule was mostly taken from the Model Rules to ensure compliance and make it simple to follow.

**Page 10-11.** Rule 16. Committee, was Rule 12 in the previous Constitution. Major rewrite to ensure correct references to the 2015 Act and

1. Addition of the Registrar to the Committee of Management as their role is crucial to the effective operation of our Club
2. Addition of requirement of Committee of Management members to comply to Section 39 of the Act which covers committee members not being involved in bankruptcy or an offence involving fraud or dishonest
3. How Committee members are voted in is addressed in a new rule, Rule 17
4. Added a statement that all relevant documents and Club records being handed back to the club when a member resigns from a committee role to ensure compliance to the Act.

**Page 11-12.** Rule 17 Nomination of committee members. This Rule has been separated out from the previous Constitution’s Rule 12 as the process is detailed and deserves stand alone attention and makes it easier to find for Members.

**Page 12** Rule 18. President remains the same with the addition of, “it is the Presidents duty to consult with the Secretary regarding the business to be conducted at each committee meeting and general meeting.” This is in line with the 2015 Act. President was Rule 13 in the previous Constitution

**Page 13** Rule 19. Secretary, minor changes to reflect the correct references to the 2015 Act. Removed reference to the Common Seal as the Club does not have or need one. This was Rule 14 in the previous Constitution.

**Page 13-14** Rule 20. Treasurer, previously Rule 15 in the Constitution. Minor changes to reflect the correct references to the 2015 Act and;

1. Added online banking transactions must be authorised by two Committee members
2. Added Tier 1 Association requirements as WJFC is a Tier 1 Association that has a revenue of less than \$250,000 a year and as such is required by the Act to submit a Financial Report at the AGM but is not required to have the books audited each year.

**Page 14. NEW** Rule 21. Registrar, created this rule in the new Constitution to recognise the crucial role the Registrar takes in managing registrations, member information and fee payments. The 2015 Act specifically refers to joining the club, updating the Member Register and fee payments.

**Page 14-15.** Rule 22. Casual vacancies in membership of Committee, Sub rule 1 remains the same as Rule 14 in the previous Constitution. Sub rules 2,3 and 4 have been added to provide specific details to ensure a working Committee is in place as soon as possible after a vacancy occurs.

**Page 15.** Rule 23. Proceedings of committee. Minor changes to reflect 2015 Act rules and;

1. Changed the minimum committee meetings to 9 a year, and a quorum at Committee meetings remains at 6 committee members
2. Added a provision for remote access of committee members to a meeting via technology

**Page 15-16.** Rule 24 General Meetings, Rule 18 in the previous Constitution. Minor changes to reflect the 2015 Act references and;

1. Changed the Clubs end of financial year date from 30<sup>th</sup> October to 1<sup>st</sup> of September to allow for an AGM and elections to be held during wind ups rather than well into November when members are into summer sports.
2. Simplified special general meeting explanation
3. Added the Secretary will send notice of meetings via email or personally and not via post as in the previous Constitution Rule 18

**Page 16-17.** Rule 25 Quorum and proceedings at general meetings, previously Rule 19. The 2015 Act requires a quorum to be represented as a percentage of the total member base. This has been set at 5%.

Minor changes to layout to group like matters together.

**Page 17.** Rule 26. Minutes of Meeting of Club, Rule 20 in previous Constitution.

Removal of the reference to minute book, minutes are taken and saved and distributed online to the Committee and members where required.

**Page 17.** Rule 27. Voting rights of members of Club, previously Rule 21. Changes to reflect the 2015 Act, simplified information to reflect Act requirements. Removal of references to body corporate voting.

**Page 18.** Rule 28 Proxies of members of Club. No change. Was Rule 22 in previous Constitution.

**Page 18.** Rule 29 Rules of Association/Club. Changes to reflect the 2015 Act. Simplified information to reflect the Act requirements. Was Rule 23 in previous Constitution.

**Page 19.** Rule 30 Inspection of records, etc. of Association, change to reflect the 2015 Act.

1. Added the requirement to not use or disclose information unless it relates directly to the Club or relates to complying with the ACT.
2. Added the provision that no member or committee member can publish any statement about the business conducted by the Club unless this has been authorised at a committee meeting and documented in the minutes

**Page 19.** Rule 31 Distribution of surplus property on winding up of Club. Minor change to reference 2015 Act. Was Rule 27 in the previous Constitution.

**Removal of Rule 24 of the previous Constitution, Common seal of Association as the Club does not have a common seal and is not required to have one.**