

# CONSTITUTION OF THE EASTERN SUBURBS ATHLETIC CLUB (INC)

## 1. Name of Club

The name of the Club shall be Eastern Suburbs Athletic Club Incorporated (hereinafter called the Club).

## 2. Interpretation

- (a) In these rules, unless the contrary intention appears –  
“*committee*” means the committee of management of the Club in accordance with rules 6 & 7.  
“*general meeting*” means a meeting convened in accordance with rule 8;  
“*ordinary committee person*” means a member of the committee to whom rule 6 relates.
- (b) In these rules, expressions referring to writing shall, unless the contrary intention appears, be construed as including references to printing, lithography, photography, and other modes of representing or reproducing words in a visible form.
- (c) Words or expression contained in these rules will be interpreted in accordance with the provisions of the Acts Interpretation Act as in force on the date on which these rules are adopted by the Club.

## 3. Club Office

The office of the Club shall be at the Secretary’s house or such other place as the Committee may, from time to time, determine. The Club shall also have a post office box held at Rosny Park post office, and the address of that post office box shall be the mailing address of the Club.

## 4. Objectives and Purposes of the Club

The objectives of the club shall be to foster the sport of athletics and to facilitate and promote the ideals and opportunities of competing for personal satisfaction through improved performance.

## 5. Membership

The club shall consist of competing members, associate members and life members. The associate member category may also, at the discretion of the Committee, include a category of social membership. Members shall be deemed to be financial members upon payment of such subscription as required by the Club and associated governing bodies, and completion of registration documentation using whatever method is used by the governing body at the time of registration.

## 6. Officers

a. The officers of the club shall be as follows;

- i) Patron (1),
- ii) Vice patrons (up to 6)
- iii) President;
- iv) Vice president;
- v) Secretary;

- vi) Treasurer;
- vii) Assistant Secretary/Treasurer;
- viii) Committee members (maximum of 5);
- ix) an auditor shall be appointed by the Committee should the need arise.

Nominations for Committee positions shall be available from the Secretary and completed forms should be forwarded to the President no later than 14 days before the date of the Annual General Meeting, signed by a nominator, seconder, both of whom shall be members, and annotated by the nominee accepting the nomination. In the event that no nominations are received for a position, nominations will be taken at the Annual General Meeting.

## 7. Management

- a) The affairs of the Club shall, subject to the provisions of this Constitution and the by-laws, be managed by a Committee of Management (hereinafter called “the Committee”). The Committee shall comprise the officers of the club other than the patron, and vice patron(s).
- b) An executive Committee (hereinafter called “the Executive”) comprising of the President, Vice President, Secretary and Treasurer shall, subject to any direction of the Committee, be responsible for the day to day administration of the Club and in particular shall be authorised to take decisions in respect of meetings of the controlling body of athletics in Tasmania and southern Tasmania.

## 8. Meetings

- a) An Annual General Meeting (AGM) shall be held in the period between 1 August and 1 November each year.
- b) A Special General Meeting shall be held at the written requisition of ten (10) financial voting members or by the decision of the Committee, and business conducted at such a Special General Meeting shall be limited to that listed in the requisition or notice of the Committee.
- c) A quorum at any General Meeting shall be 15, or a number equal to twenty percent of the financial voting members of the club, whichever is less.
- d) A quorum at a meeting of the Committee shall be **one half of the total members on the Committee at that time (rounded up to the next whole number in the case of an odd number)**, including at least two of the Executive.

## 9. Voting

Voting rights at any General meeting shall be available to life members and financial competing members and associate members who have attained the age of 16 years on the date of the meeting, and are recorded as financial 14 days prior to the Meeting on the registration system used by Athletics Tasmania.

All members of the Committee shall be eligible to vote at any meeting of the Committee, providing that such member has no perceived conflict of interest.

## **10. Colours**

The primary colours of the Club shall be red and white, with black acceptable as a subsidiary colour in conjunction with red and white.

## **11. Life Members**

- a) The Committee may recommend the appointment of Life Members of the Club to any Annual General Meeting. There shall be no more than 5 life memberships awarded within any 3 year period. The nominee will be expected to have given extreme service to the Club for a period of not less than 12 years. This period may be cumulative in one or more stages, and need not be consecutive. It would be expected that the nominee would have filled committee positions or any other role which exceeds the normal expectation of a club member.
- b) The Life Membership shall be ratified upon a vote supported by 75% of those people present at the Annual General Meeting.
- c) Those Life Members of the Eastern Suburbs Women's Amateur Athletic Club and the Eastern Suburbs Amateur Athletic Club as at 31 March 1981 shall be deemed to be Life Members and afforded all Life Membership entitlements of the Club.
- d) A Life Member shall not be required to pay membership subscriptions of the Club.
- e) In extreme circumstances, a Life Membership may be withdrawn if recommended by the Committee and ratified by 75% of those present at the Annual General Meeting.

## **12. Amendment**

This constitution may not be amended other than by a two thirds majority of financial voting members present at an Annual General or Special General meeting and where notice of the amendment is given in accordance with the provisions of the by-laws.

As amended 11 September 19  
(By law amended 29 October 20)

Andrew EDWARDS  
President

## BY-LAWS

### 1. DUTIES AND FUNCTIONS OF OFFICERS

#### a) The President;

- i) Shall preside at Annual and Special General meetings and at Committee meetings and shall exercise a deliberative and casting vote;
- ii) Shall be an ex-officio member of all sub-committee and may exercise a deliberative vote at any sub-committee meeting;
- iii) Where any matter concerning the interpretation of the Constitution or By-Laws arises at any meeting, shall issue a ruling and such ruling shall be applied until subsequently varied;
- iv) Shall be represented by the Vice President at any meeting from which he or she is absent, and that designated person shall have the aforementioned responsibilities;
- v) May, with the agreement of the Committee relinquish their role as chair for the duration of a Committee meeting and be present as an observer only.

b) Other officers shall, subject to the directions of the Committee, carry out the normal functions of their positions or such other functions as may be allocated by the Committee.

### 2. MEETINGS

#### a) Annual General and Special General Meetings;

- i) Notice of meeting and business to be dealt with shall be notified by email at least 14 days prior to meeting;
- ii) At Annual General Meeting, the following business shall be conducted;
  - a) Presentation of annual report and financial statement;
  - b) Election of officers and auditor;
  - c) General business

b) Committee meetings shall be held once per calendar month where possible, with no more than one calendar month passing without a Committee meeting. Meetings should be held on a similar day each month (i.e. third Thursday of every month).

*c) In the case of a general committee meeting, provided a physical quorum exists at the meeting, a maximum of 2 committee members who are, for a reason deemed valid by the remaining committee members, may, by phone or video link, link in to the meeting, and be deemed as present, and have voting rights. An individual member may attend by this means no more than twice during the Club year. Should a meeting be determined to be a virtual meeting in full, this by law will not apply. (Added 29/10/20)*

### 3. ACCOUNTS

The Treasurer shall keep accounts of all receipts, expenditure, assets and liabilities of the Club and shall submit a financial report to every Committee meeting. The Treasurer shall facilitate the keeping of any number of bank accounts at financial institutions as determined by the Committee. The signatories to the Club's bank account(s) shall be the President, Treasurer, Secretary plus one other as determined by the Committee, with any two of these required to sign any financial instrument.

### 4. VACATION OF OFFICES

- a) The position of any officer who, without leave of absence granted by the Committee, is absent from three consecutive meetings shall be declared vacant by the Committee.
- b) The position of any officer who ceases to reside in Tasmania shall be declared vacant by the Committee
- c) Where a position becomes vacant by this By Law or by any other reason, including resignation or death, the vacancy may be filled by the Committee until the next General Meeting.

### 5. VOTING

The following shall have voting rights at any Annual or Special General Meeting;

- a) Life members;
- b) Committee members;
- c) Any coach or official who is registered as a member of the Club through the registration system used by the state governing body at the time of the meeting (Clubs Online);
- d) Any athlete who is registered as an Out Of Stadium or All Year athlete with the Club through the registration system used by the state governing body at the time of the meeting;
- e) In the case of any person who meets the above criteria but has not attained the age of 16 years at the time of the meeting, their parent or legal guardian.

No person shall have more than one vote, with the exception of the President if required as a deliberative vote.

### 6. AMENDMENT OF BY-LAWS

An amendment of the by laws may be made by a two-thirds majority vote at any Committee meeting, providing 14 days advanced written notice has been provided to members of the Committee.