



**AFL TOWNSVILLE UMPIRES' ASSOCIATION
INCORPORATED**

CONSTITUTION

Members Copies: This constitution is available for download on the Association's website www.aftua.com.au

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1. Definitions and Interpretation

The Act means the Associations Incorporation Act 1987 (Qld), as amended or any replacement.

AGM means the Annual General Meeting described in Clause 24.

Audit means audit, independent review or similar as required.

Auditor means an auditor, or any independent accountant authorised to undertake the required level of audit required by the Association.

Authorised Person means a person who, for the purposes of Clause 33, is permitted to authorise payments on behalf of the Association, and shall include, the President, Treasurer and Secretary.

Blue Card is a Working with Children and Young Persons Check. Once a check is approved the applicant is issued with a card endorsing them to working with under 18 year olds.

Committee means the Executive Committee as defined in Clause 18.

Controlling Body means AFL Queensland and all other Leagues and Associations under its jurisdiction or control.

Data Management System – means the latest system used by the AFLQ to record availability and to advise of umpiring appointments.

Liquor Act means the Liquor Act 1992 (Qld), as amended or any replacement.

Member means all or any type of membership

Officers means the Office Bearers listed in clause 21.

In this document, unless the context otherwise requires:

- a) A reference to any legislation or legislative provision includes any statutory modification or re-enactment of, or legislative provision substituted for, and any subordinate legislation issued under, that legislation or legislative provision.
- b) The singular includes the plural and vice versa.
- c) Words or phrases that have a defined meaning are identified by the use of a capital letter.
- d) The word “includes” in any form is not a word of limitation.
- e) A reference to an individual or person includes a corporation, partnership, joint venture, association, authority, trust, state or government and vice versa.
- f) A reference to any gender includes all genders.
- g) A reference to a recital, clause, schedule, annexure or exhibit, refers to a recital, clause, schedule, annexure or exhibit of or to this Constitution.
- h) A recital, schedule, annexure or description of the party’s, forms part of this Constitution.

2. Name

2.1 The name of the Incorporated Association shall be:

“AFL Townsville Umpires’ Association”

from herein referred to as AFLTUA or the Association.

2.2 The AFL Townsville Umpires’ Association is incorporated under the Associations Incorporation Act 1981 and was incorporated as at 16th of February 2007 under Incorporation Number IA35253.

3. Transition

3.1 This Constitution replaces any other previous Bylaws of the Association.

3.2 All acts done under the previous By-laws remain valid and enforceable under the new Constitution.

3.3 Amendments to the Constitution can be made by any member of the Association with a signed seconder to request at a special meeting or Annual General Meeting (AGM) with the agenda stating the requested amendments.

4. Objectives

The objectives of the Association shall be:

4.1 To train, and support members (game officials) for Australian Rules Football in the Townsville region.

4.2 To assist with recruitment of umpires for Australian Rules Football in Townsville region.

4.3 To promote a positive attitude, a high level of fitness and personal growth to allow members to attain their personal goals through officiating Australian Rules Football.

4.4 To foster and promote the good fellowship and further the interests of all members of the association.

4.5 To promote the ideals of true sportsmanship.

4.6 To ensure that the AFL, AFL Queensland, AFL Townsville, AFL Masters’, and AFL Townsville Women’s competitions make adequate provision in respect to the welfare, remuneration, protection, and facilities for all members of the Association.

4.7 To co-operate with the AFL, AFL Queensland, AFL Townsville, AFL Masters’, and AFL Townsville Women’s wherever and whenever possible towards the promotion and advancement of Australian Football.

5. Umpires

5.1. General responsibilities of all umpires

5.1.1 Replace word Schedules with AFLQ approved data management system

5.1.2 Umpires should follow the weekly instructions provided by the Regional Umpires Manager and report any incidents at the earliest opportunity.

5.1.3 Field umpires are responsible for all match day paperwork.

5.1.4 All umpires should be at their appointed match 1 hour prior to commencement of that game.

5.1.5 AFLQ appointed goal umpires will act as game managers ensuring all umpires are ready to go, games commence on time, as well as assisting field umpires with match paperwork.

5.1.6 All umpires are responsible for their own travel arrangements to and from games.

5.1.7 The expected dress standard of all officiating umpires arriving for their game/s is the AFLQ Polo, black shorts, pants or skirt and black shoes.

- 5.1.8 Match attire provided as part of the AFLQ registration must be worn while officiating games.
- 5.1.9 Umpires will not get into prolonged discussion or argument with any club official, player, or spectator at any time.

5.2 Emergency Umpires

- 5.2.1 Emergency umpires will be appointed as required by the Regional Umpires Manager
- 5.2.2 Emergency umpires will take on the game management duties when appointed
- 5.2.3 In the event of another umpire being injured during a game they are considered appointed to perform that umpire's duties for the rest of game in order of priority - Field, Goal and Boundary.

5.3 Tribunal/League Investigations Attendance

- 5.3.1 All umpires must be available to attend tribunal and or League investigations at a time and place set by the League. If an umpire is unavailable to attend as required, they must immediately inform the Regional Umpires Manager or Umpires Advocate should one be appointed, so alternative arrangements can be made.

MEMBERSHIP

6. Classes of Members

6.1 Ordinary Member:

- a) Unlimited in quantity
- b) Must be a registered umpire
- c) Must be a financial member
- d) Must support the objectives of the Association
- e) Must be over 18 years of age as at 1st January

6.2 Junior Member:

- a) Unlimited in quantity
- b) Must be a registered umpire
- c) Must be a financial member
- d) Must support the objectives of the Association
- e) Must be under 18 years of age as at 1st January at start of the season
- f) A Junior member may vote if aged 15 years or over at General Meetings or AGMs only. Must be 15 at 1 January
- g) Cannot be voted onto the Association Executive Committee

6.3 Social Member:

- a) Unlimited in quantity
- b) Must be a financial member
- c) Must support the objectives of the Association
- d) Not necessary to be a registered umpire
- e) May vote at General Meetings or AGMs only.

6.4 Life Member:

- a) Unlimited in quantity
- b) No membership fees but still required to purchase uniform

- c) If still actively umpiring must complete the annual membership form
- d) Must support the objectives of the Association
- e) Must have a minimum of 10 years' service as an ordinary member
- f) Must have made a significant contribution to the Association
- g) Must have been endorsed at an Association AGM as a Life Member
- h) Life membership must be ratified by the committee prior to AGM (*as per process*)
- i) Application for life membership must be submitted to the secretary as an agenda item prior to the AGM (*as pr process*)

7. Membership Register

- 7.1 The Association must keep a register of members. The Association Secretary shall act as the registrar for this record. The register of members must include the following particulars for each member:
- a) Full name of member
 - b) Postal or residential address of the member
 - c) Date of Birth
 - d) Blue Card Number (if member is 18 years or older during their membership and will be participating on game day or at training)
 - e) Telephone contact and e-mail address of the member
 - f) Date of admission as a member
 - g) Class of membership
- 7.2 The register must be available for inspection at all reasonable times.
- a) A member seeking to look at his/her own records must contact the Secretary to arrange an inspection of the Register
 - b) The Committee may, on the application of a member of the Association, withhold information about the member (other than the member's full name) from the register available for inspection if the Committee has reasonable grounds for believing the disclosure of the information would put a member at risk of harm
- 7.3 The Secretary shall cause the name of a person who dies or who ceases to be a member to be deleted from the register of members referred to in this clause
- 7.4 The register may be kept in an electronic format.

8. Prohibition on Use of Information Included on Register of Members

A member of the Association, or any other person, must not:

- 8.1 Use information obtained from the Register of Members of the Association to contact or send material to another member of the Association for the purpose of advertising for political, religious, charitable, or commercial purposes.
- 8.2 Disclose information obtained from the register to someone else, knowing that the information is likely to be used to contact or send material to another member of the Association for the purpose of advertising for political, religious reasons unless approved by the Association.
- 8.3 Clause 8.1 does not apply if the use or disclosure of the information is approved by a vote of the Committee.

9. Membership Fees

- 9.1 Membership fee structure and inclusions are to be determined by the Committee prior to each season commencement.

- 9.2 Written notice of association membership information will be confirmed and published no later than two weeks prior to the first game of the season.
- 9.3 The financial membership year commences on 1 February of each year and ends on 31 January of the following year.
- 9.4 Fees being paid in full are to be paid by 30th June of each year.
- 9.5 Life members are exempt from membership fees but are still required to cover uniform costs.

10. Admission and Rejection of Members

- 10.1 The Secretary of the Association shall refer all membership applications to the committee for ratification. This includes Life members still actively umpiring or involved on the Committee. The Committee must decide at their next meeting whether to accept or reject the application.
- 10.2 If a majority of the members of the Committee present at the meeting vote to accept the applicant as a member, the applicant must be accepted as a member for the class of membership applied for.
- 10.3 The Secretary of the Association must provide the applicant a written notice of the decision within seven days.

11. Resignation or Termination of Membership

- 11.1 A member may resign from the Association at any time by giving notice in writing to the Secretary. Such resignations shall take effect at the time such notice is received by the Secretary, unless a later effective date is specified in the notice.
- 11.2 The Committee shall consider whether the membership (this includes all types of membership) should be terminated if a member.
 - a) Is convicted of an indictable offence
 - b) Fails to comply with any of the provisions of the Association Constitution
 - c) Conducts themselves in a manner considered to be injurious or prejudicial to the character or interests of the Association
 - d) Has membership fees in arrears for at least 2 months
 - e) Demonstrates non-compliance to the Association Code of Conduct or any other Association Policy.
- 11.3 The member concerned shall be given reasonable opportunity of presenting their case and if the Committee resolves to terminate the membership it shall instruct the Secretary to advise the member in writing accordingly.
- 11.4 Before a membership is terminated, the Committee must give the member a reasonable opportunity to show why the membership should not be terminated.
- 11.5 Reasonable opportunity, can include written, face to face, electronic, or by other means deemed appropriate by the committee
- 11.6 If, after considering all representations made by the member, the Executive Committee decides to terminate the membership, the Secretary must provide the member with a written notice of the decision within seven business days.
- 11.7 Termination of membership also ceases upon the Association becoming aware of a member's death.
- 11.8 Revocation of Life Membership**
 - (a) The club reserves the right to revoke the granting of life membership in circumstances where the actions and behaviours of the individual conducts themselves in a way considered to be injurious or prejudicial to the character or interests of the association.

- (b) In the event of a proposed revocation of life membership, the executive committee will undertake an independent investigation and any decision must be unanimous.

12. Disciplinary Proceedings

- 12.1 Before any member is disciplined, their conduct shall be investigated in accordance with the Association's [Complaints and Grievances Procedure](#) (Appendix 2).
- 12.2 The member shall be given the opportunity to defend themselves and to show cause as to why the member should not be disciplined.
- 12.3 When notice is given by the Committee to a member of the Association's intentions to hold an inquiry, full details of the alleged misconduct must be specified in the notice.
- 12.4 Written notice of the Committee's action shall be given to the member at least five days prior to the inquiry, to provide the opportunity to prepare a defence.
- 12.5 At the inquiry, witnesses to the alleged misconduct shall be called to give evidence and the member charged shall be given the opportunity to cross-examine or question any witness on their evidence.
- 12.6 The member coming before the committee is entitled to have a silent support person attend with them.
- 12.7 The member charged is entitled to call witnesses on their behalf.
- 12.8 Should any member fail to appear at an inquiry, the Committee or independent person may proceed in that member's absence to conduct the said inquiry and to make its finding as empowered.
- 12.9 If, after considering all representations made by the member, the committee, or the independent person, decides to discipline the member, including terminating their membership, the Secretary of the Committee must give the member a written notice of the decision.

13. Appeal against Rejection or Termination of Membership

- 13.1 A person whose application for membership has been rejected, or whose membership has been terminated, must provide the Secretary with a written notice of the person's intention to appeal the decision.
- 13.2 A notice of intention to appeal must be given to the Secretary within seven business days of the person receiving written notice of the decision.
- 13.3 If the Secretary receives a notice of intention to appeal, the secretary must within 21 days of receipt, call a Special General Meeting to decide the appeal.

14. Special General Meeting to Decide Appeal

- 14.1 At the Special Appeal Meeting, the applicant must be given a reasonable opportunity to show why the application should not be rejected or why the membership should not be terminated.
- 14.2 The Committee and the members of the Committee who rejected the application or terminated the membership must be given a full and fair opportunity to show why the application should be rejected or why the membership should be terminated.
- 14.3 An appeal must be decided by a majority vote of the members present and eligible to vote at the meeting.
- 14.4 If a person whose application for membership has been rejected does not appeal against the decision within one (1) month after receiving written notice of the decision, or the person appeals but the appeal is unsuccessful, the Secretary must notify the Treasurer, as soon as is practicable, to refund the membership fees paid by the person pro-rata.

CONDUCT

15. Conduct

- 15.1 When representing AFLTUA all members will conduct themselves with the highest possible standard of behaviour.
- 15.2 An umpire will accept the Regional Umpire Managers (RUM, Coach or Mentors decision in regard to appointments, training, interpretations of the rules as final.
- 15.3 An umpire should never criticise another umpire openly or publicly.
- 15.4 Any constructive criticism should be done in private and only by the Regional Umpires Manager, appointed observer or appointed mentor.
- 15.5 Complaints about other umpires, club officials and spectators should be directed through a member of the executive committee in writing as per the Association's [Grievance and Complaints Procedure](#) (Appendix 2).

16. Code of Conduct

- 16.1 All members are to acknowledge they have read and understood the AFLTUA Umpires' [Code of Conduct](#) prior to the commencement of each season.
- 16.2 All umpires are to adhere to the conditions of the [Code of Conduct](#) of AFLTUA, AFLT and AFLQ at all times.

16.3 Inappropriate Behaviour

- 16.3.1 *Inappropriate behaviour or harassment will not be tolerated in any form by the AFLTUA.*
- 16.3.2 Workplace harassment is a form of discrimination and bullying. It can consist of offensive, abusive, belittling, or threatening behaviour directed at an individual which may be a result of some real or perceived attribute or difference. Such attributes or differences may be based on gender, race, disability, sexual preference, age. It makes the workplace or association with work unpleasant, humiliating or intimidating for the people or group targeted by this behaviour.

Examples of harassment are, but not limited to:

- a) Offensive or intimidating behaviour
- b) Unwanted physical contact
- c) Insulting, offensive, or threatening gestures or comments
- d) Pictures, posters, graffiti and or written material displayed in work areas
- e) Unnecessary phone calls, messages, and letters
- f) Persistent following or stalking
- g) Continual exclusion of a person or group from normal conversations, social or work functions

- 16.3.3 It is important to note that harassment must not be confused with legitimate comment or advice from officials, trainers or instructors relating to work performance of an individual.

Feedback on performance or work-related behaviour differs from harassment in that feedback is intended to assist individuals to improve performance and standards both on and off the field.

16.4 Breaches of Code of Conduct or Constitution

- 16.4.1 Any breaches of the code of conduct and/or constitution will result in the member being either investigated, required to explain their actions, or being brought before the executive committee.
- 16.4.2 A member who is found to have breached the Code of Conduct or Constitution can be sanctioned by the Executive Committee.
- 16.4.3 Penalties for breaching the code of conduct are, but not limited to:

- a) Reprimand
- b) Suspension from duties
- c) Expulsion from the Association

17. Complaints, Grievances, and Investigations

- 17.1 Any complaints or grievances made by members shall be in writing, signed by the member(s) and submitted in writing to the Executive Committee (via the secretary) for consideration. The complaint/grievance shall be conducted in accordance with the Association's Complaints and Grievance Procedure (Appendix 2) and the outcome communicated to all parties.

COMMITTEE AND MANAGEMENT STRUCTURE

18. Management Structure of the Association

- 18.1 The management structure of the Association shall be as follows:
- a) Executive Committee
 - b) General Committee Members
- 18.2 The Executive Committee (the Committee) is selected at the AGM. In accordance with the Committees Act, the following positions are compulsory and must be filled by members over the age of 18:
- a) President
 - b) Secretary
 - c) Treasurer
- 18.3 The following positions are not compulsory under the Committees Act, but if filled are part of the Executive Committee:
- a) Vice-President
 - b) Sponsorship & Marketing Co-coordinator
- 18.4 Executive Committee positions should be filled in the above order at the AGM.
- 18.5 General Committee members are also elected at the AGM. General Committee members should each be elected by a majority vote.
- 18.6 A committee member shall hold office until the positions are declared vacant at the next AGM.

19. Regional Umpires Manager

- 19.1 The Regional Umpires Manager role is appointed by AFL Queensland. The Regional Umpires Manager is not a member of the Association's Executive Committee but is of similar standing within the Association and is welcome to attend Committee meetings. The duties and remuneration for the position are set by AFL Queensland at the start of the tenure.

20. Committee Responsibilities

- 20.1 As soon as practicable after being elected or appointed to the Committee, each committee member must become familiar with the Association Constitution, Code of Conduct, policies, and the Act).
- 20.2 The Committee is collectively responsible for ensuring that the Association complies with the Act and that individual members of the Committee comply with these Rules.

- 20.3 Committee members must exercise their powers and discharge their duties with reasonable care and diligence, in good faith, in the best interests of the Association and for a proper purpose.
- 20.4 Elected committee members who do not attend 3 consecutive meetings without forwarding apologies can be asked to show cause as to why they should remain on the committee.
- 20.5 Committee members and former committee members must not make improper use of:
- a) Their position
 - b) Information acquired by virtue of holding their positions, so as to gain an advantage for themselves or any other person or to cause detriment to the Association.

21. Roles of Committee Members

21.1 President:

- a) To oversee all aspects of the running of the Association
- b) Chair all meetings conducted by the Association
- c) Attend AFLQ/AFLT League meetings and promotional events as required
- d) Delegate duties as required to ensure efficient running of the Association.

21.2 Vice-President

- a) Understudy to the president
- b) Assist other executive committee members as required
- c) Oversee Policy, Procedures and Constitution on behalf of the Association as and when required.
- e) Vice-President shall act in accordance with the President at all times and with like power during the President's absence from any meeting.

21.3 Secretary

The Secretary's functions include, but are not limited to:

- a) Calling meetings of the association, including preparing notices of a meeting and agenda in consultation with the President of the Association
- b) Taking or recording the minutes of each meeting
- c) Prepare and or draft correspondence on behalf of the Association
- d) Maintaining the register of members of the Association
- e) Maintain the Associations social media (Website and Facebook page)

21.4 Treasurer

- a) To maintain the financial records of the Association
- b) Keep detailed accounts of all monies received and paid
- c) Receipt and bank all money received
- d) Ensure audit conducted at the end of each financial year in readiness for the AGM

21.5 Sponsorship & Marketing Co-coordinator (SSMC)

- a) Co-ordinate all activities regarding sponsorship, marketing, and publicity for the Association
- b) Keep accurate records of sponsorship agreements and any goods or services provided in accordance with these agreements
- c) Ensure the Association meets all requirements of each sponsorship agreement
- d) Comply with the sponsorship requirements of the AFL, AFL Queensland and AFL Townsville and ensure sponsors are aligned to the values and objectives of the Association
- e) Organise/Assist in any fundraising ventures conducted by the Association

21.6 General Committee Members

- 21.6.1 A minimum of three (3) General Committee Members can be elected if people are available and willing to take up the role.

- 21.6.2 Duties can be directed by Chairman/President at first committee meeting. Specific tasks could include but are not limited to any of the following roles.
- a) Social Coordinator – see Job Description Appendix 3
 - b) Social Media Committee Member
 - c) Uniform Coordinator – see Job Description Appendix 4
- 21.6.3 If numbers allow, there can also be capacity for general committee members with no fixed role. They will need to be willing to assist in all areas or as and when directed by the president.
- a) General Committee Member (No Fixed Role) – Job Description Appendix 5
- 21.6.4 The committee shall be responsible for the maintenance and cleanliness of the clubrooms, storeroom, and canteen.
- 21.6.5 Any Committee member may also be required to undertake additional duties as directed by the President.

22. Sub-Committees

- 22.1 The Committee may appoint a sub-committee consisting of members of the Association considered appropriate by the Committee to help with the conduct of the Association's operations
- 22.2 A member of the sub-committee who is not a member of the Committee is not entitled to vote at a committee meeting unless the Committee agrees via a majority vote to allow such action.
- 22.3 A sub-committee should elect a chairperson of its meetings.
- 22.4 If a sub-committee Chairperson is not elected, or if the Chairperson is not present within 10 minutes after the time fixed for a meeting, the members present may choose one (1) of their number to be Chairperson of that meeting.
- 22.5 A sub-committee may meet and adjourn as it considers appropriate.
- 22.6 A question arising at a sub-committee meeting is to be decided by a majority vote of the members present at the meeting and, if the votes are equal, the question is decided in the negative.
- 22.7 Resolutions of a sub-committee shall be ratified by the Committee prior to them having effect.
- 22.8 The executive committee should outline the objectives that the subcommittee is required to achieve and provide any guidance as required.

MEETINGS

23. Annual General Meeting

23.1 Annual General Meeting Provisions

- 23.1.1 The Annual General Meeting (AGM) of the Association shall be held no later than 4 months after the end of the financial year at a place and time determined by the Committee.
- a) The Secretary shall advise members in writing of the proposed date and location for the AGM at least one (1) calendar month prior to the AGM taking place.
 - b) If the Secretary is unable or unwilling to call the meeting, the President must call the meeting.
 - c) A member may be nominated for any number of Officer's positions. Candidates must be nominated by two (2) members in writing or by the [AFLTUA Nomination Form](#) and signed by all three (3) members.

- d) Written nominations for all Officers' positions shall be forwarded to reach the Secretary no later than fourteen (14) days prior to the AGM nominated date.
- e) Should there be no written nominations received, nominations may be taken from the floor at the AGM.
- f) Should there be only the number of nominees required for any office received in writing, the person chairing the AGM can call for additional nominations from the floor.
- g) Any positions not filled at the AGM can be filled by the incoming Committee by voting in an appropriate member at a later date.
- h) The Secretary shall check the names of the nominees for each office and ensure that they are qualified as a financial member to nominate.
- i) Should there be more nominees for any office than required for that office, the person chairing the AGM shall conduct an open ballot for that office at the AGM.
- j) Notices of Motions shall be forwarded to reach the Secretary no later than fourteen (14) days prior to the AGM.
- k) The Secretary shall advise all members no later than seven (7) days prior to the date of the meeting of the following:
 - l) Nominees for positions on the Committee
 - m) Motions received
 - n) Nominations for Life Membership
 - o) Other business to be transacted at the AGM
 - p) Any other relevant information

23.2 Order of Business at the AGM

- a) Apologies
- b) Minutes of previous AGM and any business arising
- c) President's Report
- d) Treasurer's Report
- e) Declaration of all positions as vacant. At this point another person in attendance may chair the meeting for the nomination and appointment process
- f) Election of Officers
- g) Election of Auditor
- h) Notices of Motion
- i) Close of AGM

23.3 Voting at an AGM

23.3.1 Is as per Clause 25 in General Meetings.

23.4 AGM Quorum

23.4.1 At the AGM and all Special Meetings the number of the committee members + 1 shall form a quorum (must be financial members eligible to vote and includes Life Members). If a quorum is not present, the Meeting shall be adjourned for one (1) week and if at such adjourned meeting there is no quorum, those present shall be competent to conduct the business and shall ensure, prior to conducting any business, that all members had been properly informed as per the Constitution.

23.5 General Meeting to follow AGM

23.5.1 At the conclusion of the AGM business the Chairman shall declare a General Meeting open to enable members to ask questions and ascertain information relevant to the operations of the Association. This meeting shall be limited to 30 minutes and may only be extended at the discretion of the chairman.

24. Committee Meetings

24.1 Committee Meeting Provisions

- 24.1.1 Subject to this clause, the Committee may meet and conduct its proceedings as it considers appropriate.
- 24.1.2 The President is to preside as Chairperson at a Committee Meeting.
- 24.1.3 If the President is not present within ten (10) minutes after the time fixed for a Committee meeting, the Vice President shall take the Chair, or when this is not possible the members may choose one (1) of their number to preside as Chairperson at the meeting.

24.2 Committee Meetings Calendar

- 24.2.1 The Committee shall meet as often as may be required, but not less than six (6) times per year, to conduct the business of the Association.
 - 24.2.2 The secretary shall call meetings of the Association and compile the agenda.
 - 24.2.3 The Secretary shall also call meetings of the Association when instructed to do so by the President or by any three (3) Committee Members.
 - 24.2.4 The first meeting of a new committee shall be within thirty (30) days from the AGM.
 - 24.2.5 The Secretary must decide how a meeting is to be called, and such Notice of Meeting is to be given in this manner by the Secretary.
 - 24.2.6 Where the date and place of a Committee meeting set at the previous meeting is changed, the Secretary shall inform each Committee Member accordingly.
 - 24.2.7 The accidental omission to give any member or the non-receipt by any member, of any notice required by this Constitution shall not invalidate or affect any proceedings at a Committee meeting.
 - 24.2.8 The Committee may hold meetings or permit a Committee Member to take part in its meetings, by using any technology that reasonably allows the member to hear and take part in discussions as they happen.
 - 24.2.9 A Committee member who participates in the meeting as mentioned in Clause 25.2.8 is taken to be present at the meeting.
 - 24.2.10 A question arising at a committee meeting is to be decided by a simple majority vote of members of the meeting. In the case of a tied vote the person chairing the meeting shall have a casting vote in addition to a deliberative vote.
 - 24.2.11 A member of the Committee must not vote on a question about a contractor proposed contract with the Association if the member has an interest in the contractor proposed contract and, if the member does vote, the member's vote must not be counted.
 - 24.2.12 All acts or decisions made by any meeting of the Committee or members, even if it is later discovered there was a defect in their appointment, will be as valid and effective as if they were appointed properly, unless fraud or bad faith has been proven.
 - 24.2.13 The Committee shall have the power to delegate all, or any, of its powers, except the power of delegation to a Sub-Committee, to deal with any particular matter or matters and upon such terms as the Committee may think fit. The President or Secretary shall be ex-officio members of all Sub-Committees.
 - 24.2.14 At evening meetings no new business shall be commenced after ten pm (10.00pm), except on the express prior approval of the meeting.
- ### **24.3 Special Meetings of the Committee:**
- 24.3.1 If the Secretary receives a written request signed by at least 33% of the members of the Committee, the secretary must call a Special Meeting of the committee within one month, by giving each member of the Committee seven (7) days' notice of the meeting.
 - 24.3.2 Such a meeting must be called within fourteen (14) days after the secretary receives the request.

24.3.3 Such notice must state why the special meeting is called; the business to be conducted at the meeting; the day, time, and place of the meeting.

24.3.4 If the Secretary is unable or unwilling to call the Special Meeting, the President must call the meeting.

24.4 Committee Meeting Quorums:

24.4.1 More than 40% of the members elected to the Committee, as at the close of the last General Meeting of the members, form a quorum.

24.4.2 If there is no quorum within thirty (30) minutes after the time fixed for a committee meeting:

- a) The meeting is to be adjourned for at least one (1) day
- b) The members of the Committee who are present are to decide the day, time, and place of the adjourned meeting

24.4.3 If there is no quorum within thirty (30) minutes after the fixed start time for a committee meeting called on the request of members of the Committee, the meeting lapses.

24.4.4 If, at an adjourned meeting, there is no quorum within thirty (30) minutes after the fixed start time set for the meeting, the meeting lapses.

24.5 Resolutions of Committee Without Meeting

24.5.1 A written resolution signed by each member of the Committee is as valid and effectual as if it had been passed at a committee meeting that was properly called and held. A resolution mentioned in this clause may consist of several documents in like form, each signed by one (1) or more members of the Committee, or can be conducted via electronic format, where the committee members can vote on the resolution, and the minutes at the following executive meeting updated to show the details of the electronic resolution.

25. General Meetings

25.1 General Meeting Provisions

25.1.1 General Meetings of the Membership maybe called at any time by the Committee to discuss issues of interest to the Association's members.

25.1.2 Up to three (3) meetings can be held each year - one as a general forum following the closure of the AGM, others held during the year; can be part of a formal training night to gain the widest audience.

25.2 Notice of General Meeting:

25.2.1 The Secretary shall call a General Meeting of the Association.

25.2.2 The Secretary must give at least fourteen (14) days' notice of the meeting to each member of the Association.

25.2.3 If the Secretary is unable/unwilling to call the meeting the President must call the meeting.

25.2.4 The Committee may decide the way in which the notice must be given. However, notice of the following meetings must be given in writing:

- a) A meeting called to hear and decide the appeal of a person against a executive committee's decision
- b) To reject a person's application for membership of the association
- c) To terminate a person's membership of the association
- d) A meeting called to hear and decide a proposed special resolution of the association.

25.2.5 A notice of a General Meeting must state the business to be conducted at the meeting.

25.3 Procedure at General Meeting

25.3.1 A member may take part in a General Meeting in person.

- 25.3.2 A member may take part in a General Meeting by using any technology that reasonably allows the member to hear and take part in discussions as they happen.
- 25.3.3 A member who participates in a meeting as mentioned in Clause 25.3.2 is taken to be present at the meeting.
- At each General Meeting:
- a) The President shall preside as Chairperson
 - b) If there is no President or if the President is not present within fifteen (15) minutes after the fixed start time for the meeting or is unwilling to act, the members present must elect one (1) of their number to be Chairperson of the meeting.
- 25.3.4 The Chairperson must conduct the meeting in a proper and orderly way.

25.4 Quorum for and Adjournment of General Meeting

- 25.4.1 No business may be conducted at a General Meeting unless there is a quorum of members when the meeting proceeds to business.
- 25.4.2 The quorum for a General Meeting is at least the number of members elected or appointed to the Committee at the close of the Association's last Annual General Meeting plus one (1).
- 25.4.3 If there is no quorum within thirty (30) minutes after the fixed start time for a General Meeting called on the request of members of the Committee or the Association, the meeting lapses.
- 25.4.4 If there is no quorum within 30 minutes after the fixed start time for a General Meeting called other than on the request of members of the Committee or the Association:
- a) The meeting is to be adjourned for at least seven (7) days
 - b) The Committee is to decide the day, time, and place of the adjourned meeting
- 25.4.5 The Chairperson may, with the consent of any meeting at which there is a quorum, and must if directed by the meeting, adjourn the meeting from time to time and from place to place.
- 25.4.6 If a meeting is adjourned under Clause 25.4.5, only the business left unfinished at the meeting, from the time at which the adjournment took place, may be conducted at the adjourned meeting.
- 25.4.7 The Secretary is not required to give the members notice of an adjourned meeting or of the business to be conducted at an adjourned meeting unless a meeting is adjourned for at least thirty (30) days and if the meeting is adjourned for at least thirty (30) days, notice of the adjourned meeting must be given in the same way notice is given for a General Meeting.

25.5 Voting at General Meetings

- 25.5.1 At a General Meeting, each question, matter, or resolution, other than a special resolution, must be decided by a majority of votes of the members present.
- 25.5.2 Members entitled to vote are defined in clause 7, 'Classes of Members' of this Constitution as Full members, Social members and Life members only.
- 25.5.3 Each member present and eligible to vote is entitled to one (1) vote only, and if the votes are equal, the Chairperson has a casting vote as well as a primary vote.
- 25.5.4 A member may use a proxy vote if incapacitated or otherwise unable to attend, as per provisions of the Constitution.
- 25.5.5 Unless otherwise provided, a member is not entitled to vote at a General Meeting if the member's annual fee is in arrears at the date of the meeting.
- 25.5.6 The method of voting is to be decided by the Committee. However, if the Chairperson or at least twenty percent (20%) of the members present demand a secret ballot, voting must be by secret ballot.
- 25.5.7 If a secret ballot is held, the Chairperson must appoint two (2) scrutineers to oversee the ballot.

25.5.8 The result of such ballot as declared is taken to be a resolution of the meeting at which the ballot was held.

26. Special General Meeting

26.1 Special Meeting Provisions

26.1.1 A Special General Meeting of the Association may be convened by request in writing by 33% of the membership entitled to vote, as defined in clause 6, 'Classes of Membership', or by the executive committee. The request must be presented to the secretary, and state the purpose for which the meeting is desired.

26.1.2 A Special General Meeting will be convened to:

- a) Ratify a formal Notice of Motion amendment to the Constitution
- b) Hear an appeal by a member following an appeal from a person who has had a membership application refused
- c) Hear an appeal from a member in relation to a disciplinary decision or the termination of their membership by the Committee under clause 14.
- d) Special General Meetings may also be convened at the discretion of the Committee

26.1.3 A Special General Meeting must be held within two (2) months after the Secretary:

- e) Is directed to call the meeting by the Committee
- f) Is given the written request mentioned in Clause 26.2
- g) Is given the written notice of an intention to appeal mentioned in Clause 26.2.3.
- h) If the Secretary is unable or unwilling to call the Special General Meeting, the President must call the meeting

26.1.4 A period of fourteen (14) days' notice shall be given to all members in writing advising the purpose for the Special General Meeting. This notice must state:

- a) Why the special general meeting is being called
- b) The business to be conducted at the meeting
- c) Any special resolutions to be debated
- d) Provisions of any appeal against a Executive Committee's decision

26.1.5 At a Special General Meeting only the business as specified in the Notice of Meeting shall be conducted.

26.1.6 If there is no quorum within thirty (30) minutes after the fixed start time for the Special Meeting called by the members, the meeting shall lapse.

26.1.7 If the meeting is called under the provisions of the 'grievance process' and the member concerned is not present within ten (10) minutes of the scheduled time the meeting shall be cancelled.

26.1.8 If the meeting has been called on the request of the Committee the meeting shall be rescheduled for another appropriate time.

27. Minutes of Meetings

27.1 The Secretary shall ensure full and accurate minutes of all questions, matters, resolutions, and proceedings of all meetings are kept, together with a record of the names of persons present at all meetings.

27.2 Upon request of a member to view a specific minute the Secretary shall make available within thirty (30) days such record at a mutually agreed time and place and give the member copy of such minute.

28. Proxy Voting

- 28.1 A member may appoint a proxy to vote on their behalf in an AGM, General Meeting or Special General Meeting, if they are indisposed or otherwise unable to attend the meeting in person.
- 28.2 A proxy vote may not be cast for the following items:
- a) A vote for Life Membership
 - b) A vote on an appeal by a member
 - c) Motions or issues arising in general business where no written notice of the motion or issue was provided prior to the meeting
- 28.3 A proxy must be a member of the Association:
- a) The member representing the Proxy voter shall be entitled to their own vote plus the proxy vote only
 - b) Unless otherwise instructed by the appointer, the proxy may vote as the proxy considers appropriate.
- 28.4 Each instrument appointing a proxy must be given to the Secretary before the start of the meeting or adjourned meeting/s at which the person named in the instrument proposes to vote by means of the AFLTUA Proxy Voting Form (Appendix 6).

29. Appointment of a Proxy

- 29.1 An instrument appointing a proxy must contain the following information:
- a) Name of the Member appointing the proxy (the Appointer)
 - b) Name of the Member being appointed (the Appointee) to vote on behalf of the Appointer
 - c) Date of the Meeting for which the proxy applies
 - d) If the Appointer wants to vote for or against a resolution, motion, or issue
 - e) The resolution, motion, or issue, having reference to Secretary's notification of the same
 - f) The Appointer's voting instructions (i.e., for or against)
 - g) A declaration by the Appointer to appoint the Appointee
 - h) Appointer's signature
 - i) Any other information required by the Committee
- 29.2 Each instrument appointing a proxy must be given to the secretary before the start of the meeting or adjourned meetings at which the person named in the instrument proposes to vote.

FINANCIAL

30. Finance and Insurance

- 30.1 The financial year shall commence on 1 November and end on 30 October of the following calendar year.
- 30.2 The Committee shall accept an annual budget as presented by the Treasurer at the first meeting following the AGM.
- 30.3 All financial members as per Clause 6 shall be deemed to be financial for the purposes of the AGM or any Special General Meetings that may be called in the period 1 October to 1 February the following year, or such longer period as advised by the Committee.
- 30.4 The Annual Financial Reports prepared by the Treasurer shall be passed for audit in sufficient time for presentation at the AGM.
- 30.5 The Committee may request an Audit Report at any time during the Financial Year prior to the Annual Audit Report.

30.6 The Committee shall ensure all statutory and desirable insurance policies and provisions are in place on a continuing basis. Such insurances may be implemented by AFL Queensland or the AFL.

31. Credit Card

31.1 The Association can maintain a credit card set up in such a way that two people have to authorise the transfer of funds to be allocated to the credit card.

31.2 The card will not exceed the limit of \$200.00.

31.3 Any increase in the limit is to be decided by the Executive Committee.

32. Liability of Members

32.1 The liability of the Members, Delegates and Officers of the Association is limited.

33. Management of Association Funds

33.1 The funds of the Association shall be placed in such financial institutions as the Committee may from time to time determine to the credit of the Association.

33.2 All accounts shall be operated by the Treasurer and the Authorised Persons. Authorised persons are to be the Treasurer, Secretary and President. A minimum of two authorised persons must sign/approve any cheques or bank transactions. The exception to this is the use of the debit card/s linked to the bank account: BSB 034-668 Account number: 197726. This debit card account can be used and actioned by only one person who is one of the approved persons.

33.3 Records and accounts must be kept in the English language showing full and accurate details of the financial affairs of the Association.

33.4 No monies shall be withdrawn from the Association's accounts unless by:

- a) By the Association credit card
- b) An electronic transfer authorised by the Treasurer and one of the Authorised Persons

33.5 All amounts must be deposited in the financial institution account as soon as practicable after receipt.

33.6 Subject to clause 33.8 and 33.9, the Association's Committee must:

- a) Approve or ratify all expenditure of the Association
- b) Ensure that the approval or ratification is recorded in the Committee's meeting minutes.

33.7 The Committee may provide guidance in relation to the setting of an expenditure policy that sets preapproval for certain expenditure by specified Authorised Persons.

33.8 A petty cash account can be kept on the imprest system, and the Committee must decide the amount of petty cash to be kept in the account at the first committee meeting of each financial year.

33.9 Full and accurate records and accounts must be kept of the financial affairs of the Association.

33.10 The Committee may determine honorariums or other forms of good faith payments to any member of the Association. These must be detailed fully in the financial records of the Association.

33.11 The income and property of the Association shall be applied solely for the promotion of its objectives and no part thereof shall be paid or transferred directly or indirectly by way of dividend, bonus or otherwise by way of pecuniary profit to the members.

33.12 The Association's Treasurer, or other Authorised Person must:

- a) Receive all amounts paid to the Association and, if asked, immediately give a receipt for the amounts.
- b) Issue a receipt for all cash payments made to the Association.

- c) As soon as practicable deposit each amount received into the associations account with a financial institution and enter the details of each amount received
 - d) Enter payments made by the Association, into the Association's accounts.
- 33.13 Particulars of all payments from, and reimbursements to, the petty cash account must be recorded in the petty cash book.
- 33.14 The Association's expenditure must be supported by adequate documentation filed in chronological order and kept at a place decided by the Committee.
- 33.15 The Association's Treasurer or other Authorised Person must regularly:
- a) Balance the electronic accounting records
 - b) Make a reconciliation between the electronic accounting records and the balance of the Associations account with a financial institution
- 33.16 The Association must keep its financial records
- a) In Queensland
 - b) For at least seven (7) years.

34. Dues Recoverable at Law

- 34.1 Notwithstanding anything here in contained, all subscriptions owing by any member under these rules and all monies (other than membership fees) owing and payable by any member of the Association or any other account whatsoever shall be recoverable by the Association by action in a court of law against such member, whether such member shall, at the time of commencement of the action, have ceased to be a member or not.

35. Distribution of Surplus Funds or Assets

- 35.1 In the event the Association ceases to exist, all funds and assets will be distributed to AFL Townsville or a like entity.

36. Appointment of Auditors

- 36.1 If an audit is required for the ensuing financial year, at the AGM members shall appoint a suitably qualified independent person to act as Association Auditor for the ensuing year. An internal auditor may also be appointed for one (1) year. The Treasurer shall give to the Auditor(s), at all times, full access to the Association's books of accounts and vouchers and afford them every facility for the purposes of making a true Audit of the Association's financial affairs.
- 36.2 The Auditor shall examine the books, accounts, receipts and other financial records of the Association for the year in which they are appointed.
- 36.3 The Auditor, finding any deficiency in money or goods, shall report the same in writing to the Committee. Nothing will prevent the Auditor from reporting the same to the Association, or any other authorities that the Auditor considers necessary.
- 36.4 The Audit shall be performed in sufficient time for the report to be presented at the AGM for that year.

37. Audit Requirements Under the Act

- 37.1 The Committee will ensure that the Association's accounts are audited in accordance with the requirements of the Act.

- 37.2 At the date of this document there are three financial levels of incorporation, which can be referenced in the Act.

MISCELLANEOUS PROVISIONS

38. Rules and Policies for Association Operation

- 38.1 The Committee may make, amend, or repeal policies and procedures, not inconsistent with these rules, for the internal management of the Association.
- 38.2 Such policies and procedures shall be binding on all members until repealed or amended by the Committee.
- 38.3 Every member of the Association shall be presumed to have agreed to be bound by the Association's rules, policies, and code of conduct on receipt of their membership.
- 38.4 Notice of such rules, policies and code of conduct shall be communicated to all members after the rules have been made, varied, or rescinded and shall be displayed prominently.
- 38.5 This Constitution is to be read in conjunction with any of the Association's Rules, policies, and procedures and on matters where the Association's Rules, policies and procedures are silent, the Constitution prevails and vice versa.
- 38.6 Where the Constitution is inconsistent with the Association's Rules and policies the Constitution shall prevail.
- 38.7 Where the Association's Constitution is inconsistent with other Association Rules and Policies, the Constitution shall prevail.

39. Interpretation of Constitution

- 39.1 The Committee shall decide all questions as to the interpretation of this Constitution and associated policies and procedures and such decisions shall be binding unless at an AGM, General Meeting or Special General Meeting and such decisions are over-ruled by a two thirds majority of the members present.
- a) Subject to the Act, this Constitution may be amended, repealed, or added to by a special resolution carried at an AGM or Special General Meeting
 - b) Notice of any proposed amendment, repeal or addition must be given at least fourteen (14) days prior to such AGM, Special or General Meeting to the Secretary and must be communicated to all members not less than seven (7) days prior to such meeting
 - c) No clause shall be amended or repealed nor, shall any new clause be made except on the consent of seventy five percent (75%) of the members voting at the AGM or a Special General Meeting called for such purpose
 - d) Any amendment, repeal or addition is valid only if it is registered in accordance with the provisions of the Act, and where required the amendment, repeal or addition complies with the Act.

40. Restriction on Using Association Name:

- 40.1 No member shall arrange, on his or her own responsibility, to use the Association name in any way without the agreement of the Committee.

41. Documents

- 41.1 The Committee must ensure the safe custody of books, documents, instruments of title and securities of the Association.

42. Communication

- 42.1 Unless expressly stated otherwise, or required by law, all written Association communication may be undertaken on an electronic basis (such as email) as approved by the Committee.

43. Common Seal of the Association

- 43.1 The Association will not use a common seal.

44. Inspection of Association Records

- 44.1 A member may at any reasonable time inspect, without charge, the books, documents, records, and securities of the Association.

45. Legal Action

- 45.1 The Committee shall have the power to take and defend all legal proceedings by or on behalf of the Association and to appoint all necessary attorneys for any such purpose.

45.2 Indemnification of Committee Members

The Company shall indemnify and hold harmless each member of the Committee from and against any and all claims, losses, damages, expenses (including reasonable attorneys' fees approved by the Company), and liability (including any reasonable amounts paid in settlement with the Company's approval), arising from any act or omission of such member, except when the same is judicially determined to be due to the wilful misconduct of such member.

46. Dissolution of the Association

- 46.1 The Association may be dissolved by the consent of seventy five percent (75%) of members voting at a Special General Meeting called for such a purpose and thereupon the assets of the Association shall be realised.

46.2 Distribution of Surplus Assets to Another Entity

- 46.2.1 This rule applies if the Association:

- a) Is wound-up under part 10 of the Act
- b) Has surplus assets.

- 46.2.2 The surplus assets (see section 92 (3) of the Act) must not be distributed among the members of the Association.

- 46.2.3 The surplus assets must be given to another entity having objects similar to the Association's objects, the rules of which, prohibit the distribution of the entity's income and assets to its members.

- 46.2.4 Which incorporated association or purposes, as the case requires, shall be determined by resolution of the members when authorising and directing the Committee under section 33 (3) of the Act to prepare a distribution plan for the distribution of the surplus property of the Association.

47. Awards & Trophies

- 47.1 Recognition of yearly achievements will be awarded at an end of season function at the discretion of the Executive Committee and Regional Umpires Manager.

48. Media

- 48.1 At no time is a member of the Association to approach or speak to the media in regard to any issues arising from their umpiring duties.
- 48.2 The President and the Regional Umpires Manager are the only personnel authorised to directly speak to the media on behalf of the Association. The SSMC or the President, in their duties are authorised to organise press releases as directed from the Executive Committee.

49. Liquor Licensing Act Influence on Constitution/Rules for Associations with Licensed Premises

- 49.1 The Committee may elect by majority vote to procure a liquor licence to facilitate the sale of alcohol at Association social events and training. The Committee must ensure that all requirements of the liquor licence and the Association alcohol policy have been met prior to the procurement or sale of any alcohol.
- 49.2 This Constitution is to be read in conjunction with the provisions of the Liquor Act and the Associations Alcohol Policy.

50. Smoking, Drugs and Alcohol

- 50.1 Should be read in conjunction with [AFLTUA Alcohol Policy](#) (Appendix 8)
- 50.2 Any member found to be taking unprescribed drugs/medication can face immediate expulsion from the Association unless they can adequately convince the Executive Committee of the reasons for the use of such drugs.
- 50.3 No officiating umpire will consume alcohol until all game day duties and appointments have been completed.
- 50.4 Any member found to be taking drugs or alcohol prior to appointed games will be immediately withdrawn from their game/s and will not be reappointed until the executive committee has reviewed the matter.
- 50.5 All umpires are to adhere to non-smoking policies of the League and AFLTUA at any grounds that they attend.

51. Blue Card (Working with Children & Young Persons Check)

- 52.1 As Queensland law requires persons over the age of 18 dealing with children and young people to hold a Working with Children and Young Persons Check (Blue Card), it is therefore a requirement of the Association and AFLQ that any member over the age of 18 years must obtain a Blue Card to be able to umpire all levels of games.
- 52.2 An Umpire cannot exclude themselves from umpiring junior games by not holding a Blue Card. All umpires must be available to umpire all games and age groups to the level of their ability.
- 52.3 Members excluding themselves from being available for junior games by not holding a Blue Card will also make themselves unavailable for senior games until such time as the Blue Card is obtained.
- 52.4 It is the members' responsibility to maintain the validity of the Blue Card for as long as they are umpiring with the AFL Townsville Umpires Association Inc or in Queensland.
- 52.5 If the Blue Card was obtained through another organisation/sporting club, that Blue Card must also be formally cross referenced to include our association.

52. APPENDICES

APPENDIX 1 – [Grievance/Complaint Policy](#)

APPENDIX 2 – [Grievance/Complaint Procedure](#)

APPENDIX 3 – [Job Description for Social Coordinator](#)

APPENDIX 4 – [Job Description for Uniform Coordinator](#)

APPENDIX 5 – [Job Description for General Committee Member](#)

APPENDIX 6 – [Proxy voting form](#)

APPENDIX 7 - [AGM Committee Officer Nomination Form](#)

APPENDIX 8 – [Alcohol Policy](#)