
Canberra Cross-Country Ski Club

Constitution

7 May 1986

Amended by Annual General Meeting 25 October 2006

CANBERRA CROSS-COUNTRY SKI CLUB
formerly
CANBERRA NORDIC SKI CLUB

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Name

1a

The name of this body shall be the Canberra Cross-Country Ski Club Incorporated and the body shall hereinafter be referred to as the Club.

Definitions

1b

In this Constitution:

Club means the Canberra Cross-Country Ski Club Incorporated.

Constitution means the Constitution of the Club.

Ordinance means the Associations Incorporation Ordinance 1953 of the Australian Capital Territory.

Objects

2a

To promote interest in cross-country skiing.

2b

To promote good fellowship among those interested in cross-country skiing.

2c

To educate, train, coach and encourage members of the Club.

Powers

3

The club may do all things necessary in accordance with this Constitution to achieve the Objects of the Club.

Membership

4a

Any person who is interested in cross-country skiing shall be eligible for membership.

4b

A person shall become a member upon acceptance by the Committee or its authorised officer that person's application, and payment of the annual membership fee to the Treasurer.

5a

The annual membership fee for all classes of membership shall be determined at the Annual General Meeting in each year and shall be payable by **1 May**.

Amended at AGM of 25 October 2006

5b

Persons under the age of 18 years shall be eligible to join as junior members at such special fee as shall be determined but they shall not be entitled to hold office, or vote, or take part in business procedures at meetings of the Club.

5c

Persons resident more than 100km from the Canberra G.P.O. shall be eligible to join as distant Members at such special fee as shall be determined. They shall have all the rights of members resident within the Canberra/Queanbeyan Telephone Area.

5d

A member who joins the Club and pays the appropriate membership subscription after **1 October** in any year may, at the discretion of the Committee, be deemed to have paid the subscription for the following year.

6

A properly constituted Annual General Meeting or Special General Meeting may appoint any person as an Honorary Member or Honorary Life Member of the Club in recognition of services rendered in promoting the interests and Objects of the Club. An Honorary Member or Honorary Life Member shall be entitled to all the privileges of a member under this Constitution including the right to vote and stand for election.

7

A person shall cease to be a member of the Club at the expiration of one month after notice by the Treasurer to that person that her or his membership fee is overdue unless within that period he or she pays the fee and any monies properly payable by her or him to the Club and set out in the notice of the Treasurer.

8

Upon any person ceasing to be a member of the Club for any reason whatsoever that person shall not be entitled to the return of her or his membership or any portion thereof.

9

The committee may expel from the Club or otherwise punish or penalise any member whose conduct, in the opinion of the Committee, is discreditable or injurious to the character or interests of the Club.

General Meetings

10

The Annual General Meeting of members shall be held in **September** in each year and members shall be given notice in writing at least 14 days before such meeting.

Amended at AGM of 25 October 2006.

11

The annual report and balance sheet or financial statement shall be submitted to members at the Annual General Meeting.

12

An Annual General Meeting or a Special General Meeting may make by-laws for the proper administration of the club by the passage of a resolution proposing the change, consented to by a two-thirds majority of those attending the meeting and entitled to vote.

13

The election of Officers and General Committee Members for the ensuing twelve months shall take place at the Annual General meeting together with any other business mentioned in the notice paper convening the Meeting.

14a

A Special General Meeting of members shall be called at the request of the President or the Secretary or any six members of the Club. Such Meeting shall be held within 35 days of such request and all members shall be notified in writing not less than 21 days before such Meeting.

14b

A Social Meeting may be called at any time by the President or the Secretary. A Social Meeting shall not make substantive decisions concerning the Club.

15

The President shall take the chair at all General Meetings. Should the President not be present then the Vice-President shall take the chair, and if the Vice-President be not present the members shall elect a member to take the chair.

16a

At all Meetings the Chairperson's decision on points of order shall be final.

16b

The Chairperson shall have a casting vote in addition to a deliberative vote.

17a

The quorum for a General Meeting shall be fifteen members present.

17b

Unless otherwise provided for in this Constitution, resolutions shall be passed by the Club, and persons shall be elected to office, by the consent of a simple majority of persons present at the Meeting and entitled to vote.

17c

A quorum shall not be required for a Social Meeting.

18

If at any General Meeting other than the Annual General Meeting there be no quorum within 30 minutes of the time appointed for the Meeting, then the Meeting shall lapse unless of majority of the members present decide to adjourn the Meeting for a period not exceeding 14 days. If there be no quorum within 30 minutes after the time appointed for such adjourned Meeting then the Meeting shall lapse altogether. If at the Annual General Meeting there be no quorum within 30 minutes of the time appointed for the Meeting, then the Meeting may proceed despite the absence of a quorum.

19

Only members present in person shall be entitled to vote.

Committee

20a

The business and affairs of the Club shall be under the management and control of the Committee provided, however, that except in the case of extreme urgency the Committee shall not take any action contrary to decisions made at a General Meeting.

20b

The Committee may, subject to the decisions made at General Meetings, exercise all the powers of the Club and do all such acts and things as may be done by the Club or which it considers necessary or expedient to carry out the Objects of the Club.

20c

The Club will not finance an activity, nor approve the use of the Club's name in association with an activity, unless the Committee has first been provided, in writing, with detailed information on:

- (i) the proposed activity
- (ii) the proposed budget for the activity
- (iii) the income the Club might derive from the activity
- (iv) expenditure that the Club might incur in the financing of the activity
- (v) any other commitment of Club resources or assets that might be incurred in supporting the activity

21a

The Committee shall comprise the President, Vice-President, Secretary, Treasurer, Touring Coordinator, Instruction Coordinator, Racing Coordinator, Membership Coordinator, Editor/Newsletter Coordinator and Meetings Coordinator.

21b

The Committee shall consist of eight, nine or ten members, elected at an Annual General Meeting or a Special General Meeting, or appointed as otherwise provided herein.

21c

The following three positions shall be held by members of the Committee, elected by the Committee: Public Officer and two Delegates to Snowsports ACT.

22

Should any vacancy occur in the Committee other than in the normal course of elections, the Committee shall fill such vacancy from members of the Club and such member duly appointed shall hold office for the unexpired portion of the predecessor's term.

23

The Committee shall meet as often as may be required to conduct the business of the Club. The President or the Secretary or three members of the Committee shall have the power to call a meeting of the Committee. The President of the Club shall take the chair at all Committee meetings. Should the President not be present then the Vice-President shall take the chair and if the Vice-President not be present the Committee shall elect one of its number to take the chair.

24

The chairperson at all Committee meetings shall have a casting vote in addition to a deliberative vote.

25

All members of the Committee shall be entitled to notice of meetings but the accidental omission to give notice to any member, or the non-receipt by any member of any notice required by this Constitution, shall not invalidate or affect any proceedings at such meeting.

26a

The Committee shall have the power to delegate any of its powers to a sub-committee to deal with any particular matter of matters and upon such terms as the Committee may think fit. The President shall be an ex-officio member of all sub-committees.

26b

All acts or decisions done or made by any meeting of the Committee or any member thereof shall, notwithstanding that it be afterwards discovered that there was some defect in the appointment of such member or all or any members of the Committee, be as valid and effective as if they had all been properly appointed, unless it be proved that the appointment was made in fraud or bad faith.

27

The quorum for Committee meetings shall be four members present in person. If the number of Committee members becomes less than the quorum, the remaining Committee members may meet to co-opt additional members to the Committee.

Election of Committee

28

Nomination for each candidate for election as Office-bearer or General Committee Member shall be proposed and seconded respectively by two members at the Annual General Meeting. Contested offices shall be subject to ballot at the Annual General Meeting of the members present and voting thereon.

29

The election for the Office-bearers and the General Committee Members shall be by ballot of members present and voting thereon, held at the Annual General Meeting. No ballot shall be required when the number of candidates nominated for each office does not exceed the number of vacancies, and the candidates shall be declared duly elected.

Duties of the Secretary

30a

The Secretary shall

- (i)** keep a true record of the minutes of all meetings General Meetings and Committee Meetings
- (ii)** attend to correspondence
- (iii)** issue notices for meetings
- (iv)** maintain a register of by-laws of the Club
- (v)** carry out such other duties as the Committee may from time to time direct

Duties of the Treasurer

30b

The Treasurer shall

- (i)** receive all monies payable to the Club and give receipts therefore

- (ii)** pay all monies received on behalf of the Club into the Club's bank account
- (iii)** keep true and proper financial records of the Club
- (iv)** when requested to do so by the Committee or the Auditor, provide to the Auditor a list of all accounts, books and records of the Club, and allow their inspection by the Auditor
- (v)** provide any other information required by the Auditor
- (vi)** present to the Annual General Meeting a balance sheet of the current assets and liabilities of the Club, certified to be correct by the Auditor, together with a written report

Public Officer

30c

The Public Officer shall be appointed in accordance with paragraph 21c above.

30d

If the position of Public Officer becomes vacant, the Committee shall appoint, within fourteen days after it becomes vacant, a new Public Officer in accordance with paragraph 21c above.

Duties of the Public Officer

30e

The Public Officer shall

- (i)** notify the Registrar of her or his appointment and name and address within 14 days of such appointment
- (ii)** notify the Registrar within 14 days of any change of address
- (iii)** within one month of any alteration of
 - (a)** the Objects or purposes of the Club
 - (b)** the rules of the Club
 - (c)** any trusts relating to the Club advise the Registrar in accordance with the procedures set out in section 13 of the Ordinance of such change
- (iv)** accept service of documents on behalf of the Club
- (v)** give notice or make demand when requested by the Club

- (vi) file within one month of its preparation the balance sheet referred to in section 223 of the Ordinance

Vacation of Office

30f

For the purposes of this Constitution an office of the Club becomes vacant if the person holding that office

- (i) dies
- (ii) becomes bankrupt or applies to take or takes advantage of any law relating to bankrupt or insolvent debtors or compounds with her or his creditors
- (iii) becomes of unsound mind
- (iv) resigns her or his office by writing under her or his hand addressed to the Committee
- (v) ceases to be a member of the Club
- (vi) in the case of the Public Officer, ceases to reside in the Australian Capital Territory

Finance

31

The financial year shall be from 1 May to 30 April.
As amended at AGM of 25 October 2006.

32

All monies of the Club shall be paid into the account of the Club at such bank as the Committee may from time to time direct.

33a

All monies drawn from the Club's accounts shall be drawn by cheque signed by at least two of the bank signatories authorised by the Committee. No cheque shall be signed or money withdrawn unless such transaction has been approved by the Committee or, in the case of urgency, by the President and the Secretary.

33b

The income of the Club shall be applied solely towards the Objects and purposes of the Club.

Auditor

34a

The Committee shall appoint within one month after each Annual General Meeting a person to be the Auditor of the Club's financial affairs.

34b

The Committee shall not appoint as auditor a person who is the Public Officer or a member of the club.

34c

If at any time the position becomes vacant, the Committee shall within one month appoint another person to be the Club's Auditor.

Duties of the Auditor

34d

The Auditor shall

- (i)** examine, at least once in each financial year, the financial records of the Club
- (ii)** certify the correctness of the accounts of the Club, and provide a written report to the Annual General Meeting
- (iii)** state, in her or his report and in certifying the accounts,
 - (a)** whether he or she has obtained the information sought by her or him
 - (b)** whether, in her or his opinion, the accounts are properly drawn up so as to exhibit a true and correct view of the financial position of the Club according to the information at her or his disposal and the explanation given to her or him and as show by the books of the Club
 - (c)** whether the rules relating to the administration of the funds of the Club have been observed

Trustees

35

Unless otherwise determined the members of the Committee of the Club for the time being shall be deemed to be the Trustees of the Club, to hold any property real and personal belong to the Club.

Amendments to Constitution

36a

This Constitution may be altered, amended or repealed at any properly constituted Annual General Meeting or Special General Meeting of the Club provided that 21 days' notice setting out the proposed change to the Constitution has been forwarded in writing to all members of the Club.

36b

No motion for alteration, amendment or repeal of this Constitution shall be carried without the consent of two thirds of those present and entitled to vote at such Annual General Meeting or Special General Meeting.

36c

Should the Club become incorporated, amendments shall not be effective until filed with the Registrar according to the requirements of the Ordinance.

The Seal

36d

The Seal of the Club shall be in the form of a rubber stamp inscribed with the name of the Club encircling the words Common Seal.

36e

The Seal of the Club shall not be affixed to any instrument except by authority of the Committee and the affixing thereof shall be attested by the signatures of two members of the Committee, one of whom must be an Office-bearer, and that attestation is sufficient for all purposes that the Seal was affixed by authority of the Committee.

36f

The Seal shall remain in the custody of the Treasurer.

Dissolution

37

The property assets and income of the Club, wherever derived, shall be applied towards the promotion of the Objects of the Club, and no portion thereof shall be paid or transferred either directly or indirectly by way of dividend, bonus or otherwise by way of profit to members general of the Club. Provided that nothing herein contained shall prevent in good faith of remuneration to any officers or servants of the Club or any member in return for services actually rendered, nor prevent the payment of interest on money borrowed from any member of the Club. Should the Club for any reason cease to function, any member or person holding any Club monies or property shall forthwith pay the same to the Committee.

38a

The Club shall not be dissolved unless so determined at a properly constituted Annual General Meeting or Special General Meeting, after 21 days' notice of the intended dissolution has been forwarded in writing to all members of the Club.

38b

On the dissolution of the Club, any assets remaining after payment of all debts and liabilities shall be disposed of only to another body or other bodies in Australia engaged in promoting objects similar to the Objects of the Club, in accordance with a resolution carried with the consent of at least two thirds of the members present and entitled to vote at a Special General Meeting called for the purpose of considering such a resolution.

Notice

39

Any notice required by this Constitution to be given to any member shall be sufficiently given if posted or delivered to the last address of the member notified in writing by the member to the Secretary and in the case of notice by post the notice shall be deemed to have been received on the first day on which mail is delivered after the day of posting.