



**THE CONSTITUTION**  
**OF**  
**NORTHERN**  
**TASMANIAN**  
**ATHLETICS**  
**INC**

**UPDATED 17<sup>TH</sup> JULY 2018**

# CONSTITUTION

## 1. Name of the Association

The name of the Association which is formed as an amalgamation of the two Incorporated Associations known as **Northern Branch of the Athletic Association of Tasmania Inc** and **Northern Athletic Centre Board Incorporated** shall be:

**"Northern Tasmanian Athletics Inc"** (in these rules called "the Association"), trading under the name of **"Northern Tasmanian Athletics" [ABN XXX]**.

## 2. Interpretation

2.1 In these rules unless the contrary intention appears -

"Act" means the Associations Incorporation Act 1964

"Affiliated Body" means a member of this Association under Rule 5.1 (a), (b), or (c).

"Application for renewal of membership" means an application for membership by a member during the immediately preceding financial year of the Association as defined by these Rules.

"Association Year" means a period from 1 April to the following 31 March.

"Board" means the Board of Management pursuant to Rule 27

"General Meeting" means a general meeting of members convened in accordance with Rule 16 and includes the annual general meeting and any general meeting.

"Member" means a member of the Association pursuant to Rule 5 of these Rules.

"Individual Registered Member" means a person registered with the Association pursuant to Rule 6 of these Rules.

2.2 In these rules, expression referring to writing shall, unless the contrary intention appears, be construed as including reference to printing, email, lithography, photography, and other modes of representing or reproducing words in a visible form.

2.3 Words or expressions contained in these rules shall be interpreted in accordance with the provisions of the Acts Interpretation Act 1931 and the Act as in force on the date on which these rules are adopted by the Association.

2.4 In these Rules "Person" includes any individual person, club, association, corporation, branch of an association or other body, organisation, educational or other institution or department thereof, Government department or authority or other body. References to the masculine gender shall also refer to the feminine and vice versa."

### **3. Office of the Association**

The office of the Association shall be in Launceston in Tasmania or such other places as the Board may, from time to time, determine.

### **4. Objects and Powers of the Association**

4.1 The objects of the Association are to foster and promote athletics (including but not limited to track and field; cross country, road, mountain and trail running, race walking and carnival athletics) and athletic competition and to administer and regulate athletic activity and competition in and in respect of such part of Tasmania as it has jurisdiction and include specifically:

(a) Acting alone or in conjunction with any other person or body in the furtherance, promotion, sponsorship, management or otherwise in connection with athletic activity or competition;

(b) The promotion, management and conduct of championships, meetings and other events;

(c) The establishment, administration and enforcement of regulations governing or concerning athletic or athletic activity, athletic competition, including the conduct and participation in, athletic meetings, races and events and all matters connected therewith, consistent with the Rules of Athletics Tasmania and where applicable those of Little Athletics Tasmania;

(d) The keeping of records;

(e) The recruitment, education and retention of coaches, officials, administrators and volunteers;

(f) To lease the Northern Athletic Centre situated at St. Leonards (in these Rules referred to as 'the Centre') from the Launceston City Council (in these Rules referred to as 'the Council') for such period or periods and upon such terms and conditions as the Council and the Board shall mutually agree;

(g) To sub-let and hire the Centre from time to time to athletic bodies, schools and sporting and other organisations in the discretion of the Board upon such terms and conditions and upon such rental as the Board in its absolute discretion shall from time to time determine;

- (h) To enter into sponsorship and other like agreements in the absolute discretion of the Board for the purpose of raising funds to run and maintain the Association and the Centre;
- (i) With the consent of the Council, to maintain and improve the Centre and all its facilities.

#### 4.2 The powers of the Association include:

- (a) The purchase, taking on lease or in exchange, and the hiring or other acquisition of any real or personal property as may be necessary or convenient for any of the objects of the Association including the laying down of tracks or other provision of facilities for use for athletic activity;
- (b) The sale, supply, letting, hiring or other dealing with any real or personal property;
- (c) The construction, maintenance, and alteration of buildings or works necessary or convenient for any of the objects of the Association;
- (d) The employment and or voluntary appointment of officials, coaches, masseurs, trainers, caretakers, administrative, clerical, managerial or other staff;
- (e) The acceptance of any gift upon any trust or otherwise.
- (f) The taking of such steps from time to time as the Board or the members in general meeting may deem expedient for the purpose of procuring contributions to the funds of the Association, whether by way of donations, subscriptions, or otherwise;
- (g) the production and publication of such newspapers, periodicals, books, leaflets or other documents and electronic and digital communications as the Board or the members in general meeting may think desirable;
- (h) the borrowing and raising of money in such manner and on such terms as the Board may think fit or as may be approved or directed by resolution passed at a general meeting;
- (i) subject to the provisions of *the Trustee Act 1898*, the investment of any moneys of the Association not immediately required for any of its objects or purposes in such manner as the Board may from time to time determine;
- (j) the establishment, adoption, making, administration and enforcement of regulations, rules and By-Laws concerning athletics and of penalties including disqualification from events, suspension from competition, fine or otherwise for breach thereof;

(k) the establishment and support, or aiding in the establishment or support, of any other association formed for any of the objects of the Association;

(l) the purchase or acquisition and undertaking, of all or any part of the property, assets, liabilities and engagements of any association with which the Association may at any time become amalgamated in accordance with the provisions of the Act and the rules of the Association;

(m) the selection, sponsorship and sending of representative athletes or teams of athletes with or without accompanying officials or other persons;

And the doing of all such other lawful things as are incidental or conducive to the attainment of all or any of the objects of the Association stated herein.

## **5. Membership of the Association**

5.1 Membership of the Association shall be available under the following Categories:

- (a) Full Member Bodies
- (b) Event Member Clubs
- (c) Associate Members
- (d) Life Members
- (e) Board Committee Members and Commissioners
- (f) Individual Registered Members (including Running Australia Members)
- (g) Individual Social Members
- (h) School Member Clubs
- (i) School Individual Registered Members

The Members of the Association under sub-rules (a), (b), (c) and (d) as at the date of the adoption of these Rules on 30 May 2017 are as listed in Schedule A.

5.2 These Categories of Membership are defined as follows:

(a) Full Member Body membership shall be open to any body whose objects and purpose include the fostering, advancement, encouragement or involvement in athletic activity or competition, or any aspect or form thereof, in Tasmania and which comply with the By-Laws set by the Board for such initial and ongoing membership.

(b) Event Member Club membership shall be open to club or organisation which organises one or more athletic events in Tasmania each year and which comply by the By-Laws set by the Board for such initial and ongoing membership.

(c) Associate Member membership shall be open to any club or organisation whose objects and purpose include the fostering, advancement,

encouragement or involvement in athletic activity or competition, or any aspect or form thereof, in Tasmania.

(d) Life Members shall be those natural persons appointed previously as Life Members of the Association (including those appointed by the Northern Branch of the Athletic Association of Tasmania Inc and Northern Athletic Centre Board Incorporated) or subsequent to the adoption of this Constitution, in accordance with these Rules and any Bylaws made pursuant to them.

(e) Board Members and Commissioners shall be those persons from time to time elected or appointed to their positions in accordance with Rule 29.

(f) Individual Registered Members

Any person accepted for registration with the Association as an Athlete, Official, Administrator or Coach in accordance with these Rules and/or By-Laws made pursuant thereto, is recognised as an Individual Registered Member of the Association for the period of such registration.

(g) Individual Social Member

Any person accepted for registration with the Association as a social members in accordance with these Rules and/or By-Laws made pursuant thereto, is recognised as an Individual Social Member of the Association for the period of such registration. Any member of an affiliated body who has not undertaken individual registration with the Association, is also recognised as an Individual Social Member of the Association for the period of such membership. A Social Member will not receive the same rights and privileges as those bestowed upon a Registered Member.

(i) School Member Clubs and School Individual Registered membership shall be open to such school-based clubs and individual members according to criteria as the Board may determine from time to time

5.3 An application for membership of the Association under Rule 5.1 (a), (b) or (c) shall be in writing, lodged or sent by post or electronic transmission to the office of the Association and contain the undertaking of the applicant to observe and be bound by these Rules and the By-Laws, and resolutions of the Association.

As soon as practicable after the receipt of an application, it shall be referred to the Board, which shall only approve the application if it is satisfied that the applicant does and is likely to continue to meet the requirements of the Association as set out in these Rules and the By-Laws made pursuant thereto.

5.4 An application for renewal of membership under Rule 5.1 (a), (b) or (c) shall be in writing, usually on the form provided by the Association for such purpose, lodged or sent by post or electronic transmission to the office of the Association and contain the undertaking of the applicant, upon the granting of renewal of the Membership, to observe and be bound by these Rules and

by the By-Laws, Regulations, and resolutions of the Association.

Eligibility for renewal of membership shall be determined annually by the Board by no later than 1 March of each year.

5.5 An applicant for membership under Rule 5.1 (a), (b) or (c), or for renewal of such Membership, shall furnish to the Board such information, declaration or documentation as the Board may require.

5.6 Upon an application under Rules 5.3 and 5.4 being approved by the Board, the applicant shall be notified in writing that the application for Membership of the Association (or renewal of same) has been approved and, upon payment of the annual subscription and provision of any other information required under the Membership category to which Membership has been approved, the applicant's name shall be entered (or in the case of a renewal, maintained) in a 'Register of Members' whereupon the applicant becomes (or continues as) a Member of the Association.

5.7 A person may be granted Life Membership in accordance with Rule 9.

5.8 A person holding office as a Board Member or Commissioner, unless a Life Member, must be registered with the Association as an individual under Rule 6 in any category.

5.9 A person may be granted Individual Registered Membership in accordance with Rule 6.

5.10 A person may be granted or be deemed to have Social Membership under Rule 5.1 (g) in accordance with By-Laws made pursuant to these Rules.

5.11 A Member of the Association may, at any time, deliver or send by post to the Public Officer a written notice of resignation. Upon receipt of such a notice of resignation and upon satisfaction or other discharge by that person of any debt or liability due by it to the Association, the name of such person shall be removed from the register of members, whereupon that person ceases to be a member of the Association.

5.12 A Member ceases to be a Member upon death, or expulsion as provided in these Rules or upon the decision by the Board not to offer a renewal.

5.13 A right, privilege or obligation of a person by virtue of their Membership of the Association is not capable of being transferred or transmitted to another person and terminates upon the cessation of their Membership, whether by death, or following resignation, expulsion or otherwise.

5.14 No Member shall be entitled to any right or privilege, nor capable of the exercise of any power provided by these Rules, if and for so long as the annual affiliation or registration fee due and payable by such Member is unpaid.

## **6. Individual Registered Members**

6.1 Any individual male or female person who is normally resident in Northern Tasmania or who otherwise wishes to become a member of the Association and who:

(a) seeks to or competes or participates as a competing athlete in an athletic activity or competition controlled by the Athletics Tasmania (including where applicable Running Australia events) must be registered with the Association in accordance with the relevant By-Law made pursuant to this Rule.

(b) otherwise participates in an athletic activity or competition controlled by the Association including but not limited to as an official, administrator or coach may be registered with the Association in accordance with the relevant By-Law made pursuant to this Rule.

6.2 Unless otherwise provided in the By-Laws such persons will be deemed to be Individual Registered Members under Rule 5.1(f) and such registrations shall be effected by the entry of the name of such persons upon a register to be kept for that purpose and shall remain in effect for the period designated by the Board, following which time it will cease unless and until a fresh registration is effected.

6.3 Individual Registered Membership may be recognised in more than one category as determined by the Board from time to time. No registration shall however be deemed to have been effected until the lodgement with the Association of an electronic or written application for registration and the payment of any applicable fee as from time to time shall be determined by the Board.

6.4 In the case of an athlete who has been a member of another affiliated body of Athletics Tasmania within the preceding three years, registration shall not be effected until such athlete has completed and lodged with Athletics Tasmania and the Association such transfer documentation as Athletics Tasmania and the Association may require of him, and paid such fee as may from time to time be determined by Athletics Tasmania.

6.5 The Association or the Board may at any time refuse or disqualify a person from registration, or suspend the registration of any person, for any period and during the period of such disqualification or suspension that person shall be deemed not to be registered and shall advise Athletics Tasmania accordingly.



## **7. Annual Affiliation and Registration Fees**

7.1 The annual affiliation fee payable to the Association by Members n under Rule 5.1 (a), (b) and (c) and the annual registration fee payable by Members under Rules 5.1 (f) and (g) shall be such amount as fixed by the Board by no later than 1 March in each year. The fees shall apply for the Association Year beginning on 1 April immediately thereafter.

7.2 The amount of annual affiliation and registration fees may vary as between members according to category or sub-category of member.

7.3 The Association may fix at nil the annual fee payable for any year by any category or sub-category of member and in such case the fee payable by such members shall be deemed to be paid in respect of that year upon their application for membership or renewal thereof.

7.4 No fee is payable by a Life Member nor, unless he seeks registration as an athlete, shall he be required to make application for registration each year.

7.5 Annual subscriptions are due and payable in advance on the 1 April each year, and when paid, that member is deemed financial until 30 days after the expiry of that Association year. However, where an athlete wishes to compete in a Tasmanian or Northern Championship held between 1 and 30 April of the new Association year, he must effect a new registration immediately.

7.6 The Board may expel or suspend from membership or otherwise sanction or penalise in its absolute discretion any member under Rule 5.1 (a), (b) or (c) whose subscription has not been paid before 30 June in any year.

7.7 Subject to any By-law made pursuant to these Rules, an Individual Registered Member shall not be eligible to participate in any competition conducted by the Association or an Affiliated Body or otherwise under the jurisdiction or permit of the Association or any Association program or activity until registration is effected for the applicable Association Year.

## **8. Obligations of Affiliated Bodies**

8.1 Every affiliated body shall provide in writing to the Association, every actual or proposed alteration, amendment, addition to or substitution or adoption of any Constitution, Memorandum of Articles, or Rules of Association by which its activities are governed or any rules, regulations or by-laws relating in any way whatsoever to athletics, within 28 days of any such alteration, amendment, addition, substitution or adoption becoming effective.

8.2 No such alteration, amendment, addition, substitution or adoption shall be effective against or in relation to the Association in the absence of the consent of the Board advised in writing to such affiliated body.

8.3 The Board may in its absolute discretion expel or suspend from membership, fine or otherwise discipline or penalise any affiliated body upon any failure to comply with Rule 8.1 hereof, or upon any act or omission by such affiliated body not authorised by, or in contravention of, its constitution, articles or Rules of Association, rules or by-laws if any.

8.4 Upon receipt of notice pursuant to Rule 8.1 hereof of any actual or proposed alteration, amendment, addition, substitution or adoption which is inconsistent with or contrary to the objects, interests or purposes of the Association, the Board may suspend or expel such body from membership of the Association.

8.5 Every affiliated body shall supply to the Association on such occasions as the Board may request, a copy of its constitutional documents, a report of its financial position and affairs, including a statement of the value of assets and liabilities and any other matter the Board may request, such report to be prepared by a legally qualified practising auditor should the Board so require.

## **9. Life Membership**

9.1 The Board, by a majority of three-fourths of its members present and entitled to vote at any meeting of the Board, may resolve to recommend to the members of the Association at an annual or special general meeting that a natural person be elected to be a Life Member of the Association.

Except in exceptional circumstances, as determined by the Board, such person shall have contributed a minimum of 12 years service to the Association (or its forbears) and/or its affiliated bodies provided that such service is of direct relevance to the affairs of the Association. Length of service is not, of itself, a qualification for Life Membership - the value of the contribution must be distinctive.

9.2 The Association may at any annual general meeting, by majority of three fourths of the members there present and entitled to vote elect any person whose election is recommended pursuant to sub-rule (1) hereof to be a Life Member of the Association.

9.3 As soon as practicable following the election of any person as a Life Member pursuant to this Rule the name of such person shall be entered in the register of members kept pursuant to these Rules whereupon such person becomes a Life Member of the Association.

9.4 A Life Member shall have all the powers, rights, entitlements and privileges of a member of the Association without the payment of any

registration or other fee and shall enjoy the right of admission without fee to any event or function conducted or held by the Association.

9.5 Life membership of any person may be terminated by the Association in any general meeting by majority of three fourths of the members there present and entitled to vote.

9.6 Upon termination of life membership pursuant to Rule 9.5, the name of such person shall be struck or removed from the register of members of the Association.

## **10. Income and Property of the Association**

10.1 The income and property of the Association, however derived, shall be applied solely towards the promotion of the objects and purposes of the Association.

10.2 The Association shall not:

(a) appoint a person who is a member of the Board to any office of the holder of which there is payable any remuneration by way of salary, fees, or allowances other than the position of Executive Officer for which until otherwise determined a maximum salary or contract fee of \$10000 per annum shall be applied; or

(b) otherwise than as provided in Rule 10.2 (a), pay to any such person any remuneration or other benefit in money or money's worth (other than an honorarium of no more than \$5000 per annum and/or the repayment of out of pocket expenses)

10.3 Nothing in the forgoing provisions of this Rule prevents payment in good faith to an employee, contractor or member of the Association of:

(a) remuneration in return for services actually rendered to the Association by the employee, contractor or member or for the goods supplied to the Association by the employee, contractor or member in the ordinary course of business; and/or

(b) reasonable and proper sum for the use of any premises or other property made available to the Association by the employee, contractor or member.

## **11. Accounts of Receipts and Expenditure**

11.1 True accounts shall be kept of:

(a) all sums of money received and expended by the Association and the manner in respect of which the receipt or expenditure takes place; and

(b) the property, credits and liabilities of the Association, and subject to any reasonable restrictions as to time and manner of inspecting them that may be

imposed by the Association for the time being, those accounts shall be open to the inspection of the Members of the Association.

11.2 The Finance Director shall faithfully cause to be kept all general records, accounting books, and records of receipts and expenditure connected with the operations and business of the Association in such form and manner as the Board may direct.

11.3 The accounts, books, and records referred to in Rules 11.1 and 11.2 shall be kept at the Association's office or at such other place as the Board may decide.

11.4 The financial and reporting year of the Association shall be the period of twelve months ending on the 31st day of March in each year.

## **12. Banking and Finance**

12.1 The Finance Director in conjunction with the Board shall, on behalf of the Association, make appropriate arrangements for the receipt, handling and banking of all moneys paid to the Association, the recording of same and where appropriate or requested, the issuing of official receipts.

12.2 The Board shall cause to be opened or kept with such bank or banks or other financial institution as the Board selects one or more banking accounts in the name of the Association or entities thereof, into which all moneys received shall be paid, as soon as possible after receipt thereof.

12.3 The Board may receive from the Association's bank or bankers for the time being the cheques drawn by the Association on any of its accounts with the bank or bankers and may release and indemnify the bank or bankers from and against all claims, actions, suits, or demands that may be brought against the bank or bankers arising directly or indirectly out of those cheques or the surrender thereof to the Association.

12.4 No cheques or other form of payment shall be drawn on the Association's bank account except for the payment of expenditure that has been authorised in accordance with the procedures set from time to time by the Board.

12.5 All cheques or other forms of payment, drafts, bills of exchange, promissory notes, and other negotiable instruments shall be authorised and/or signed by any two of the signatories (at least one of whom in each case must be a member of the Board) as the Board may appoint for that purpose.

## **13. Auditor**

13.1 At each annual general meeting of the Association, the members present shall appoint as the Auditor of the Association a person holding such qualifications as are required by law.

13.2 The Auditor shall hold office until the annual general meeting next after that at which he is appointed, and is eligible for re-appointment.

13.3 If an appointment is not made at an annual general meeting or thereafter in the event of a resignation or inability to act, the Board shall appoint an Auditor of the Association for the then current financial year of the Association.

13.4 The Auditor may only be removed from office by special resolution (not less than three-quarters) of such members as are present and voting.

#### **14. Audit of Accounts**

14.1 Once at least in each financial year of the Association, the Accounts of the Association shall be examined by the Auditor.

14.2 The Auditor shall undertake an external audit to express an opinion as to whether, in all material respects, the financial statements are fairly stated in accordance with applicable accounting standards and other mandatory requirements applying to the Association. The financial statements, including the audit report, shall be presented to the members of the Association at the annual general meeting.

14.3 The Association shall cause to be delivered to the Auditor of all relevant accounts, books, and records of the Association and any such other documentation that may be lawfully requested by him.

14.4 The Auditor has a right to access to the accounts, books, records, vouchers, and documents of the Association and may:

(a) require from the employees, contractors and officers of the Association such information and explanation as may be necessary for the performance of his duties as auditor;

(b) employ persons to assist him in investigating the accounts of the Association; and

(c) in relation to the accounts of the Association, interview and/or examine any member of the Board or any employee or contractor of the Association.

#### **15. Annual General Meeting**

15.1 The Association shall between 1 May and 30 June of each year, hold an annual general meeting at such time, date and place as the Board may determine.

15.2 The annual general meeting shall be specified as such in the notice convening it.

15.3 The ordinary business of the annual general meeting shall be:

- (a) to confirm the minutes of the last preceding annual general meeting and of any other general meeting held since that meeting;
- (b) to receive from the Board, the Finance Director and employees and contractors of the Association reports on transactions and activities;
- (c) to elect the officers of the Association in accordance with these Rules;
- (d) to appoint or confirm the Patron of the Association;
- (e) to elect Life Members that have been nominated in accordance with these Rules;
- (f) to consider such other business, as has been notified in writing fourteen days prior to the annual general meeting

15.4 The annual general meeting shall transact no other business. Any resolution passed at the annual general meeting shall be referred to the Board for action or consideration as may be applicable.

15.5 The annual general meeting shall be in addition to any other general meetings that may be held in the same year, including other general meetings that may be held in conjunction with it.

## **16. General Meetings**

16.1 Three general meetings shall be convened by the Board between each annual general meeting. The months in which they shall be held to be determined at each annual general meeting. (Suggested August, November & February). In addition to transacting any business of which due notice has been given at least fourteen days prior thereto, these meetings shall provide a general opportunity for consultation between the Board and the Members.

16.2 Further general meetings, other than the annual general meeting, of the Association may be convened at any time, in accordance with these Rules:

- (a) by a resolution of the Board;
- (b) by the President;
- (c) upon receipt by the Board of a requisition of at least three Affiliated Bodies, at least two of which must be Full Member Body.

16.3 A requisition for a general meeting under Rule 16.2(c) shall state the objects of the meeting and shall be signed or otherwise executed by the

persons making the requisition and delivered at the office of the Association and may consist of several documents in the like form, each signed by one or more of those making the requisition.

16.4 If the Board does not cause a general meeting to be held within twenty-eight days from the date on which such a requisition is deposited at the office of the Association, the requisitioners, or any of them, may convene the meeting; but any meeting so convened shall not be held after three months from the date of the deposit of the requisition.

## **17. Notice of General Meetings**

The Association, shall, at least ten days before the date fixed for holding of the annual or a general meeting of the Association, give notice to every member under Rule 5.1 (a), (c), (d) and (e) specifying the place, day, and time for the holding of the meeting, and the nature of the business to be transacted thereat.

## **18. Business and Quorum of General Meetings**

18.1 No item of business shall be transacted at the annual or a general meeting unless a quorum of members entitled under these Rules to vote is present during the time when the meeting is considering that item.

18.2 Five Members personally present (and being entitled under these rules to vote thereat) shall constitute a quorum for the transaction of business of a general meeting.

18.3 For the purpose of transacting business at the annual or a general meeting, the following voting structure shall apply on any question arising:

- (a) Full Member Bodies will be entitled to two votes each;
- (b) Life Members elected prior to 31 May 2017 will be entitled to one vote each;
- (c) Board Members will be entitled to one vote each.
- (d) No other Member in any categories shall be entitled to a vote.

In order to be able to vote in accordance with these Rules at a general meeting (including the annual general meeting), a Member must be recorded as a Member upon the register of Members held at the office of the Association and must be financial with the Association as defined at least three days prior to the meeting.

18.4 If within one hour after the appointed time for the commencement of a general meeting a quorum is not present, the meeting, if convened upon the requisition of members, shall be dissolved; and in any other case it shall stand adjourned to the same day in the next week, at the same time and (unless another place is specified by the presiding officer at the time of the

adjournment or by written notice to members given before the day to which the meeting is adjourned) at the same place, and if at the adjourned meeting a quorum is not present within one hour after the time appointed for the commencement of the meeting, the meeting shall be dissolved.

## **19. Presiding Officer at General Meetings**

19.1 The President, or in his absence, the Vice President, shall preside as presiding officer at every general meeting of the Association. If the President and Vice-President are both absent from a general meeting, or unwilling to act, the members present shall elect one of their number to act as presiding officer thereat.

19.2 The presiding officer shall have both a deliberative vote and in the case of an equality of voting, a second or casting vote.

## **20. Adjournment of General Meeting**

20.1 The presiding officer of a general meeting at which a quorum is present may, with the consent of the meeting, adjourn the meeting from time to time and place to place, but no business shall be transacted at an adjourned meeting other than business left unfinished at the meeting at which the adjournment took place.

20.2 Where a meeting is adjourned for fourteen days or more, the like notice of the adjourned meeting shall be given as in the case of the original meeting.

20.3 Except as provided in the forgoing provisions of this rule, it is not necessary to give any notice of an adjournment or of the business to be transacted at an adjourned meeting.

## **21. Determination of a question arising at a General Meeting**

A question arising at a general meeting of the Association shall be determined on the voices or a show of hands and unless before or on the declaration of the result on the voices or a show of hands a formal vote is demanded, a declaration by the presiding officer that a resolution has, on the voices or a show of hands, been carried, or carried unanimously, or carried by a particular majority, or lost, and an entry to that effect in the minute book of the Association is evidence of the matters stated in the entry, without further proof.

## **22. Making of a Formal vote**

If at a meeting a formal vote on any question is demanded it shall be taken at that meeting in such manner as the presiding officer may direct, and the result of the formal vote shall be deemed to be the resolution of the meeting on that question.



### **23. When a formal vote is to be taken**

A formal vote that is demanded on the election of a presiding officer, or on a question of adjournment, shall be taken forthwith, and a formal vote that is demanded on any other question shall be taken at such time before the close of the meeting as the presiding officer may direct.

### **24. Affairs of the Association to be managed by the Board**

24.1 The business and affairs of the Association shall be controlled and managed by the Board constituted as provided in these Rules.

24.2 The Board may, subject to these Rules, exercise all such powers and functions as may be exercised by the Association, other than those powers and functions that are required by these rules to be exercised by general meetings of members of the Association.

24.3 Subject to *the Act* and these Rules, has power to perform all such acts and things as appear to the Board to be essential for the proper management of the business and affairs of the Association.

24.4 Without limiting the generality of any of the forgoing provisions of this Rule the Board shall have the following powers:

(a) to promote and manage and/or to allocate and/or delegate to other bodies the promotion and management of championships and other sports meetings and such other events as may from time to time be considered expedient;

(b) to call for, receive and deal with reports from the affiliated bodies, committees, commissions, subsidiary bodies, officers or officials;

(c) to appoint any committee, commission or working group for any specified purpose;

(d) to deal with any alleged infringement of any competition laws or applicable policy or code of conduct where not otherwise provided for in these Rules or any By- laws or Regulations made there under.

(e) to appoint competition delegates, technical officials and handicappers;

(f) to deal with appeals;

(g) to select and manage team officials and competitors and appoint delegates to represent the Association;

(h) to suspend, expel, fine or otherwise deal with any affiliated body whose subscription or other money due to the Association remains unpaid;

(i) to suspend, expel, disqualify, fine or otherwise deal with any affiliated body or any member or officer thereof, or any other member for any breach of these Rules or the By-Laws or Regulations made there under or for any conduct arising out of or in connection with athletic activities or competition including its administration, which conduct is deemed by the Board to be unfair or contrary to the interests of athletics or which brings the sport of athletics or any aspect of the conduct thereof into disrepute;

(j) to call upon any affiliated body or member thereof to produce its books and any other documents for inspection or to report on any matter;

(k) to regulate its own procedure;

(l) to appoint from registered members additional officers but who shall not thereby, be entitled to vote at Board or general meetings;

(m) to secure for the purposes of the Association the use of and hire out grounds, buildings or equipment;

(n) to delegate to or withdraw from subsidiary or affiliated bodies committees or other bodies such power as it may deem expedient;

(o) to make, rescind or amend Regulations or By-Laws insofar as they are not inconsistent with these Rules or any By-Laws or Regulations made or adopted by the Association in general meeting;

(p) to do such other things as may be delegated to it by the Association;

(q) to deal with applications for recognition of Northern Tasmanian Best Performances;

(r) to make recommendations with respect to life memberships and to determine the recipients of other Association awards and recognitions.

## **25. Officers of the Association**

25.1 In addition to the members of the Board elected in accordance with Rule 29, the Officers of the Association shall be as appointed by the Board.

25.2 The Board shall annually nominate a suitable person to act as the role of Public Officer of the Association.

25.3 The Board may invite one or more persons to accept the office of Vice Patron(s) of the Association.

## **26. Officials of the Association**

At the first Board Meeting after the annual general meeting, in each year, the Board may appoint the following and such other officials as it deems appropriate:

- (a) Honorary Records and Rankings Officer(s)
- (b) Delegate(s) to Athletics Tasmania

## **27. Constitution of the Board**

27.1 The Board of Management shall comprise:

- (a) a President
- (b) a Vice President
- (c) an Executive Director
- (d) a Finance Director
- (e) a Director who shall also serve as the Technical Commissioner
- (f) four other Directors

27.2 Each Board Member will hold office until the completion of the annual general meeting in the following year and is eligible for re-election.

27.3 In the event that a vacancy occurs in any of the positions of the Directors during their term, the Board shall reserve the right to appoint any suitable person to that position. Any person so appointed shall serve only until the next annual general meeting following their appointment.

27.4 No member shall hold more than one position on the Board of Management except for the positions of Executive Director and Finance Director. Should at any time, one person hold both positions, he shall be entitled to one vote only at Board or general meetings.

27.5 The President may not hold a position as a president of a Full Member Body.

## **28. The Executive Committee**

28.1 The President, Vice President, Executive Director and Finance Director shall comprise the Executive Committee (hereafter referred to as the Executive) and shall oversee the day-to-day running of the Association.

28.2 The Executive on behalf of the Board, shall issue instructions to the employees and contractors of the Association in matters connected with the management of the affairs of the Association in accordance with decisions taken by the Board or the Association in general meeting. Where no applicable such decision has been taken, the Executive shall act in such manner as it deems fit and report accordingly to the next meeting of the Board.

28.3 The Executive shall meet at such times or intervals as may be necessary or practicable but at least once in any two month period during which no meeting of the Board is scheduled or held. Any Board Member who is not a member of the Executive is entitled to attend and participate in the proceedings of an Executive meeting but without the right to vote thereat. When practicable and/or appropriate, notice shall be given to all Board Members of any proposed Executive meeting.

28.4 The Executive shall not make any decision upon any question affecting or concerning the general policy of the Association but shall refer any such questions to a meeting of the Board or to a general meeting of the Association.

28.5 The Executive shall:

(a) determine, implement and monitor the remuneration and conditions of service of the employees and contractors of the Association on behalf of the Board;

(b) be responsible for the banking arrangements of the Association, the appropriate investment of Association funds and the proper management of the debtors and creditors ledgers, including the referral of an outstanding debts of longer than 90 days to collection or legal recovery procedures;

(c) be responsible for the approval, oversight and signing of all contracts, leases, grant deeds and like documents in accordance with any relevant decisions of the Board;

(d) assume and undertake any other powers, duties or responsibilities delegated to it by a decision taken at a meeting of the Board or a general meeting of the Association

## **29. Election of Board Members**

29.1 Nominations of candidates for election as Board Members shall be:

(a) made in writing signed by two members of the Association and accompanied by the written consent of the candidate (which may be endorsed on the form of nomination or otherwise provided); and

(b) delivered to the Association (by any means as set out in Rule 34.1) at least fourteen days before the date fixed for the holding of the annual general meeting.

29.2 If no nomination is received to fill a vacancy, further nominations shall be received at the annual general meeting.

29.3 If only a single nomination is received to be fill a vacancy, the person nominated shall be deemed to be elected.

29.4 If more than one nomination is received to be fill a vacancy, a ballot shall be held.

29.5 A ballot for the election of a Board member shall be conducted at the annual general meeting in such usual and proper manner as the Board may direct. Preferential voting shall be used for all ballots.

29.6 In the case of ballot being required the votes from members will be received only from those present and eligible to vote at the annual general meeting with no proxy votes to be accepted.

### **30. Vacation of Office**

30.1 For the purpose of these Rules, the office of an officer of the Association or of a member of the Board becomes vacant if the officer or member of the Board:

(a) dies;

(b) becomes bankrupt or applies to take or takes advantage of any law relating to bankrupt or insolvent debtors or compounds with his creditors, or makes assignment of his estate for their benefit;

(c) becomes of unsound mind;

(d) resigns his office by writing under his hand addressed to the Board or the Public Officer;

(e) fails, without leave granted by the Board, to attend three consecutive meetings of the Board;

(f) fails to pay any arrears of subscription due by him within fourteen days after he has received a notice in writing from the Association stating that he has ceased to be a financial member of the Association;

(g) is expelled from the Association.

### **31. Meetings of the Board**

31.1 The Board shall meet at such time, date and place as the Board may determine, such meetings to take place no less than ten times per Association financial year.

31.2 Additional meetings of the Board may be convened by the President or at the request of any four of its members.

31.3 Notice shall be given by email to each member of the Board of any scheduled or additional meeting, at a reasonable time before the meeting.

Where a member specifically requests notice other than by email, he shall be advised orally and sent a notice to his address provided to the Association for this purpose.

31.4 The quorum of the Board for the transaction of the business at any meeting of the Board shall be four of its members.

31.5 No business shall be transacted unless a quorum is present and if within half an hour of the time appointed for the meeting a quorum is not present, the meeting shall stand adjourned for at least seven days and no more than 14 days thereafter at a place, time and date as determined by the presiding officer, unless the meeting was a additional meeting, in which case it lapses.

31.6 At any meeting of the Board the President, or in his absence the Vice-President, shall act as presiding officer. If both the President and Vice President are absent or unwilling to act, such one of the remaining members of the Board as may be chosen by the members present shall preside.

31.7 Questions arising at meetings of the Board shall be determined by the voices, on a show of hands or, if demanded by a member, by a formal vote taken in such manner as the person presiding at the meeting may determine.

31.8 Each member present at a meeting of the Board, (including the person presiding at the meeting), is entitled to one vote and, in the event of any equality of votes on any question; the person presiding may exercise a second or casting vote.

## **32. Disclosure of Interest in Contracts**

32.1 A member of the Board who is interested in any contract or arrangement made or proposed to be made with the Association shall disclose his interest at the first meeting of the Board at which the contract or arrangement is first taken into consideration, if his interest then exists, or, in any other case, at the first meeting of the Board after the acquisition of his interest.

32.2 If a member of the Board becomes interested in a contract or arrangement after it is made or entered into he shall disclose his interest at the first meeting of the Board after he becomes so interested.

32.3 No member of the Board shall vote as a member of the Board in respect of any contract or arrangement in which he is interested and if he does so vote his vote shall not be counted.

## **33. Commissions, Committees and Working Groups**

33.1 The Board may appoint at any time such Commissions, Committees or Working Groups as it may think fit and shall prescribe the powers and functions thereof. The President shall be an ex-officio member of each.

33.2 A Chair appointed by the Board will oversee each Commission or Committee. Each Chair shall be appointed in accordance with these Rules and the By-Laws of the Association. A convenor shall be appointed for each Working group.

33.3 Each Commission, Committee or Working Group may make recommendations to the Board on any matter under their area of responsibility, whether at the behest of the Board or as a result of their own deliberations.

33.4 Each Commission or Committee will operate under the Roles and Responsibilities that are drawn up and amended from time to time by the Board.

#### **34. Notices and Service of Documents**

34.1 A notice may be served by or on behalf of the Association upon any member either personally or by email, facsimile or other form of electronic transmission or by sending it through the post in a prepaid letter addressed to the member at his usual last-known place of abode.

34.2 Any notice or document required to be given or served upon the Association shall be in writing and shall be deemed to have been sufficiently served or given if and when it is delivered personally or by post or by facsimile or other form of electronic transmission to the Office or to the Public Officer.

#### **35. Expulsion of Members**

35.1 Subject to this Rule, the Board may expel a Member from the Association if, in the opinion of the Board the Member has been guilty of conduct detrimental to the interests of the Association. A Member may be expelled by resolution of the Board. Such resolution must be agreed to by a majority of not less than two thirds of the Board entitled to vote at a meeting.

35.2 The expulsion of a member pursuant to Rule 35.1 does not take effect:

(a) until the expiration of fourteen days after the service on the member of a notice under Rule 35.3; or

(b) if the member exercises his right to a hearing under this Rule, until the conclusion of the hearing,

whichever is the later date.

35.3 Where the Board expels a member from the Association, the Public Officer of the Association shall, without undue delay, cause to be served on the member a notice in writing:

(a) stating that the Board has expelled the member;

(b) specifying the grounds for the expulsion; and

(c) informing the member that if he so desires he may, within fourteen days after the service of notice on him, seeking a hearing against the expulsion as provided in this Rule.

35.4 A member upon whom a notice under Rule 35.3 is served seek a hearing against the expulsion by delivering or sending by post to the Public Officer of the Association, within fourteen days after the service of that notice, a requisition in writing demanding the convening of hearing.

35.5 Upon receipt of a requisition under Rule 35.4, the Public Officer shall forthwith notify the Board of its receipt and the Board shall thereupon cause a hearing to be held within fourteen days after the date on which the requisition is received by the Public Officer.

35.6 At a hearing convened for the purpose of this Rule:

(a) the Tribunal shall comprise one person only, where possible with legal training or if not with experience in the administration of voluntary associations, shall operate according to the principles of natural justice and may regulate its own procedures.

(b) the Board shall place before the Tribunal details of the grounds of the expulsion and may set out the Board's reasons for the expulsion;

(c) the expelled member shall be given the opportunity to be heard;

35.7 If the Tribunal determines that the expulsion should be lifted, it shall be deemed to have been lifted and the expelled member is entitled to continue his membership of the Association. If the Tribunal confirms the expulsion, it takes effect.

35.8 A person who is expelled ceases to be a member of the Association.

## **36. Disqualifications and Suspensions**

36.1 No person shall be allowed to compete in any event conducted by the Association or an affiliated body or conducted under the control of or with the consent of the Association or by any other sporting association or organisation which observes and complies with suspensions and disqualifications imposed by the Association whilst disqualified or suspended



under the Rules of the IAAF, Athletics Australia, Athletics Tasmania and/or the Association.

36.2 Any person competing in an athletic meeting not sanctioned in accordance with the rules of this Association or Athletics Tasmania may be suspended or disqualified.

36.3 All sentences of suspension, disqualification or otherwise by or binding on the Association shall be binding on all affiliated bodies.

### **37. Colours and Badges**

The colours, emblems, logos, uniforms, and other official clothing or insignia of the Association shall be as determined from time to time by the Board.

### **38. Retention of Previous Awards**

Notwithstanding anything herein contained all honours and awards bestowed either by the Northern Branch of Athletic Association of Tasmania or Northern Athletic Centre Board Incorporated shall remain in full force and shall be accepted and recognised by the Association.

### **39. Seal of the Association**

39.1 The seal of the Association shall be in the form of a rubber stamp, inscribed with the name of the Association encircling the word "Common Seal".

39.2 The seal of the Association shall not be affixed to any instrument except by the authority of the Board, and the affixing thereof shall be attested by the signatures of two members of the Board or of one member of the Board and of the Public Officer of the Association or such other person as the Board may appoint for that purpose, and that attestation is sufficient for all purposes that the seal was affixed by authority of the Board.

39.3 The seal shall remain in the custody of the Association.

### **40. Alterations to Constitution and Rules; By-Laws and Regulations**

40.1 This Constitution and Rules may be altered at any annual or general meeting provided the following procedure is observed:

(a) at least twenty one (21) days written notice of the proposed alteration shall be given to the Association Office or the Public Officer;

(b) all members shall be given at least fourteen (14) days written notice of such proposed alteration;

(c) such alteration or amendment as proposed at the general meeting shall be approved by special resolution (not less than three-quarters) of such members as are present and voting.

40.2 Any By-Law made pursuant to this Constitution and Rules may be made or altered at any Board Meeting provided the following procedure is observed:

(a) at least five days (5) days written notice of the proposed By-Law or alteration shall be given to each Board member;

(b) such By-law, alteration or amendment as proposed at the meeting shall be approved by a simple majority of such members as are present and voting.

40.3 Any Regulation made pursuant to this Constitution and Rules or By-Laws made pursuant thereto, may be altered at any Board Meeting provided that such alteration or amendment as proposed at the meeting shall be approved by a simple majority of such members as are present and voting.

40.4 Any such By-Law or Regulation may also be made or altered or amended at any annual or general meeting provided the following procedure is observed:

(a) at least twenty one (21) days written notice of the By-Law, Regulation or proposed alteration shall be given to the Association Office or the Public Officer;

(b) all members shall be given at least fourteen (14) days written notice of such By-Law, Regulation or proposed alteration;

(c) such By-Law, Regulation or alteration or amendment as proposed at the general meeting shall be approved by a simple majority of such members as are present and voting.

#### **41. Dissolution of the Association**

The Association shall be dissolved in the event of the membership being less than two members. It may also be dissolved upon the vote of the three fourths majority of the members present at a general meeting convened to consider the question. Any assets on hand shall, after payment of all expenses and liabilities be, in the first instance, held in trust by Athletics Tasmania for use in furthering the cause of athletics in the State of Tasmania.

In the event of the Association being wound up every Member of the Association and every person who, within the period or twelve months immediately preceding the commencement of the winding up, was a Member of the Association is liable to contribute to the assets of the

Association for payment of the debts or liabilities of the Association and for costs, charges, and expenses of the winding up and for the adjustment of the rights of the contributories among themselves such sum, not exceeding one dollar, as may be required, but a former member is not liable so to contribute in respect of any debt or liability of the Association contracted after he ceased to be a member.

## SCHEDULE A

Members of the Association under Rule 5 (a), (b), (c) and (d) as at the adoption of these Rules on 30 May 2017:

### (a) Full Member Bodies

Newstead Athletics  
North Launceston Athletic Club  
South Launceston Little Athletics Centre  
Tasmanian Masters Athletics  
University of Tasmania Athletic Club

### (b) Event Member Clubs

Launceston Athletic Carnival

### (c) Associate Members

### (d) Life Members

*Elected by Northern Branch of Athletic Association of Tasmania/Northern Tasmanian Athletics Inc.*

Charmaine Colbeck  
Fay Denholm  
Frank Nott  
David Phillips  
Elwyn Seen  
Sandra Speers

### Deceased: To be inserted

Dorothy Donald  
Helen Moir  
William (Bill) Prosser  
Clyde Spencer  
Andrew Willis

*Elected by Northern Athletic Centre Board Incorporated*

To be inserted