

**CONSTITUTION  
and  
RULES**

**OF  
THE  
WEST PERTH  
FOOTBALL CLUB  
Incorporated**

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1. (a) The Club shall be an Incorporated Association and shall be called the WEST PERTH FOOTBALL CLUB (INCORPORATED).
- (b) Its registered Office shall be situated at Leederville Oval, Leederville, or at such other address as shall from time to time be determined by the Club.

### OBJECTS

2. The objects from which the Club is established are:
  - (a) To foster the Australian National Game of Football and to provide facilities for the playing of the same.
  - (b) To provide recreational and sporting facilities for its members, to encourage the game of football in its district and to promote good fellowship amongst its members.
  - (c) To provide and maintain Club premises in Western Australia for the accommodation of its members and their guests upon premises of which it may be the occupier from time to time.
  - (d) To purchase or otherwise acquire any real or personal property for the purpose of the Club.
  - (e) To make such agreements with City Councils, Town Councils and Shire Councils or other bodies for the purpose of leasing or hiring of suitable property or properties and to include the maintenance of the grounds, lawns and buildings for the use and accommodation of the Club's members.

- (f) To borrow by way of loan or overdraft or by the issue of debentures money for the purpose of carrying on the work or activities of the Club and to invest in any of the investments authorised by law any surplus funds of the Club not immediately required for the purposes of the Club.
  - (g) To procure the Club to be registered as a Club under "The Liquor Act 1970" and amendments and to continue such registration from time to time.
3. (a) The income and property of the Club whensoever derived shall be applied solely towards the promotion of the objects of the Club, and no portion thereof shall be paid or transferred directly or indirectly by way of dividend, bonus or otherwise howsoever by way of profit to the persons who at any time are or have been members of the Club, or to any of them, or to any person claiming through any of them PROVIDED THAT subject to Sub-Rule (b) hereof nothing herein contained shall prevent the payment in good faith of remuneration to any officer or servants of the Club, or to any member thereof, or other person in return for any services actually rendered or value given to the Club PROVIDED FURTHER that no such payment or part payment shall be made by way of commission or allowance from or upon the receipts of the Club for liquor supplied.

- (b) No person shall be entitled to or shall participate in any players' or similar fund conducted by the Club or be paid for his services to the Club as a player either directly or indirectly and whether by way of cash contribution or by way of gift donation bonus or otherwise howsoever unless he is a financial member of the Club.

### MEMBERS

4. (1) The Club shall consist of all members appearing in the Register of Members to be members of the Club as at the termination of the Special General Meeting held to amend these Rules (namely the 8th day of September 1959) and which Register of Members for purpose of identification shall be certified by the Chairman of that meeting. Any other person may become a Member of the Club on being elected in manner hereinafter appearing.
- (2) Members shall be classified as:
- (a) Ordinary Members
  - (b) Junior Members.
  - (c) Country Members.
  - (d) Temporary or Honorary Members.
  - (e) Associate Members.
  - (f) Life Members.
  - (g) Provisional Members.

### ORDINARY MEMBERS

5. (a) Any male person over the age of 18 years on payment of such sum as may be decided upon by the Board of Directors from time to time (being not less than the amount prescribed by "The Liquor Act 1970") shall upon making application in such form as shall from time to time be determined by the Board of Directors and upon election by the Board of Directors on a day to be notified become an ordinary financial member of the Club for the period expiring at the close of the next following Annual General Meeting. The Board of Directors shall have the right to refuse to admit any person to membership without assigning any reason for so doing.
- (b) There shall be a nomination fee and an annual subscription as determined from time to time by the Board of Directors provided that the annual subscription shall be not less than two dollars. The nomination fee and annual subscription shall accompany an application for ordinary membership.
- (c) Until otherwise determined by the Board of Directors every Candidate for Ordinary, Junior, Country, Associate, or Provisional Membership, of the Club shall be proposed and seconded by Life or Ordinary Members of the Club and the application shall be accompanied by the nomination fee and shall contain the name and address of such person and shall be

posted on the Notice Board of the Club for a period of not less than seven (7) days before election PROVIDED HOWEVER that an interval of not less than two (2) weeks shall elapse between nomination and election. A record shall be kept by the General Manager/Secretary of the Club of the names of the Members of the Board of Directors present and voting at such meeting.

- (d) Ordinary Members of the Club being players of any football team of the Club may at the discretion of the Board of Directors be exempted from payment of nomination fees and of any portion of the annual subscription fees in excess of the minimum amount prescribed by "The Liquor Act 1970" without in any way interfering with their rights and obligations as Ordinary Members.
- (e) The annual subscription shall be due and payable within two months of the commencement of the financial year of the Club and every member whose subscription is not paid within that time shall cease to be a Member of the Club. The Board of Directors may reinstate such a member upon and subject to such conditions in regard to payment of all arrears and other liabilities to the Club as the Board of Directors may think fit.

### **JUNIOR MEMBERS**

- 6. (a) Any male person under the age of 18 years who is a player of any football team of the Club may

on payment of such sum as may be decided upon by the Board of Directors from time to time (being not less than the amount prescribed by "The Liquor Act 1970") make application in such form as may be determined by the Board of Directors for admission as a Junior Member of the Club and such application shall be dealt with by the Board of Directors on a day to be notified and the Board of Directors shall if it thinks fit elect such person as a Junior Member of the Club. A record shall be kept by the General Manager/Secretary of the Club of the Members of the Board of Directors present and voting on such days.

- (b) Junior Members shall not be entitled to hold office in the Club but shall in all other respects conform to and be bound by the Rules and By-laws of the Club for the time being in force and shall be entitled (subject to these Rules and to the provisions of "The Liquor Act 1970") to all rights and privileges of Ordinary Members.
- (c) The membership of any Junior Member may be suspended for any period or cancelled by the Board of Directors if such Junior Member ceases to be a player of any football team of the Club.
- (d) A Junior Member upon attaining the age of 18 years shall thereupon cease to be a Junior Member but shall be entitled to apply for and be made an Ordinary Member without payment of any nomination fee.

## COUNTRY MEMBERS

7. (a) Any male person whose permanent residence is not less than fifty kilometres from the Club premises may be elected a Country Member upon payment of such sum by way of nomination fee and subscription fee as the Board of Directors may from time to time determine.
- (b) There shall be a nomination fee and an annual subscription as determined from time to time by the Board of Directors provided that the annual subscription shall be not less than two dollars.
- (c) Upon election a Country Member shall be entitled to all privileges and rights of membership and shall be subject to all the conditions as contained herein.
- (d) Any ordinary member whose usual place of residence is at the time of application not less than fifty kilometres from the Club premises or who has changed his usual place of residence from within that distance of the Club premises to a place outside that distance and whose subscription has been paid to the date of application may upon application in writing to the Board of Directors and with the approval of the Board of Directors be transferred to the Country Members' list and thereafter without the necessity of a new election or the payment of any entrance fee he shall be a Country

Member entitled to the privileges and subject to the liabilities of a Country Member. Any Country Member who ceases to have the residential qualifications of a Country Member and whose subscription has been paid to the date of application may upon application in writing to the Board of Directors (after payment of the difference in subscription) with the approval of the Board of Directors be transferred to the Ordinary Members' list and thereafter without the necessity of a new election or the payment of any entrance fee he shall become an Ordinary Member entitled to the privileges and subject to the liabilities incidental to membership generally.

## MEMBERS BOOKS & BADGES

8. (a) Every member upon paying the required subscription shall be supplied with a membership book or identification medallion in such form as the Board of Directors from time to time prescribe and such membership identification shall admit him/ or her to that portion of the Club premises which the Board of Directors may from time to time give them access. Such membership identification shall not be transferable.
- (b) Any member transferring or allowing the misuse of his/ or her membership book or identification medallion shall be liable to have

their membership forfeited in addition to suffering any other penalty which the Board of Directors may impose.

9. (a) The Club may have an Annual Club Badge in such form as the Board of Directors may from time to time prescribe and every Ordinary Member, Junior Member, Country Member and Associate Member may upon request be supplied with such a badge in addition to his/ or her membership book.
- (b) The Board of Directors may sell or cause to be sold such Badge to such person or persons being supporters of the Club as they shall from time to time think fit and to prescribe the annual fee to be paid therefor.
- (c) The purchase or possession of such Badge shall not make the owner or holder thereof a Member of the Club nor entitle him to any rights in or to the Club not to enter or be upon any part of the Club premises other than to such areas, the Board of Directors may from time to time give them access. Such persons or supporters shall not be on any part of the Club premises at any time reserved for the sale of liquor or be served with liquor on any part of the Club premises except where such person or supporter is over the age of 18 years when a visitor to the Club premises on the invitation and in the company of a Member of the Club pursuant to these Rules.

## HONORARY OR TEMPORARY MEMBERS

10. No person shall become an Honorary or Temporary Member of the Club:
  - (i) Whose usual place of residence is situated within fifty kilometres of the Club premises; or
  - (ii) who was afforded the privileges of the Club as an Honorary or Temporary Member at any time within three months immediately preceding; or
  - (iii) who is under the age of eighteen years.
11. No person shall become an Honorary or Temporary Member of the Club unless:—
  - (a) He is proposed in writing signed by a Member in a form setting out that such person is, to the knowledge of the proposer, eligible according to the Rules of the Club to be elected an Honorary or Temporary Member; and
  - (b) Notice thereof is posted on the Club premises by the General Manager/Secretary the time of such posting being marked thereon; and
  - (c) At least four hours elapse between the posting of such notice and the election; and
  - (d) The person proposed as an Honorary or Temporary Member is duly elected by the Board of Directors according to these Rules.
12. When the requirements of the foregoing Rules have been complied with the proposed Honorary or Temporary Member may be elected by any three members of the Board of Directors.

13. An Honorary or Temporary Membership shall last for one month from the day of election. Honorary or Temporary Members shall pay no subscriptions.
14. The Board of Directors shall have power, in cases appearing to them to require it, to revoke the admission of any Honorary or Temporary Member without any notice and without assigning any reason therefor PROVIDED THAT not less than five members of the Board of Directors are present at the meeting which decides to revoke such membership.
15. Honorary or Temporary Members shall not be entitled to vote or be present at any meeting of the Members of the Club nor be entitled to hold office in the Club nor have any right, title or interest in or to any of the property of the Club nor propose or second any candidate for admission as a Member or an Honorary or Temporary Member nor bring any stranger or visitor into the Club premises. Except as aforesaid Honorary or Temporary Members shall be afforded all the privileges enjoyed by Members.
16. Notwithstanding the provisions of the foregoing Rules the Board of Directors may from time to time elect for such period as it shall think fit as an Honorary or Temporary Member of the Club any of the following persons:
  - (a) The Governor-General for the time being of the Commonwealth and the Governor of the State and the Lieutenant-Governor.
  - (b) The Commanding Officers of the Armed

- Forces of the Commonwealth of Australia for the time being in the State.
- (c) Judges of the Supreme Court of the State.
  - (d) The Premier and the Members of the Executive Council of the State.
  - (e) The President and Secretary of any kindred body.
  - (f) The Lord Mayor, Councillors and Executive Officers of the City of Perth.

### ASSOCIATE MEMBERS

17. Any female person over the age of 18 years on payment of such sum as may be decided upon by the Board of Directors from time to time (being not less than the amount prescribed by the "Liquor Act 1970" and Amendments) shall upon making application in such form as shall from time to time be determined by the Board of Directors and upon election by the Board of Directors on a day to be notified become an Associate Member of the Club for the period expiring at the close of the next Annual General Meeting. The Board of Directors shall have the right to refuse to admit an Associate Member without assigning any reason for doing so.
  - (1) Unless otherwise approved by the Board of Directors there shall be a nomination fee to accompany an application for Associate Membership and the annual subscription as determined by the Board of Directors from time to time.
  - (2) Associate Members shall not be entitled to



attend or vote at any meeting of the Club or to hold office in the Club, but shall in all other respects conform to and be bound by the Rules and By-laws of the Club for the time being in force and shall be entitled (subject to these Rules and to the provisions of the "Liquor Act 1970" and Amendments) to all rights and privileges of Ordinary Members. Associate Members shall not be admitted to the main bar but shall be admitted to such sections of the Club premises as determined by the Board of Directors.

### LIFE MEMBERS

18. Life Members may be elected by a three-fourths majority with not less than seventy-five Members voting at the Annual General Meeting, on the recommendation of the Board of Directors, for specially meritorious services rendered to the Club. Life Members must be males, not under the age of twenty-one years. They must when so elected be Ordinary Members and shall continue to have the rights and obligations of membership, but shall be exempt from payment of any portion of the annual subscription in excess of the minimum amount prescribed under the "Liquor Act 1970". In any year the Board of Directors may recommend for election as Life Members:
- (a) Not more than two Ordinary Members for meritorious services to the Club, and

- (b) Any Ordinary Member who has played 175 games with the league side of the Club or has been a playing member of the league side for a period of ten years.

### PROVISIONAL MEMBERS

- 18A. Any person over the age of 18 years upon payment of such sum as may be decided upon by the Board of Directors from time to time (being not less than the amount prescribed by the Liquor Act 1970 and Amendments) shall upon making application in such form as shall from time to time be determined by the Board of Directors and upon election by the Board of Directors on a day to be notified, become a Provisional Member of the Club for the period expiring at the close of the next Annual General Meeting. The Board of Directors shall have the right to refuse to admit a Provisional Member without assigning any reason for doing so.
- (1) Unless otherwise approved by the Board of Directors there shall be a nomination fee to accompany an application for Provisional Membership and the annual subscription determined by the Board of Directors from time to time.
- (2) Provisional Members shall not be entitled to attend or vote at any meeting of the Club or to hold office in the Club, but shall in all other respects conform to and be bound by the rules and by-laws of the Club for the time being in force and shall be entitled (subject to these rules

and to the provisions of the Liquor Act 1970 and Amendments) to all rights and privileges of Ordinary Members provided that Provisional Members shall not be entitled to the rights and privileges of an Ordinary Member on any day that a match arranged by the West Australian Football League Inc. is set down for play at Leederville Oval.

19. The General Manager/Secretary, shall keep a Register of Members setting forth the name, address and nature of membership of each member. An up-to-date copy of such Register shall be posted from time to time on the Notice Board.

### **RESIGNATION OF MEMBERS**

20. (1) Any member desiring to resign his or her membership shall notify the General Manager/Secretary, in writing of his or her desire to resign. The General Manager/Secretary, shall refer such notification to the Board of Directors who may accept such resignation or not accept such resignation or accept it subject to payment of overdue subscriptions or to the fulfilment of such other conditions as it shall deem fit.
- (2) Such person shall continue to be a Member of the Club until his resignation is accepted by the Board of Directors or until the conditions subject to which it is accepted shall be fulfilled.
- (3) No Member shall cease to be a Member save as

aforsaid or until he or she is expelled by the Board of Directors under the provisions next hereafter contained.

- (4) Every Member shall be under a continuing liability for subscriptions until he or she shall cease to be a Member.

### **EXPULSION OF MEMBERS**

21. (1) In the event of any Member being charged in writing with:—
- (a) Conduct which the Board of Directors may consider prejudicial to the interest of football or of the Club; or
- (b) A grave breach by a Member of the Rules or By-laws of the Club; or
- (c) Conduct on the part of a member rendering it, in the opinion of the Board of Directors, desirable that he or she should cease to be a Member or that other action be taken under this Rule; or
- (d) Failing to pay any fine imposed on him under these Rules or the By-laws of the Club.

he or she will be called before the Board of Directors and failing a satisfactory explanation in the opinion of the Board of Directors he or she may be cautioned, suspended, fined, required to resign or expelled. There shall be no refund of any entrance fee or subscription.

- (2) Any such charge may be laid by any other Member.

- (3) Any charge that the Board of Directors may wish to lay shall be laid by the General Manager/Secretary.
- (4) The Board of Directors shall be specially summoned to consider questions under the above preceding Rule, and notice thereof in writing shall be sent to the Member at least seven days prior to the meeting and before coming to a decision the Board of Directors shall hear the person who laid the charge and any explanation which such Member charged may desire to give, together with any evidence in support of such explanation. The decision of the Board of Directors shall be final.
- (5) The General Manager/Secretary, shall on the application of either the accuser or the Member complained against made not less than three clear days before the date fixed for the hearing of such charge send a written notice to any other Member to appear and give evidence in respect to the charge.
- (6) In the event of the accuser or the Member complained against failing to attend at the time and place arranged the Board of Directors may nevertheless proceed with the hearing of the complaint and take evidence and decide the case as if all parties had been present.
- (7) If after hearing the evidence the Board of Directors shall be of the opinion that the charge is sustained they shall inflict such penalty as is

- within their power as they think fit and shall forthwith cause notice of such penalty to be sent to the Member charged by registered post addressed to his address as recorded in the records of the Club.
- (8) If the Board of Directors considers a penalty of expulsion should be imposed upon any Member so charged it may in its absolute discretion before imposing such penalty give the Member an opportunity of resigning voluntarily from the Club within such time as the Board of Directors shall decide.
  - (9) The President, General Manager/Secretary, or any two Members of the Board of Directors may summarily suspend a Member pending investigation of any charge under the preceding sub-sections.
  - (10) Any such Member so dealt with by the Board of Directors may be re-instated by the next ensuing Annual General Meeting on notice as prescribed by these Rules or by a Special General Meeting convened as hereinafter provided and the decision of a three-fourths majority at any such Annual General Meeting or Special General Meeting with at least seventy-five Members present and voting shall be final and binding as to such re-instatement.
22. Any Member causing loss or damage to the Club or its equipment or property through failure to observe and comply with these Rules, or the By-laws of the Club, or the directions or orders of the Board of Directors or any officer of the Club shall

- be fully liable therefore.
23. The Board of Directors may from time to time limit the number of persons who may be Ordinary, Junior, Country, Associate Members or Provisional Members of the Club at any one time.

### MANAGEMENT

24. In this part the word Members shall mean and include Ordinary Members, Country Members and Life Members.
25. (1) There shall be the following Officers of the Club:
- (a) President, who shall also be known as Chairman of the Board.
  - (b) Two Vice-Presidents, one senior and one junior, to be appointed by and from the eight successful candidates for the Board of Directors. Such appointments to be made at the first meeting of the Board of Directors following such election.
  - (c) Eight Directors.
  - (d) General Manager/Secretary, and if considered by the Board of Directors to be necessary, an Assistant Secretary.
  - (e) Treasurer.
- (2) All such officers must be financial Members of the Club.
- (3) There shall be in addition an Auditor.
- (4) The President, two Vice-Presidents and six Directors shall constitute a Committee to be

- known as the Board of Directors.
- (5) The business and affairs of the Club shall be under the management of the Board of Directors.
26. (1) The Officers of the Club, with the exception of the Auditor, General Manager/Secretary, and Assistant Secretary, shall be honorary.
- (2) The Auditor's remuneration shall be fixed at the Annual General Meeting.
27. Every Officer of the Club with the exception of the Auditor, shall be indemnified out of the funds of the Club against any losses, damages, costs or expenses incurred by him in or about the discharge of his duties except such as are incurred by his own wilful act, neglect or default.
28. No Officer of the Club shall be liable for the acts of any other Officer, or for joining in any receipt or other act for the sake of conformity, or in any loss or expense happening to the Club, unless the same happen through his own wilful act, neglect or default.
29. The accounts of any Officer of the Club may be settled and allowed or disallowed either wholly or in part by the Board of Directors.
30. (1) The Board of Directors shall appoint the following Officers:
- (i) General Manager/Secretary of the Club.
  - (ii) Treasurer of the Club.
  - (iii) If necessary, an Assistant Secretary.
  - (iv) Any other Officer the Board of Directors

from time to time deem necessary to appoint.

- (2) Such appointment may be for such term and for such remuneration and subject to such conditions as the Board of Directors shall think fit.
- (3) Such persons shall do such acts as are required to be done under the Rules and attend to such other matters as the Board of Directors may direct.

#### **ELECTION AND RESIGNATION OF OFFICERS**

31. In this part the word Members shall mean and include Ordinary Members, Country Members and Life Members only.
32. The Board of Directors shall hold office from the close of the Annual General Meeting at which they are elected until the close of the next Annual General Meeting but shall be eligible for re-election. Thereafter the election for Board of Directors shall take place annually.
33. The Officers of the Club shall be elected either at the Annual General Meeting of the Club or by postal ballot and the Board of Directors shall in its sole discretion determine the method of such election.
34. (1) The Board of Directors shall before the 31st day of October in each year fix a day for the holding of the Annual General Meeting of the Club which date shall be not less than within three months.

- (2) The Board of Directors shall at the same time appoint some person to act as Returning Officer and two other persons to act as Scrutineers.
35. (1) The General Manager/Secretary, shall 28 days at least before the date fixed for such meeting advertise in the "West Australian" Newspaper or such other newspaper as the Board of Directors may appoint notice of the date time and place at which such meeting is to be held, giving particulars of the Officers retiring and the vacancies to be filled and calling for nominations for such vacancies.
- (2) (a) Such nominations shall be in writing and shall be signed by two members of the Club as proposer and seconder respectively and shall also bear an acceptance of such nomination signed by the candidate.
  - (b) No candidate shall accept nomination for more than one (1) office.
  - (c) Such nominations shall be forwarded so as to reach the General Manager/Secretary, not later than the twenty-first day before the date of the meeting.
  - (d) The General Manager/Secretary, shall place on the Notice Board in the Club premises a list of the names of the persons so nominated with the names of their respective proposers and seconders imme-

diately after receipt thereof and such list shall remain posted until and inclusive of the day of such Annual General Meeting. Failure to post and keep posted any such notification shall not invalidate any nomination.

- (e) If no more than the required number are nominated the person or persons so nominated shall be declared elected for the ensuing year. If more nominations are received than the number of Members required then the election shall be by ballot or at the Annual General Meeting.
36. In the event of the election of Officers of the Club being conducted by a postal ballot vote the following provisions shall apply:—
- (a) The General Manager/Secretary, shall fourteen days at least before the date fixed for the Annual General Meeting send to every Member a ballot paper containing the names of the candidates who have been nominated and calling attention to the next following Sub-Rule.
  - (b) (1) Each Member shall vote for the full number of candidates required to be elected for each office.
  - (2) Each Member shall so vote by striking out only so many of the names as are necessary to reduce the number of candidates for each office to the full number to be elected to that office. A ballot paper which does not

comply with this requirement shall be null and void.

- (3) Such ballot paper shall be forwarded in a sealed envelope addressed to the Returning Officer care of the General Manager/Secretary, so as to reach the General Manager/Secretary, or shall be so handed to the General Manager/Secretary, not less than Twenty-four hours before the time fixed for the Annual General Meeting.
  - (c) Such envelopes shall immediately on receipt by the General Manager/Secretary be placed in a ballot box provided for the purpose and sealed by the Returning Officer.
  - (d) The Returning Officer shall after closing of the ballot open the ballot box in the presence of two Scrutineers and proceed with the counting of the votes.
  - (e) The Returning Officer shall report in writing to the Chairman of the Annual General Meeting the names of the Officers elected and the Chairman shall declare them duly elected at the Annual General Meeting.
  - (f) In case of an equality of votes for any candidates the Chairman of the Meeting shall give a casting vote.
- 36A. In the event of such election taking place at the Annual General Meeting the following provisions shall apply:
- (a) Every Member present thereat shall upon

giving his name to the Returning Officer have such name ruled off the roll of Members and shall thereupon be given a ballot paper by the Returning Officer.

- (b) The Returning Officer shall explain to the meeting the method of voting for the candidates as in the preceding Rule.
  - (c) Each Member will mark his ballot paper accordingly and will place the same in a ballot box to be provided.
  - (d) The Returning Officer will count the votes in accordance with the preceding Rule and report verbally to the Chairman the names of the Officers elected.
  - (e) Thereafter the procedure shall be the same as in the preceding Rule.
37. The persons declared elected in the manner prescribed shall be Officers of that Club from the date of the Annual General Meeting PROVIDED THAT the retiring Board of Directors shall hold office and continue to act until the first official meeting of the newly elected Board of Directors.
38. The Returning Officer shall forthwith post the names of the Officers so elected on the notice board with the number of votes received by each.
39. No unfinancial Member shall be eligible for office or be permitted to nominate any office-bearer or to vote at any election.
40. (1) In the event of all the members of the Board of Directors desiring to resign or in the event of

the number of Members of the Board of Directors from any cause whatsoever falling to three or less a new Board of Directors shall be elected in the manner provided in the preceding Rules and for such election the words "Extraordinary General Meeting" shall be read for the words "Annual General Meeting" wherever they appear in such Rules and such other alteration shall be made in the procedure outlined by the Rules as shall be necessary or expedient.

- (2) A Board of Directors elected under this Rule shall hold office only until the first meeting of the Board of Directors elected at the next following Annual General Meeting.
41. (1) An Officer of the Club may resign from his office by tendering his resignation to the Board of Directors.
- (2) Such resignation shall not take effect until it is accepted by the Board of Directors.
42. If any Officer of the Club shall die or become lunatic or of unsound mind or bankrupt or shall compound with his creditors or resign or in the case of a Member of the Board of Directors cease to be a Member of the Club or absent himself from three consecutive meetings without leave of absence his office shall immediately thereupon become vacant.
43. Any vacancy on the Board of Directors except such as may fall within the provisions of Rule 40 hereof

shall be filled by the Board of Directors and any Member so chosen shall retain office until the first meeting of the Board of Directors elected at the next following Annual General Meeting.

44. DELETED.

### BOARD OF DIRECTORS

45. (a) The Board of Directors shall meet at least once a month and otherwise shall hold meetings to be arranged within fourteen days of a request being made by the General Manager/Secretary, or President or to the General Manager/Secretary, by any Member of the Board of Directors or Officer of the Club.
- (b) Notice of every meeting of the Board of Directors shall be given by the General Manager/Secretary, to every Member thereof and shall be sent by post to him by hand at least three days prior to the date of the meeting but any omission to send such notice or the non-receipt of such notice by any Member shall not invalidate the proceeding of the meetings PROVIDED THAT no such notice need be given in respect of any meeting which is by any resolution of the Board of Directors called for any day whereon meetings of the Board of Directors are regularly held.
46. The Board of Directors shall act by resolution and a resolution upon being declared carried by the Chairman of the Board of Directors shall become binding upon all Members of the Club.

47. At all meetings of the Board of Directors the President or Vice-President in order of seniority shall preside. If the President and the Vice-Presidents are absent the other Board of Directors present shall elect one of their number to preside.
48. (1) Unless the Board of Directors shall by resolution otherwise determine the procedure at all meetings of the Board of Directors shall be governed by the Rules ordinarily observed in the conduct of meetings in Committee.
- (2) In any case of doubt the Chairman of the Board of Directors meeting shall give a ruling as to the procedure to be followed.
49. Any declaration or ruling made or given by the Chairman of a Board of Directors Meeting shall be final.
50. A resolution in writing signed by a majority of Members of the Board of Directors shall be as valid and effectual as if it had been passed at a meeting of the Board of Directors duly called and constituted.
51. The Board of Directors shall have the following powers and rights:
- (a) The Board of Directors shall have power to make By-laws and Regulations for the conduct of the Club premises and from time to time as occasion may require to alter amend or rescind any By-law or Regulation so made.
- (b) A copy of any such By-laws or Regulations made by the Board of Directors shall be displayed in the Club premises together with any additions amendments or alterations that



may from time to time be made as hereinbefore provided.

- (c) Full control over all the affairs and undertakings of the Club with power to exercise on behalf of the Club all the rights and powers as are by these Rules specifically required to be exercised in some other manner.
- (d) Power to delegate routine matters or any specified duty to any one or more of its Officers or to any servant of the Club. The Board of Directors shall be responsible for the acts of the delegates except where he is guilty of fraud or gross negligence.
- (e) The Board of Directors may appoint from its members Sub-Committees for any purpose that the Board of Directors may think fit PROVIDED FURTHER that the powers of such Sub-Committee shall be limited to enquiring into and reporting upon the questions or question in respect of which it is appointed.
- (f) Nothing done by the Board of Directors or any Sub-Committee shall be invalid by reason only of the fact that it shall afterwards be discovered that there was some defect in the appointment of such Board of Directors or Sub-committee or that the Members thereof or any of them were disqualified from so acting.
- (g) Power to elect a Club Patron and Vice-Patron or Vice-Patrons.
- (h) Power to appoint Club Representatives to the West Australian Football League.

- (i) Power to appoint Trustees.
- (j) To interpret these Rules and any by-laws made thereunder and any resolution passed by the Board of Directors and to determine and decide any question not provided for by these Rules and any decision thereon shall be binding and conclusive on the Club.

52. The Board of Directors shall:
- (a) Receive all monies and subscriptions.
  - (b) Authorise all expenditure.
  - (c) Engage or discharge servants and attendants upon such terms as to remuneration and conditions of such engagements as the Board of Directors shall think fit.
  - (d) Deal with Members guilty of misconduct as hereinbefore provided.
  - (e) Determine from time to time the conditions on which and the time when Members may use the Club premises or any part or parts thereof or use the property of the Club or any part or parts thereof.
  - (f) Determine what persons, if any, who are not Members of the Club shall be allowed to use the Club premises or any part or parts thereof and during what time or times and subject and under what conditions.
  - (g) Generally to conduct the affairs of the Club including all matters relating to the management of the Club premises.

53. At all meetings of the Board of Directors not less

than four Members of the Board of Directors shall form a quorum. If at any meeting of the Board of Directors fewer than one-half of the number of Members thereof be present the Chairman shall declare the meetings at an end and in such event the business under discussion and all other business not disposed of shall be inserted in the agenda paper for the next Board of Directors meeting and shall take precedence over all other business at such meeting. All Members of the Board of Directors shall be entitled to vote at all meetings of the Board of Directors.

54. Should very urgent business arise either the President, the Vice-President or the General Manager/Secretary, with two of the Board of Directors shall have the power to take action but they shall submit a report of the same to the next meeting of the Board of Directors.

## **DUTIES OF OFFICERS**

### **PRESIDENT**

55. (a) The President will act as Chairman of all General and Board of Directors Meetings of the Club and maintain order thereat so that the business of the meeting be conducted with propriety.
- (b) He shall have a casting but not deliberative vote.
- (c) He shall have the same right to speak on any question under discussion as any Member.

- (d) He shall have control of the Club policy at all times and be subject only to the decisions of the Board of Directors duly convened.

### **VICE-PRESIDENTS**

56. The Vice-President will act as Chairman in the absence of the President.

### **GENERAL MANAGER/SECRETARY AND ASSISTANT SECRETARY**

57. (a) There shall be a General Manager/Secretary, and if considered by the Board of Directors to be necessary, an Assistant Secretary, of the Club who shall be appointed by the Board of Directors.
- (b) A member of the Club shall whilst holding the position of General Manager/Secretary, be a financial member ex officio but shall not be liable to pay any subscription.
- (c) The General Manager/Secretary, shall hold office during the pleasure of the Board of Directors and shall receive such honorarium or salary and allowance as the Board of Directors may think proper.
58. The General Manager/Secretary, shall:
- (a) Act as the executive officer of the Club and conduct the affairs of the Club under the direction of the Board of Directors.
- (b) Do all things required by the Licensing Act and its amendments or any Act of Parliament or any Regulation thereof required to be done by the General Manager/Secretary, of a Club.

- (c) Keep in books provided for that purpose the accounts of the Club.
  - (d) Keep or cause to be kept a full and accurate minute of the proceedings of General Meetings and of meetings of the Board of Directors and such minutes if signed by any person being Chairman of any meeting of the Club or of the Board of Directors as the case may be shall be conclusive that the proceedings minuted were recorded and took place at a meeting properly convened and held.
  - (e) Keep an account of the attendances of Members of the Board of Directors at meetings thereof and post on the Notice Board in the Club premises fourteen days before each Annual General Meeting a list of the Members of the Board of Directors showing the number of their attendances at meetings of the Board of Directors during their term of office.
  - (f) Should an Assistant Secretary be appointed he shall carry out such duties as are delegated to him by the General Manager/Secretary.
59. Should the General Manager/Secretary, be absent with leave or sick the Board of Directors may appoint any Acting General Manager/Secretary temporarily to perform his duties.

#### **TREASURER**

60. The Treasurer shall receive the contributions of Members and other monies due to the Club, issue official receipts for same, keep account of income

and expenditure, pay all monies into the Bank in the Club's name and keep a proper bank account and have all cheques for disbursements signed by any two of the President, the General Manager/Secretary himself or another appointed signatory. He shall submit a progressive Statement of Receipts and Expenditure, together with a Statement of Liabilities to each ordinary meeting of the Board of Directors. He shall prepare an Annual Balance Sheet each year and present same duly audited to the Annual General Meeting of Members.

#### **AUDITOR**

61. The Auditor shall be appointed by the General Meeting whose qualifications must be a qualified accountant being an accredited Member of an Australian Accounts or Secretarial Institute. Once at least in every year the accounts of the Club shall be examined and the correctness of the profit and loss account and balance sheet ascertained by an Auditor.
62. The Auditor shall submit a report in writing to the Board of Directors for subsequent presentation to the Annual General Meeting of the Club.
63. If any occasional vacancy occurs in the position of Auditor the Board of Directors shall forthwith fill the same.

#### **OTHER OFFICERS**

64. The Board of Directors may from time to time appoint any of its Members to act as a proxy delegate in the absence of any of the delegates. The

delegates shall at each meeting of the Board of Directors report fully on all matters for the time being under or about to come under discussion at the League, and shall at all times comply with the requests or resolutions of the Board of Directors regarding the attitude to be adopted by them towards all or any such matters as aforesaid and the manner they shall vote thereon.

65. (a) **Captain and Vice-Captain.** The Captain and Vice-Captain of all teams of the Club shall be appointed by the Board of Directors.
- (b) Subject to the Coach the Captain shall have the sole management of the team entrusted to him on the field, and shall commend and decide in all matters of dispute which may arise on the field of play. In his absence the Vice-Captain shall take over the duties.
- (c) The Captain is required to inform the Board of Directors immediately after the occurrence of any act of disobedience, bad language, or conduct of any player calculated to lower the dignity of the Club. Any player reported by the Captain for any offence in the field shall be dealt with by the Board of Directors.
66. The Board of Directors shall, prior to the commencement of each season, appoint a Selection Committee with duties to be defined by the Board of Directors. The composition and numbers of the Selection Committee shall be at the discretion of the Board of Directors.

## GENERAL MEETINGS

67. (1) There shall be a General Meeting of the Members of the Club to be held at a time date and place to be fixed by the Board of Directors in each year which shall be called the Annual General Meeting. Such meetings shall be held within three calendar months after the 31st October in each and every year.
- (2) The business of the Annual General Meeting shall be:-
- (a) To receive and if thought fit to adopt the Board of Directors report on the general condition and progress of the Club during the preceding year.
- (b) To receive and adopt the Auditor's report and balance sheet.
- (c) To receive the declaration by the Chairman of the names of the Officers elected for the ensuing year.
- (d) To appoint the Auditor for the ensuing year at a fee to be determined by the Board of Directors.
- (e) To transact any other business the retiring Board of Directors or any Member may wish to bring forward, notice of which has been given in the manner provided in these Rules.
- (f) To transact any general business.
68. A General Meeting (to be called an Extraordinary General Meeting) may be called at any time by the

General Manager/Secretary, by direction of the Board of Directors.

69. (1) Any seventy-five ordinary Members of the Club may require the Board of Directors to call a General Meeting by the signing of a requisition to that effect stating the business for which it is required to be called and handing such requisition to the General Manager/Secretary.
  - (2) Upon receiving such requisition the General Manager/Secretary, shall call a meeting of the Board of Directors within 48 hours.
  - (3) The Board of Directors shall direct the General Manager/Secretary, to call an Extraordinary General Meeting of the Club on a date not more than thirty-five days after the receipt by him of the requisition.
70. The General Manager/Secretary, shall at least 28 days before the date fixed for any General Meeting advertise in the "West Australian" Newspaper or such other newspaper as the Board of Directors may appoint notice of the day, time and place at which such meeting is to be held stating the business to be discussed thereat. Such notice shall also be posted for such period on the notice board.
71. At all General Meetings of the Club seventy-five Members present in person and entitled to vote shall form a quorum. Should a quorum be not present at an Extraordinary General Meeting within thirty minutes of the advertised time such

meeting shall lapse. The Annual General Meeting shall not lapse by reason of the want of a quorum but within thirty minutes of the advertised time if seventy-five Members be not present the meeting shall be adjourned till the same hour on the same day in the succeeding week the place to be announced by the General Manager/Secretary, before the adjournment and at such adjourned meeting the Members then present may proceed to business notwithstanding that there is not a quorum present.

72. (1) Any ordinary Member may give notice of any business which he intends to bring forward at any General Meeting.
- (2) Such notice shall be in writing and shall be handed to the General Manager/Secretary, eight days at least before the General Meeting at which it is intended to bring forward such business.
- (3) The General Manager/Secretary, shall affix on the Notice Board notice of the intention to bring forward such business seven days at least before the date of the General Meeting.
- (4) Any motion passed in pursuance of such notice by the General Meeting with such amendments as are made by the General Meeting shall be binding on the Club.
- (5) No motion of which notice of intention to bring forward such business has not been given in the manner provided in sub-sections (2) and (3) of this rule shall be binding upon the Club but

shall be treated only as a recommendation to the Board of Directors or as an expression of opinion by Members present.

73. All resolutions passed at General Meetings of the Club by a simple majority unless otherwise required by these Rules shall be conclusive and binding on all Members of the Club whether they be present at such meetings or not PROVIDED THAT such meetings are held in conformity with the Rules of the Club for the time being in force. A declaration by the Chairman that any such meeting has been duly convened shall in the absence of proof to the contrary at such meeting be conclusive.
74. The sense of every motion properly submitted to a General Meeting (other than elections) shall be determined by a show of hands unless a division be demanded by at least seven Members. The declaration of the Chairman whether on a show of hands or on a division shall be conclusive.

### TRUSTEES

75. Three Trustees shall be elected by the Board of Directors at the General Meeting of the Club at which these Rules are adopted and shall retain office until death, resignation or removal from office by a three-quarters majority present and voting at any Annual or Special General Meeting called for that purpose, and of which seven days' notice has been given to the Members and Trustees. The Board of Directors shall have the power to fill

any vacancy occurring at any time.

76. The funds and property real and personal of the Club are hereby declared to be vested in the Trustees.

### COMMON SEAL

77. (1) The Board of Directors shall have power to provide a Common Seal for the purposes of the Club and from time to time to destroy the same and substitute a new Seal in lieu thereof.
- (2) The Common Seal shall be kept in the custody and power of the General Manager/Secretary.
- (3) The Common Seal shall be used only by the authority of a resolution of the Board of Directors and shall be affixed to all necessary deeds instruments agreements contracts and documents in the presence of a Trustee (or a majority of them) and of the General Manager/Secretary, and all such shall be countersigned by the Trustees or a majority of them and the General Manager/Secretary. A true and correct record shall be kept of all such instruments deeds agreements contracts and documents to which the Seal is affixed.

### FINANCIAL YEAR

78. The financial year shall be from the 1st January to the conclusion of the next ensuing Annual General Meeting PROVIDED THAT all accounts to be presented at any Annual General Meeting shall be taken as at the preceding 31st day of October.

## **AFFILIATION**

79. (1) The Club is affiliated to and hereby declares itself to be a Member of the West Australian Football League.
- (2) The Club may by resolution at any General Meeting withdraw the Club from membership of the West Australian Football League and may enter any other Association or League of Clubs playing the game as it thinks fit and may enter into such agreements with any such Associations or Leagues as it thinks fit.

## **COLOURS**

80. The Colours of the Club shall be determined by the Board of Directors and until otherwise determined shall be Cardinal Red with Blue Sash.

## **LIABILITIES**

81. All Members of the Board of Directors and Officers and servants of the Club shall be indemnified by the Club for all losses and expenses incurred by them in or about the discharge of their respective duties except such as happen through their own wilful act or default.

## **DISPUTES**

82. Any dispute between Members may be referred in writing by either disputant to the Board of Directors, whose decision thereon, subject to these Rules, shall finally settle the matter. The

complainant shall, with his complaint, deposit Five Dollars with the General Manager/Secretary or Treasurer and if the Board of Directors consider the complaint to be frivolous they may order the amount to be forfeited to the funds of the Club.

## **ALTERATION TO RULES LIQUOR ACT REQUIREMENTS TRADING HOURS**

83. No Rule shall be amended or repealed nor shall any new Rule be made except on the vote of a two-third majority of the Members present at the Annual General Meeting or a Special General Meeting duly convened for that purpose. Notice of any proposed amendment repeal or addition must be given by notice in writing to the General Manager/Secretary, in time for him to give 14 day's notice of such amendment or addition or repeal. Within 14 days after making any amendment or alteration to the rules of the Club, the Board of Directors shall send or deliver to the Principal Clerk of the Licensing Court a certified copy of the amendment or alteration.
84. A visitor shall not be supplied with liquor in the Club's premises unless on the invitation and in the company of a Member and at the times specified in the "Liquor Act 1970".
85. No liquor shall be sold or supplied for consumption elsewhere than on the Club's premises unless such liquor is removed from the premises of the Club by the Member purchasing the same.

86. No liquor shall be sold or supplied to any person under eighteen years of age and no Member under eighteen years of age shall be admitted to any part of the Club where liquor is sold or consumed.
87. No person under eighteen years of age shall be employed in the Club; but this restriction shall not apply to persons employed in the administration of the Club.
88. No person under the age of twenty-one shall serve in any bar on the Club premises.
89. No person under the age of eighteen years shall be employed in or about any bar on the Club premises or in the delivery of liquor on the Club premises.
90. No steward, cook or other employee of the Club shall be employed for a longer period than is provided in any relative award of the Court of Arbitration for persons similarly employed.
91. No payment or part payment of any General Manager/Secretary, or other officer or servant of the Club shall be made by way of commission or allowance from or upon the receipts of the Club for liquor supplied.
92. No Member may admit any guest to use the Club premises except during hours when liquor may be lawfully sold or disposed of to the public on licensed premises within the district and then only to such part of the Club premises as determined by the Board of Directors.
93. The Licensed Premises shall be open to the Members from 10.00 a.m. to 11.00 p.m. on

- weekdays and during Sunday hours as endorsed by the Licensing Court on the Club License except on any special occasion when the Board of Directors shall think it expedient to close the Club or curtail or extend the hours of opening and closing. PROVIDED THAT except with the permission of the Licensing Court in no case shall the Club be open for the sale of liquor after 11.00 p.m. or before 10.00 a.m. The name of any Member refusing to leave the Licensed Premises punctually at the hour of closing shall be communicated by the General Manager/Secretary, to the Board of Directors.
94. No gambling or betting shall be allowed on the Club premises.