



SOUTH AUSTRALIAN SPORT PARACHUTE CLUB INC.

CONSTITUTION RULES

1 NAME OF THE CLUB

The name of this body shall be the South Australian Sport Parachute Club Inc. and it shall hereafter be referred to as the "Club".

2 OBJECTS OF THE CLUB

The primary purpose for which the Club is established is to:

- Promote interest in parachuting
- Promote good fellowship among those interested in parachuting
- Educate, train, coach, and encourage members of the Club
- Do all such things and acts conducive to the furtherance of the objects and interests of the Club.

3 Any person who engages in active parachuting and is a current APF member shall be eligible for membership. Any other person may apply to become a member subject to committee approval for eligibility. All applications shall be submitted to the committee for approval (3).

4 The annual membership fee for all classes of membership shall be determined prior to the Annual General Meeting in each year. Such fees shall fall due on the 1st August and be current for 12 months (2).

5 A properly constituted Annual General Meeting or Special General Meeting may appoint any person as an honorary member or honorary life member of the Club in recognition of services rendered in promoting the interests and objectives of the Club.

6 Any member may resign from the Club and such resignation must be in writing and forwarded to the Secretary of the Club.

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

## 8 Disciplinary Action

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

(b) Before any member is expelled or penalised, his conduct shall be enquired into by the Committee and the member given the opportunity to defend himself and to justify or explain his conduct. Provided that a quorum is established and the majority of the Committee present when the matter is enquired into is of the opinion that the member has been guilty of such conduct as aforesaid, then the Committee may expel or suspend him from membership or penalise him.

(c) Should any member fail to appear at any enquiry conducted under Clause 8(b) hereof, or any adjournment thereof, the Committee may proceed in the member's absence to conduct the said enquiry and to make its findings as hereinafter empowered.

9. The Annual General Meeting of the members shall be held prior to 31 August in each year, and members shall be given notice in writing at least fourteen days before such meeting(2).

10. The Annual Report and audited balance sheet or financial statement shall be submitted to members at the Annual General Meeting.

11. The Annual General Meeting may make by-laws necessary for the proper administration of the Club. Any by-laws so made shall not be repealed, added to or amended unless and until:

(a) Notice of intention to propose such repeal, addition or amendment is first given in writing by a member of the Club to the Secretary of the Club not later than 30 days prior to the date of such Annual General Meeting and included in the agenda for such meeting.

(b) Such repeal, addition or amendment is proposed at such Annual General Meeting and is approved by not less than two-thirds of the members of the Club present at such meeting and voted thereon.

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

13. A special meeting of members shall be called at the request of the President or the Secretary or any three members of the Committee or at the written request of twenty five percent of the financial members of the Club. Such meeting shall be held within 30 days of such request and all members shall be notified in writing not less than 10 days before such meeting.

14. The President of the Club shall be the chairman at all General Meetings. Should he not be present then a Vice-president shall be elected to the chair, and if there be no Vice-president present, the members shall elect a member to take the chair.

15. Chairman's Decisions to be Final

(a) At all meetings the chairman's decision on points of order shall be final.

(b) The chairman shall have the casting vote in addition to his deliberative vote.

16. The quorum for a General Meeting shall be 25% of the financial members or 10 members present, whichever is greater.

17. If at any General Meeting there be no quorum within 30 minutes of the time appointed for the meeting, the meeting shall lapse unless a majority of the members present decide to adjourn the meeting for a period not exceeding 14 days. If there be no quorum within 30 minutes after the time appointed for such adjourned meeting the meeting shall lapse altogether.

18. Only members present in person shall be entitled to vote.

#### 19. Committee Powers

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

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

#### 20. Committee Structure

The Committee shall consist of:

(a) The President, a Secretary, a Treasurer (hereinafter called the Office Bearers), and,

(b) Three members of the Club, elected at the Annual General Meeting, or as otherwise provided herein..

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

22. The Committee shall meet as often as may be required to conduct the business of the Club. The President or the Secretary or 3 members of the Committee shall have the power to call a meeting of the Committee. The President of the Club shall take the chair at all Committee meetings. Should the President not be present then a Vice-president shall be elected to the chair and if there be no Vice-president present the Committee shall elect one of its members to take the chair.

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

#### 24. Notice of Committee Meetings

(a) All notices of Committee meetings shall be advised to members of the Committee at least 7 days before the date of such meetings.

(b) The accidental omission to give to any member, or the non-receipt by any member of any notice required by the Constitution, shall not invalidate or affect any proceedings as such meetings.

#### 25. Sub-committees

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

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

26. The quorum for Committee meetings shall be 4 members present in person.

27. Nomination for each candidate for election as Office Bearer or Committee member shall be proposed and seconded respectively by 2 members at the Annual General Meeting of the members present and voting thereon.

28. No person shall be eligible for election unless he is a financial member of the Club.

29. The Election of the Office Bearers and the other Committee members shall be by ballot of members present and voting therein, held at the Annual General Meeting. No ballot shall be required when the number of candidates nominated for each office does not exceed the number of vacancies and they shall be declared duly elected.

30. Duties of Office Bearers

(a) The Secretary shall carry out his duties under the direction of the Committee and keep a true record of all minutes of all meetings, attend to correspondence, issue notices of meetings, keep records and carry out such duties as the Committee may from time to time direct.

(b) The Treasurer shall receive all moneys payable to the Club and give receipts for the same. All moneys so received shall be paid into the bank account of the Club. The Treasurer shall present at each General Meeting a balance of the finances of the Club, and shall keep proper books of account of all moneys received and disbursed and generally perform all such duties as are directed by the Committee from time to time.

31. The financial year shall be from 1st July to 30th June.

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

33. No moneys shall be drawn from the Clubs account save by cheques or by direct bank transfers, signed or authorised by at least two bank signatories authorised by the Committee.. No cheque shall be signed or money transferred unless such transfer has been approved by the Committee, or in the case of urgency, by the President or the Secretary and any other bank signatory (4).

34. The books and accounts of the Club shall be audited annually by an auditor appointed by the Annual General Meeting.

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

36. This shall be the only Constitution of the South Australian Sport Parachute Club Inc. and shall come into force forthwith and shall not be altered, varied, added to or repealed unless two-thirds of financial members present at an Annual General Meeting or at a specifically convened meeting for that purpose are in favour of such alteration, variation or repeal.

37. The property, assets and income of the Club, wherever derived, shall be applied towards the promotion of the objects of the Club, and no portion thereof shall be paid or transferred either

directly or indirectly by way of dividend, bonus or otherwise by way of profit to members generally of the Club, provided that nothing herein contained shall prevent the payment of interest on money borrowed from any member of the Club. Should the Club for any reason whatsoever cease to function, any member or person holding any Club moneys or property shall forthwith pay the same to the Committee. The Committee shall then dispose of these moneys or assets to the Australian Parachute Federation Ltd, with the APF Board to decide on the best use of them in the interests of the sport, preferably to a non-profit organisation.

38. Only one person from each commercial interest will be eligible for selection on the Committee, always keeping at least a majority of the Committee members not a part of any commercial interest. Immediately prior to any selection of a person for membership on the Committee the identity of each commercial interest will be agreed upon by the meeting by way of a majority vote.(1)

#### INTERPRETATION

- In this Constitution masculine includes feminine.
- “In writing” or “written” means and includes printing or other means of representing or reproducing words in visible form.
- Words importing singular include the plural and the words importing plural include the singular where the content permits.

#### AMENDMENTS

- (1) Added to the Constitution at Annual General Meeting held 9 July 1994.
- (2) Rule amended at Annual General Meeting held 27 July 1996.
- (3) Rule amended at Special General Meeting held 26 September 2018.
- (4) Rule amended at Special General Meeting held 26 September 2018.