



# North Launceston Football Club Incorporated

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## Constitution

Amended 29<sup>th</sup> January 2010

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## 1. Name of Association

The name of the Association is as follows:

**North Launceston Football Club Incorporated (NLFC)**

## 2. Interpretation

In these rules –

"**Act**" means the Associations Incorporation Act 1964.

"**auditor**" means the person appointed as the auditor of NLFC under rule 9.

"**basic objects of NLFC**" means the objects and purposes of NLFC as stated in an application under section 7 of the Act for the incorporation of NLFC.

"**business days**" means days (excluding a Saturday, Sunday or public holiday in Launceston, Tasmania) on which trading banks are open for business in Launceston, Tasmania.

"**Committee of Management**" means a committee as defined by the Act.

"**general meeting**" includes –

- (a) the annual general meeting; and
- (b) any special general meeting;

"**GST**" means Goods and Services Tax

"**Life Member**" means a person who has been accorded the privileges of membership pursuant to rule 5(d).

**Northonian** – any person who has been a previous player, coach, or official of the North Launceston Football Club, and has paid membership in the current financial year (see rule 31) to be part of the Northonian group.

"**ordinary business of the annual general meeting**" means the business specified in rule 11(5).

"**Ordinary Committee of Management Member**" means a member of the committee to whom rule 23(1)(b) relates.

"**Public Officer**" means an officer of NLFC who undertakes duties as prescribed in the Act.

"**registered player**" means a person, who is duly signed and registered as a player during the current financial year, who represents the NLFC in any game that is authorised by the Committee of Management.

"**General Manager/Secretary**" shall be a person employed by the Committee of Management to oversee the day to day business operations of NLFC, and will be ex Officio on the Committee of Management.

### 3. NLFC's office

The office of NLFC is to be at the following place or any other place the Committee of Management determines:

York Park..Invermay Rd, Invermay, Tasmania, Australia, 7248

### 4. Objects and purposes of NLFC

The Objects of NLFC are the promotion of Australian Football and in addition to the basic object of NLFC the objects and purposes of NLFC shall be deemed to include:-

- (a) foster the development of sport (principally Australian Football) within the area which is deemed by the Committee of Management from time to time to be the responsibility of NLFC;
- (b) the purchase, taking on lease or in exchange, and the hiring or otherwise acquiring of any real or personal property necessary or convenient for any of the objects or purposes of NLFC;
- (c) the buying, selling and supplying of, and dealing in, goods of all kinds;
- (d) the construction, maintenance and alteration of buildings or works necessary or convenient for any of the objects or purposes of NLFC;
- (e) the accepting of any gift for any one or more of the objects or purposes of the NLFC;
- (f) the taking of any step the Committee of Management or the members in a general meeting consider expedient for the purpose of procuring contributions to the funds of NLFC;
- (g) the printing and publishing of any newspapers, periodicals, books, leaflets or other documents the Committee of Management or the members in a general meeting consider desirable for the promotion of the objects and purposes of NLFC;
- (h) the borrowing and raising of money in any manner and on terms –
- (i) the Committee of Management thinks fit; or
- (ii) 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 NLFC not immediately required for any of its objects or purposes in any manner the Committee of Management determines;
- (j) the making of gifts, subscriptions or donations to any of the funds, authorities or institutions to which section 78(1)(a) of the *Income Tax Assessment Act 1936* of the Commonwealth relates;
- (k) the establishment and support, or aiding in the establishment and support, of associations, institutions, funds, trusts, schemes and conveniences calculated to benefit servants or past servants of NLFC and their dependants, and the granting of pensions, allowances or other benefits to servants or past servants of NLFC and their dependants, and the making of payments towards insurance in relation to any of those purposes;
- (l) the establishment and support, or aiding in the establishment or support, of any other association formed for any of the basic objects of NLFC;
- (m) the purchase or acquisition, and undertaking, of all or any part of the property, assets, liabilities and engagements of any association with which NLFC is amalgamated in accordance with the provisions of the Act and the rules of the NLFC;
- (n) the doing of any lawful thing incidental or conducive to the attainment of the basic objects of the NLFC or of any of the objects and purposes specified in this rule.

## 5. Membership of NLFC

Membership of the NLFC will be divided into any categories that the Committee of Management deems necessary but will include the following categories as a minimum;

- a) **Ordinary member** – any person who undertakes nomination in accordance with sub-rules 5 (3), 5 (4), 5 (5), 5 (6) & 5 (9) (a). Ordinary members have full voting rights.
  - b) **Playing member** – any person who is a registered player and eligible to play for the senior teams for NLFC, and has completed nomination in accordance with sub-rules 5 (3), 5 (4), 5 (5), 5 (6) & 5 (9) (a). Playing members have full voting rights, however they cannot become an Officer of NLFC as per rule 22.
  - c) **Junior member** – any person who is age eligible to represent the NLFC in age restricted competitions and has completed nomination in accordance with sub-rules 5 (3), 5 (4), 5 (5), 5 (6) & 5 (9) (a). Junior members have no voting rights.
  - d) **Life member** - The Committee of Management shall have the power to appoint annually not more than two Life Members who shall thereupon be members of NLFC during their respective lifetimes and shall have and possess all of the rights and privileges of an ordinary member NLFC, but shall be relieved from the payment of any subscription. Further any player playing one hundred and fifty Senior Games with the NLFC shall be awarded Life Membership of NLFC.
  - e) **Northonians member** – a person who is a financial member of the Northonian group and who undertakes nomination in accordance with sub-rules 5 (3), 5 (4), 5 (5), 5 (6) & 5 (9) (a). Northonians members have full voting rights.
- (1) A person who is nominated and approved for membership as provided in these rules is eligible to be a member of NLFC on payment of the annual subscription in the financial year that they subscribe as fixed under these rules.
  - (2) A person who is not a member of NLFC at the time of the incorporation of NLFC is not to be admitted to membership –
    - (a) unless the person is nominated in accordance with sub-rule (3); and
    - (b) the admission as a member is approved by the Committee of Management.
  - (3) A nomination of a person for membership of NLFC is to be –
    - (a) made in writing and signed by two members of NLFC; and
    - (b) accompanied by the written consent of the person nominated; and
    - (c) lodged with the Public Officer (or delegate) of NLFC .
  - (4) The nominated person’s written consent may be endorsed on the nomination.
  - (5) As soon as practicable after the receipt of a nomination, the Public Officer (or delegate) is to refer the nomination to the Committee of Management.
  - (6) On a nomination being approved by the Committee of Management, the Public Officer (or delegate) –
    - (a) is to notify the nominee, in writing, that he or she has been approved for membership of NLFC; and
    - (b) upon receipt of the sum payable as the first year's subscription, is to enter the nominee's name in a register of members.
  - (7) A member of NLFC may resign from NLFC by delivering or sending by post to the Public Officer (or delegate) a written notice of resignation.
  - (8) On receipt of a notice from a member under sub-rule (7), the Public Officer (or delegate) is to remove the name of the member from the register of members.

- (9) A person –
- (a) becomes a member of NLFC when his or her name is entered in the register of members; and
  - (b) ceases to be a member of NLFC when his or her name is removed from the register of members.
- (10) Any right, privilege or obligation of a person as a member of NLFC –
- (a) is not capable of being transferred or transmitted to another person; and
  - (b) terminates on the cessation of the membership.
- (11) If NLFC is wound up –
- (a) every member of NLFC; and
  - (b) every person who, within the period of twelve months immediately preceding the commencement of the winding up, was a member of NLFC –
- is liable to contribute –
- (c) to the assets of NLFC for payment of the debts or liabilities of NLFC; and
  - (d) for the costs, charges and expenses of the winding up; and
  - (e) for the adjustment of the rights of the contributories among themselves.
- (12) Any liability under sub-rule (11) is not to exceed five dollars .
- (13) A former member is not liable to contribute under sub-rule (11) in respect of any debt or liability of NLFC contracted after he or she ceased to be a member.

## 6. Income and property of NLFC

- (1) The income and property of NLFC is to be applied solely towards the promotion of the objects and purposes of NLFC.
- (2) No portion of the income and property of NLFC is to be paid or transferred to any member of NLFC.
- (3) NLFC shall not –
- (a) appoint a person who is a member of the Committee of Management to any office in the gift of NLFC to the holder of which there is payable any remuneration by way of salary, fees or allowances; or
  - (b) pay to any such person any remuneration or other benefit in money or money's worth, other than the repayment of out-of-pocket expenses, except as outlined in sub-rule 6.4
- (4) A servant or member of NLFC may be paid –
- (a) remuneration in return for services rendered to NLFC or for goods supplied to NLFC in the ordinary course of business; or
  - (b) interest at a rate not exceeding zero point two five percent above the ninety day bank bill rate of that day on money lent to NLFC; or
  - (c) a reasonable and proper sum by way of rent for premises let to NLFC.

## **7. Accounts of receipts and expenditure**

- (1)** True accounts are to be kept of –
  - (a)** all money received and expended by NLFC and the matter in respect of which the receipt or expenditure takes place; and
  - (b)** the property, credits and liabilities of NLFC.
- (2)** The accounts are to be open to inspection by the members of NLFC subject to any reasonable restrictions as to time and manner of inspecting NLFC may impose.
- (3)** The Treasurer of NLFC is to keep all general records (including minutes of any meetings associated with NLFC finances), accounting books and records of receipts and expenditure connected with the operations and business of NLFC in the form and manner the Committee of Management directs.
- (4)** The accounts, books and records are to be kept at NLFC's office or at any other place the Committee of Management decides.

## **8. Banking and finance**

- (1)** The Treasurer (or delegate) of NLFC, on behalf of NLFC, is to –
  - (a)** receive all money paid to NLFC; and
  - (b)** immediately after the receipt issue official receipts.
- (2)** The Committee of Management is to cause to be opened with any bank, building society or credit union the Committee of Management selects an account in the name of NLFC into which all money received is to be paid as soon as possible after receipt.
- (3)** The Committee of Management may –
  - (a)** receive from NLFC's financial institution(s) the cheques drawn by NLFC on any of its accounts with the financial institution;
  - (b)** release and indemnify the financial institution from and against all claims, actions, suits or demands that may be brought against the financial institution arising directly or indirectly out of those cheques; and
- (4)** Except with the authority of the Committee of Management, a payment of any sum exceeding two hundred and fifty dollars is not to be made from the funds of NLFC otherwise than by cheque or electronic funds transfer drawn on NLFC's account.
- (5)** The Committee of Management may provide the Treasurer with a sum to meet urgent expenditure, subject to any conditions in relation to the use and expenditure the Committee of Management may impose.
- (6)** Cheques are not to be drawn on NLFC's account except for the payment of expenditure that has been authorised by the Committee of Management.
- (7)** All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments are to be –
  - (a)** signed by the Treasurer or, in his or her absence, by any other member or members of the Committee of Management the Committee of Management nominates for that purpose; and
  - (b)** countersigned by the Public Officer or, in his or her absence, by any other Officer of NLFC as outlined in rule 22.

## 9. Auditor

- (1) At each annual general meeting of NLFC, the members present are to appoint a person as the auditor of NLFC.
- (2) The auditor is to hold office until the annual general meeting next after that at which he or she is appointed, and is eligible for re-appointment.
- (3) The first auditor may be appointed by the Committee of Management before the first annual general meeting, and, holds office until the first annual general meeting, unless earlier removed by a resolution of the members at a general meeting, when that meeting may appoint an auditor to act until the first annual general meeting.
- (4) If an appointment is not made at an annual general meeting, the Committee of Management is to appoint an auditor for the current financial year of NLFC.
- (5) Except as provided in sub-rule (3), the auditor may only be removed from office by special resolution.
- (6) If a casual vacancy occurs in the office of auditor during the course of a financial year of NLFC, the Committee of Management may appoint a person as the auditor to hold office until the next succeeding annual general meeting.

## 10. Audit of accounts

- (1) The auditor is to examine the accounts of NLFC at least once in each financial year of NLFC.
- (2) The auditor is to –
  - (a) certify as to the correctness of the accounts of NLFC; and
  - (b) report to the members present at the annual general meeting.
- (3) In the report and in certifying to the accounts, the auditor is to state if –
  - (a) he or she has obtained the required information; and
  - (b) in his or her opinion, the accounts are properly drawn up so as to exhibit a true and correct view of the financial position of NLFC –
    - (i) according to the information at his or her disposal and the explanations given; and
    - (ii) as shown by the books of NLFC; and
  - (c) the rules relating to the administration of the funds of NLFC have been observed.
- (4) The Public Officer (or delegate) of NLFC is to cause to be delivered to the auditor a list of all the accounts, books and records of NLFC.
- (5) The auditor may –
  - (a) have access to the accounts, books, records, vouchers and documents of NLFC ; and
  - (b) require from the servants of the NLFC any information and explanations he or she considers necessary for the performance of the duties as auditor; and
  - (c) employ persons to assist in investigating the accounts of the NLFC; and
  - (d) in relation to the accounts of NLFC, examine any member of the Committee of Management or any servant of NLFC.

## **11. Annual general meeting**

- (1) NLFC is to hold an annual general meeting each year.
- (2) The annual general meeting is to be held on any day (being not later than three calendar months after the close of the financial year of NLFC) the Committee of Management determines.
- (3) The annual general meeting is to be in addition to any other general meetings that may be held in the same year.
- (4) The notice convening the annual general meeting is to specify the purpose of the meeting.
- (5) The ordinary business of the annual general meeting is to be as follows:
  - (a) to confirm the minutes of the last preceding annual general meeting and of any general meeting held since that meeting;
  - (b) to receive from the Committee of Management, auditor and servants of NLFC reports on the transactions of NLFC during the last preceding financial year;
  - (c) to elect the President of NLFC and the Ordinary Committee of Management Members;
  - (d) to appoint the auditor and determine his or her remuneration;
- (6) The annual general meeting may transact special business of which notice is given in accordance with these rules.
- (7) The annual general meeting is to be chaired by the Patron or in the event of his or her unavailability an independent person as authorised by the Committee of Management.

## **12. Special general meetings**

- (1) The Committee of Management may convene a special general meeting of NLFC at any time.
- (2) The Committee of Management, on the requisition in writing of at least twelve members, may convene a special general meeting of NLFC.
- (3) A requisition for a special general meeting –
  - (a) is to state the objects of the meeting; and
  - (b) is to be signed by the requisitionists; and
  - (c) is to be deposited at the office of NLFC; and
  - (d) may consist of several documents, each signed by one or more of the requisitionists.
- (4) If the Committee of Management does not cause a special general meeting to be held within twenty one days from the day on which a requisition is deposited at the office of NLFC, the requisitionists, or any of them, may convene the meeting within three calendar months from the day of the deposit of the requisition.
- (5) A special general meeting convened by requisitionists is to be convened in the same manner as nearly as possible as meetings are convened by the Committee of Management.
- (6) All reasonable expenses incurred by requisitionists in convening a special general meeting are to be refunded by NLFC.
- (7) All Constitution changes considered at a special general meeting are to be decided by a seventy five percent majority.

### **13. Notices of general meetings**

The Public Officer (or delegate) of NLFC, at least fourteen days before the date fixed for holding a general meeting of NLFC, is to cause to be inserted in at least one newspaper published in Tasmania an advertisement –

- (a) specifying the place, day and time for the holding of the meeting; and
- (b) the nature of the business to be transacted at the meeting.

### **14. Business and quorum at general meetings**

- (1) All business transacted at a general meeting, except the ordinary business of the annual general meeting, is special business.
- (2) Business is not to be transacted at a general meeting unless a quorum of members entitled to vote is present at the time the meeting is considering that business.
- (3) A quorum for the transaction of the business of a general meeting is fifteen members present and entitled to vote.
- (4) If a quorum is not present one hour after the appointed time for the commencement of a general meeting, the meeting –
  - (a) if convened on the requisition of members, is to be dissolved; or
  - (b) in any other case, is to be adjourned to the same day in the next week at the same time at the same place.
- (5) If at an adjourned meeting a quorum is not present one hour after the time appointed for the commencement of the meeting, the meeting is to be dissolved.
- (6) The Chairperson, by written notice or at the time of the adjournment, may specify another place to which a meeting is to be adjourned.

### **15. President to preside at general meetings**

- (1) The President, or in his or her absence, the Senior Vice-President, or in the absence of both the President and the Senior Vice-President, the other Vice-President, is to preside as Chairperson at every general meeting of NLFC, with the exception of the annual general meeting as outlined in rule 11.7.
- (2) If the President and both Vice-Presidents are absent from a general meeting, the members present are to elect one of their number to preside as Chairperson.

### **16. Adjournment of general meetings**

- (1) The Chairperson 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 is to be transacted at an adjourned meeting other than the business left unfinished at the meeting at which the adjournment took place.
- (2) If a meeting is adjourned for fourteen days or more, the notice of the adjourned meeting is to be given in the same manner as the notice of the original meeting.
- (3) It is not necessary to give any notice of an adjournment or of the business to be transacted at an adjourned meeting.

## **17. Determination of questions arising at general meetings**

- (1) A question arising at a general meeting of NLFC is to be determined on a show of hands.
- (2) Unless before or on the declaration of the result of the show of hands a poll is demanded, a declaration by the Chairperson that a resolution has, on 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 NLFC is evidence of the fact, without proof of the number or proportion of the votes recorded in favour of, or against, that resolution.

## **18. Votes**

- (1) On any question arising at a general meeting of NLFC, a member has one vote only.
- (2) Proxy votes can be submitted in the appropriate format as agreed by the Committee of Management
- (3) In the case of an equality of voting on a question, the Chairperson has a deliberative and casting vote.

## **19. Taking of poll**

If at a meeting a poll on any question is demanded –

- (a) it is to be taken at that meeting in the manner the Chairperson directs; and
- (b) the result of the poll is taken to be the resolution of the meeting on that question.

## **20. When poll to be taken**

- (1) A poll that is demanded on the election of a Chairperson, or on a question of adjournment, is to be taken immediately.
- (2) A poll that is demanded on any other question is to be taken at any time before the close of the meeting as the Chairperson directs.

## **21. Affairs of NLFC to be managed by a Committee of Management**

- (1) The affairs of NLFC are to be managed by a Committee of Management constituted as provided in rule 23.
- (2) The Committee of Management –
  - (a) is to control and manage the business and affairs of NLFC;
  - (b) may exercise all the powers and perform all the functions of NLFC, other than those powers and functions that are required by these rules to be exercised by general meetings of members of NLFC;
  - (c) has power to do anything that appears to the Committee of Management to be essential for the proper management of the business and affairs of NLFC;
  - (d) shall select the Captain(s) and Vice Captain(s) of each of the teams of NLFC;
  - (e) shall before the commencement of each football season as laid down by the Australian Football League (Tasmania) (AFL Tas) or such other football association with whom NLFC may from time to

time affiliate nominate up to three people to form with the Coach and Captain(s) of the senior team a selection committee for the purpose of selecting NLFC teams to represent NLFC at football matches. One of the Committee of Management's nominees on such selection committee shall be elected as the Chairperson thereof and he or she shall have and possess a deliberate and casting vote.

The Selection Committee shall have the right to co-opt the Reserves and Under 18's Coaches to assist it in the selection of NLFC teams. The Committee of Management's nominees may, but need not, include a Committee of Management Member;

- (f) shall from time to time select the Coaches of NLFC teams and employ them for such period and upon and subject to such terms and conditions as it shall in its absolute discretion deem fit;.
- (g) shall appoint a Patron of NLFC; and
- (h) in the event of any dispute arising as to the interpretation of these rules then the decision of the Committee of Management shall be absolute final and binding.

## 22. Officers of NLFC

- (1) The Officers of NLFC are as follows:
  - (a) a President;
  - (b) two Vice-Presidents; Senior and Deputy Vice-President;
  - (c) a Treasurer; and
  - (d) Public Officer.

Officers of NLFC, with the exception of the President and the Treasurer can carry dual roles however the Officer has one deliberative vote only.

- (2) The provisions of rule 24(2), (3) and (4), so far as they are applicable and with the necessary modifications, apply in relation to the election of the President.
- (3)
  - (a) That a Committee of Management be elected at the annual general meeting.
  - (b) The Committee of Management shall consist of the Officers of NLFC and a minimum of three and a maximum of nine Ordinary Committee of Management Members. That not more than fifty percent of the Committee of Management positions be vacated in any one year. The President at the adoption of this Constitution shall determine which Committee of Management members will have an initial position on the Committee of Management for twelve months. In the event of the Committee of Management having an odd number of members the Committee of Management has the right to vary the fifty percent rule to ensure in the second year those not elected in the previous year are then due for election.
  - (c) Two Vice-Presidents, the Public Officer and Treasurer shall be elected by the Committee of Management. Remaining portfolios are to be allocated by the President, where deemed appropriate.
- (4) If a casual vacancy occurs in the position of President the Committee of Management may appoint a member of the Committee of Management to the vacant office, to hold the office up to and including the conclusion of the annual general meeting next following the date of the appointment.

## **23. Constitution of the Committee of Management**

- (1)** The Committee of Management consists of the following members elected at the annual general meeting of NLFC in each year:
  - (a)** the Officers of NLFC;
  - (b)** a minimum of three and a maximum of nine Ordinary Committee of Management Members.
- (2)** Each Ordinary Committee of Management Member shall subject to these rules, hold office for two years. Fifty percent (or as outlined in rule 22(3)(b) above) of the Committee of Management shall be elected alternatively at each annual general meeting of the NLFC and all are eligible for re-election.
- (3)** If a casual vacancy occurs in the office of Ordinary Committee of Management Member, the Committee of Management may appoint a member of NLFC to fill the vacancy until the conclusion of the annual general meeting next following the date of the appointment.

## **24. Election of members of Committee of Management**

- (1)** Nominations of candidates for election as President of NLFC or as Ordinary Committee of Management Members are to be –
  - (a)** made in writing signed by two members of NLFC and accompanied by the written consent of the candidate (which may be endorsed on the nomination); and
  - (b)** delivered to the Public Officer (or delegate) of NLFC at least ten business days before the date fixed for the holding of the annual general meeting.
- (2)** If insufficient nominations are received to fill all vacancies on the Committee of Management –
  - (a)** the candidates nominated are taken to be elected; and
  - (b)** further nominations are to be received at the annual general meeting. If at the completion of the annual general meeting there are still vacancies on the Committee of Management, then;
  - (c)** the Committee of Management can nominate members of NLFC to fill the vacant position.
- (3)** If the number of nominations received is equal to the number of vacancies to be filled, the persons nominated are taken to be elected.
- (4)** If the number of nominations exceeds the number of vacancies to be filled, a ballot is to be held.
- (5)** The ballot for the election of President and Ordinary Committee of Management Members is to be conducted at the annual general meeting in the usual manner as directed by the Committee of Management.

## **25. Vacation of office**

For the purpose of these rules, the office of an Officer of NLFC or of an Ordinary Committee of Management Member becomes vacant if the Officer or Ordinary Committee of Management Member –

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

- (c) becomes of unsound mind; or
- (d) resigns office in writing addressed to the Committee of Management; or
- (e) ceases to be resident in Tasmania; or
- (f) fails, without leave granted by the Committee of management, to attend three consecutive meetings of the Committee of Management; or
- (g) ceases to be a member of NLFC; or
- (h) fails to pay all arrears of subscription due, within fourteen days after receiving a notice in writing signed by the Public Officer stating that he or she has ceased to be a financial member of NLFC.

## **26. Meetings of the Committee of Management and of sub-committees**

- (1) The Committee of Management is to meet at least once in each month at any place and time the Committee of Management determines.
- (2) Special meetings of the Committee of Management may be convened by the president or any four of its members.
- (3) Notice is to be given to members of the Committee of Management of any special meeting, specifying the general nature of the business to be transacted, and no other business is to be transacted at such a meeting.
- (4) Any six members of the Committee of Management constitute a quorum for the transaction of the business of a meeting of the Committee of Management.
- (5) Business is not to be transacted unless a quorum is present.
- (6) If half an hour after the time appointed for the meeting a quorum is not present, the meeting is to be adjourned to the same place and at the same hour of the same day in the following week unless the meeting was a special meeting in which case it is to be dissolved.
- (7) At a meeting of the Committee of Management, the following is to preside:
  - (a) the President, or in his or her absence the Senior Vice-President, or in the absence of both the President and the Senior Vice-President, the Deputy Vice-President;
  - (b) if the President and the Vice-Presidents are absent, any one of the remaining members of the Committee of Management as may be chosen by the members present.
- (8) Any question arising at a meeting of the Committee of Management or of any sub-committee appointed by the Committee of Management is to be determined –
  - (a) on a show of hands; or
  - (b) if demanded by a member, by a poll taken in any manner the person presiding at the meeting determines.
- (9) Each member present at a meeting of the Committee of Management or of any sub-committee appointed by the Committee of Management (including the person presiding at the meeting) is entitled to one vote.
- (10) If there is an equality of votes on any question, the person presiding has a second or casting vote.
- (11) Written notice of each Committee of Management meeting is to be served on each member of the Committee of Management –
  - (a) delivering it at a reasonable time before the meeting; or

- (b) sending it by post in a prepaid envelope addressed to his or her usual or last-known address in time to reach him or her in due course of post before the date of the meeting; or
- (c) email with acknowledgement; or.
- (d) any other means as agreed by the Committee of Management.

## **27. Disclosure of interest in contracts**

- (1) A member of the Committee of Management who is interested in any contract or arrangement made or proposed to be made with NLFC is to disclose the interest –
  - (a) at the first meeting of the Committee of Management at which the contract or arrangement is first taken into consideration, if the interest then exists; or
  - (b) in any other case, at the first meeting of the Committee of Management after the acquisition of the interest.
- (2) If a member of the Committee of Management becomes interested in a contract or arrangement after it is made or entered into, he or she is to disclose the interest at the first meeting of the Committee of Management after he or she becomes so interested.
- (3) A member of the Committee of Management is not to vote as a member of the Committee of Management in respect of any contract or arrangement in which he or she is interested and any such vote is not to be counted.

## **28. Sub-committees**

- (1) The Committee of Management may –
  - (a) appoint a sub-committee from the Committee of Management; and
  - (b) prescribe the powers and functions of that sub-committee.
- (2) The Committee of Management may co-opt any person as a member of a sub-committee without voting rights, whether or not the person is a member of NLFC.
- (3) A quorum at a meeting of the sub-committee is three appointed members.
- (4) The Public Officer (or delegate) of NLFC is to convene meetings of a sub-committee.
- (5) Written notice of each sub-committee meeting is to be served on each member of the sub-committee by –
  - (a) delivering it at a reasonable time before the meeting; or
  - (b) by sending it by post in a prepaid envelope addressed to his or her usual or last-known address in time to reach him or her in due course of post before the date of the meeting; or
  - (c) email with acknowledgement; or
- (d) any other means as agreed by the Committee of Management.

## 29. Executive Committee

- (1) The President, Vice-Presidents, Treasurer, and Public Officer, constitute the Executive Committee.
- (2) The Executive Committee may issue instructions to the Public Officer and the servants of NLFC in matters of urgency connected with the management of the affairs of NLFC during the period between Committee of Management meetings.
- (3) The Executive Committee is to report on any instructions issued under sub-rule (2) to the next meeting of the Committee of Management.

## 30. Annual subscription

- (1) The annual subscription payable by members is to be determined by the Committee of Management prior to the end of the October in the preceding financial year.
- (2) Any members paying their annual subscription (or being advised of their subscription due) prior to the certification of the revised constitution will not be expected to alter their subscription until the commencement of the 2011 financial year.
- (3) The annual subscription of a member is due and payable on or before the first day of the financial year of NLFC.

## 31. Financial year

The financial year of NLFC is the period beginning on 1 November in one year and ending on the 31 October the next following year.

## 32. Notices

A notice may be served by or on behalf of NLFC on any member –

- (a) personally; or
- (b) by sending it through the post in a prepaid envelope addressed to the member at his or her usual or last-known address; or
- (c) email with acknowledgement; or
- (d) any other means as agreed by the Committee of Management.

## 33. Expulsion of members

- (1) The Committee of Management may expel a member from NLFC if, in the opinion of the Committee of Management, the member is guilty of conduct detrimental to the interests of NLFC.
- (2) The expulsion of a member under sub-rule (1) does not take effect until whichever of the following is the later date:
  - (a) the expiration of fourteen days after the service on the member of a notice under sub-rule (3);

- (b) if the member exercises his right of appeal under this rule, the conclusion of the special general meeting convened to hear the appeal.
- (3) If the Committee of Management expels a member from NLFC, the Public Officer (or delegate) of NLFC is to cause to be served on the member a notice in writing –
  - (a) stating that the Committee of Management has expelled the member; and
  - (b) specifying the grounds for the expulsion; and
  - (c) informing the member of a right to appeal against the expulsion under rule 34.

## 34. Appeal against expulsion

- (1) A member may appeal against an expulsion under rule 33 by delivering or sending by post to the Public Officer (or delegate) of NLFC, within fourteen days after the service of a notice under rule 33(3), a requisition in writing demanding the convening of a special general meeting for the purpose of hearing the appeal.
- (2) On receipt of a requisition –
  - (a) the Public Officer (or delegate) is to immediately notify the Committee of Management of its receipt; and
  - (b) the Committee of Management is to cause a special general meeting of members to be held within fifteen business days after the date on which the requisition is received.
- (3) At a special general meeting convened for the purpose of this rule –
  - (a) no business other than the question of the expulsion is to be transacted; and
  - (b) the Committee of Management may place before the meeting details of the grounds of the expulsion and the Committee of Management reasons for the expulsion; and
  - (c) the expelled member is to be given an opportunity to be heard; and
  - (d) the members present are to vote by secret ballot on the question whether the expulsion should be lifted or confirmed.
- (4) If at the special general meeting a majority of the members present vote in favour of the lifting of the expulsion –
  - (a) the expulsion is to be taken to have been lifted; and
  - (b) the expelled member is entitled to continue as a member of NLFC.
- (5) If at the special general meeting a majority of the members present vote in favour of the confirmation of the expulsion –
  - (a) the expulsion takes effect; and
  - (b) the expelled member ceases to be a member of NLFC.

## 35. Disputes

- (1) A dispute between a member of NLFC in the capacity as a member and NLFC is to be determined by an appointed arbiter. The appointed arbiter is to be a person agreed by both parties, but could include (but not limited to) the Patron, or a nominee from the AFL Tasmania.
- (2) This rule does not affect the operation of rule 34.

## 36. Seal of NLFC

- (1) The seal of NLFC is to be in the form of a rubber stamp, inscribed with the name of NLFC encircling the word "Seal".
- (2) The seal of NLFC is not to be affixed to any instrument except by the authority of the Committee of Management.
- (3) The affixing of the seal is to be attested by the signatures of –
  - (a) two members of the Committee of Management; or
  - (b) one member of the Committee of Management and the Public Officer of NLFC or any other person the Committee of Management may appoint for that purpose.
- (4) Attestation under sub-rule (3) is sufficient for all purposes that the seal was affixed by authority of the committee.
- (5) The seal is to remain in the custody of the Public Officer, and stored at a place as agreed by the Committee of Management.
- (6) NLFC shall keep a seal register and must enter in the register particulars of any document on which the seal is fixed giving in each case:
  - (a) the date of the document,
  - (b) the names of the parties to the document,
  - (c) a short description of the document; and
  - (d) the names of the persons signing the document under sub-rule 3.
- (7) The register must be produced at Committee of Management meetings for confirmation of the use of the seal since confirmation was last given under this sub-rule (6).

## 37. NLFC Uniform

Uniforms of NLFC shall consist of red and black guernsey or a colour combination that is deemed appropriate as an alternate strip where such a strip is deemed necessary by the Committee of Management and such colour shorts as shall from time to time be determined by the Committee of Management. All players shall wear such uniforms or such other uniforms as the Committee of Management shall from time to time determine when representing NLFC in the game of Australian Football.

## 38. Discipline

- (1) Any acts of disobedience, bad language or conduct of any player which may lower dignity of NLFC or be prejudicial to the interest of the sport of Australian Football shall be reported to the Committee of Management. The Committee of Management shall deal with such reports or such other reports as it receives in accordance with these rules.
- (2) Any playing member who refuses to attend any Committee of Management meetings to which he shall be summoned shall be dealt with as the Committee of Management may think fit.
- (3) The Committee of Management shall have power to (but not restricted to) fine and/or discipline any playing member of any sum of money not exceeding two hundred dollars or the amount of two match payments whichever is the greater for any breach of these rules or for any offence created by the same or for any act matter or thing which the Committee of Management shall in its absolute and uncontrolled discretion determine to be opposed and contrary to the interests of NLFC.

The Committee of Management shall give written notice to any member proposed to be dealt with under this rule to his last known place address and such member shall be at liberty to attend the meeting of the Committee of Management and to give evidence or call evidence on his behalf and to cross examine witnesses. The determination of the Committee of Management shall be final except for any right of appeal (if any) to the Tasmanian State League or such association with which the NLFC may then be affiliated.

- (4) The Captain(s) and/or Coach(es) will have control of the team whilst on the field and shall decide all disputes which may arise in the playing field. Any player disobeying the orders of the Captain(s) and/or Coach(es) on the field or in the training room or using abusive language or otherwise misconducting himself whether on the playing field or in the training room shall be dealt with as the Committee of Management may determine. The Captain(s) and/or Coach(es) must notify the President, or in his absence the General Manager/Secretary immediately the match is concluded on any act of disobedience, abusive or bad language or conduct of any player on the field or in the training room calculated to lower the dignity of NLFC. In the absence of the Captain(s) and/or Coach(es) the powers conferred upon him(them) by this rule shall be delegated to the Vice Captain(s) who shall act in accordance with this rule.

### **39. Affiliation**

NLFC shall be bound by the code rules of the association with which it shall from time to time affiliate.

### **40. NLFC teams**

All players of NLFC shall train and play with such of the NLFC teams as the Selection Committee shall from time to time determine and in the event of any player failing to comply with this rule he shall be dealt with in such manner as the Committee of Management shall deem fit.

### **41. Clearance**

Any NLFC player who applies to the Committee of Management for a clearance to enable him to play with any other club or association shall if required by notice in writing signed by the General Manager/Secretary appear in person before the Committee of Management at such time and place as shall be specified in such notice and shall give to the Committee of Management such information and assistance as it requires.

### **42. Honorary temporary members**

No person shall be allowed to become an honorary or temporary member of NLFC, or be relieved of the payment of the regular subscription unless he possesses certain qualifications defined in these rules and complies with the conditions herein or is a financial or playing member of the visiting club on that day.

### **43. Management of Licensed Club and Control of Alcohol**

The Sale of liquor in the licensed clubrooms shall be conducted in accordance with the Liquor Licensing Act of 1990

### **44. By-Laws**

The Committee of Management shall have the power to make such by-laws as it may from time to time deem necessary for the purposes for carrying out the objects of NLFC and the Committee of Management may from time to time vary and rescind such by-laws. A bound copy of these By-Laws shall be maintained by the General Manager/Secretary in NLFC's Office.