
MANDURAH CITY F.C. CONSTITUTION RULES



MAY 7, 2020
REV7

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Form 5



Certificate of Incorporation

Associations Incorporation Act, 1895-1969
Section 3 (3)

These are to Certify that

MANDURAH SOCCER CLUB

has this day been incorporated as an Association under the provisions of
the Associations Incorporation Act, 1895-1969.

Dated this twentyseventh day of March, 1979



Deputy  COMMISSIONER FOR CORPORATE
AFFAIRS.



Government of **Western Australia**
Department of **Commerce**

WESTERN AUSTRALIA

Associations Incorporation Act 1987
(Section 18(6))

Registered No: A0790016Y

**Certificate of Incorporation
on Change of Name**

This is to certify that

MANDURAH CITY SOCCER CLUB INCORPORATED

which was on the twenty-seventh day of March 1979
incorporated under the *Associations Incorporation Act 1987*
changed its name on the fourth day of August 2009 to:

MANDURAH CITY F.C. (INC)

Dated this fourth day of August 2009

A handwritten signature in black ink, appearing to read 'G. Hill'.

Commissioner for Consumer Protection

CERTIFICATE

PART 1 — PRELIMINARY

1. Terms used

In reading this Constitution, unless the context or otherwise indicates or requires:

“The Club” means the Mandurah City F.C. (Inc.) as the incorporated association to which these rules apply

“The Club Premises” means all the land, building and structures thereon of which the Club is the bona fide occupier.

“Annual Meeting” means the Annual General Meeting.

“The Act” means the Associations Incorporation Act 2015, its amendments and any other legislation that may come into force to replace or supplement this Act and shall form part of these Rules.

The **“season”** means the playing period of each year as defined by the affiliated governing bodies

President means the Committee member holding office as the chairperson of the Association

Commissioner means the person for the time being designated as the Commissioner under section 153 of the Act

Executive Committee means the Executive bearers of the Committee consisting of President, Vice President, Secretary and Treasurer

Committee means the management committee of the Club, duly elected for the time being in accordance with these Rules

Committee meeting means a meeting of the elected committee members

Committee member means an individual club member, elected or appointed to the committee

Financial records include the following —

- a) invoices, receipts, orders for the payment of money, bills of exchange, cheques, promissory notes and vouchers; and
- b) documents of prime entry; and
- c) working papers and other documents needed to explain —
 - (i) the methods by which financial statements are prepared; and
 - (ii) adjustments to be made in preparing financial statement

Financial report, of a tier 2 association or a tier 3 association, has the meaning given in section 63 of the Act

Financial statements mean the financial statements in relation to the Association required under Part 5 Division 3 of the Act

General meeting, of the Club, means a meeting of the Club that all members are entitled to receive notice of and to attend

Member means a person who is an ordinary member or an associate member of the Club

Register of members means the register of members retained by The Club as defined in Part 5 S12.8 d) of these rules

Rules means these rules of the Club, known as The Constitution, as in force for the time being

Secretary means the Executive committee member holding office as the secretary of the Association

Special general meeting means a general meeting of the Association other than the annual general meeting

Special resolution means a resolution passed by the members at a general meeting

Treasurer means the Executive committee member holding office as the treasurer of the Association.

Words importing the masculine gender shall include the feminine gender and words importing the singular shall include the plural.

2. Financial year

Each financial year of the Club is the period of 12 months commencing at the 1st November.

3. Objectives

3.1 The principal object is to establish, maintain, and conduct a club devoted to the promotion and encouragement of the playing of football.

The ancillary object is to provide social, sporting, health, cultural and community pursuits for the benefit and enjoyment of the members of the club and the Community.

To maintain a Club Licence under the current Liquor Licensing Act and its amendments.

To provide and maintain a clubhouse and sporting amenities for the use of members.

The property and income of the club shall be applied solely towards the promotion of the objects of the club and no part of that property or income may be paid or otherwise distributed, directly or in directly to members, except in good faith in the promotion of those objects.

4. Powers

4.1 The Club shall have the following powers:

- a) to purchase, take lease or in exchange, hire or otherwise acquire any real or personal property or any rights or privileges which the Club may think necessary or convenient,

- b) to sell, exchange, lease, mortgage, hire, dispose of or turn to account or otherwise deal with all or any part of the real and personal property of the Club, to borrow or raise and secure payments of money in such manner that the Club thinks fit,
- c) to apply for and receive grants, loans or other monies from public or private sources, to invest any monies not immediately required upon such securities as may be determined, to draw, make, accept, endorse and issue negotiable securities or instruments of whatever kind or nature,
- d) to appoint, employ and pay necessary staff officers or servants,
- e) to become affiliated with or subscribe to and be represented upon any other Association or Body whose objects are similar to those of the Club and to withdraw from any such Association or Body,
- f) to take and defend all legal proceedings by or on behalf of the Club,
- g) to do all things incidental to or conducive to the attainment of its Objects.

PART 2 — ASSOCIATION TO BE NOT FOR PROFIT BODY

5. Not-for-profit body

- 5.1 The Club will be managed as a not for profit body

PART 3 — MEMBERS

6. Eligibility for membership

- 6.1 Membership of The Club shall consist of the following:
 - a) **Ordinary Member** – Persons over 18 years of age who are interested in the Primary Objects and have paid the applicable membership fee. This includes senior players, coaches and managers.
 - b) **Life Member** – the Members may elect Persons who have rendered meritorious service to The Club as Life Members for such service.
 - c) **Social Member** – Persons over 18 years of age who are interested in the Primary or Ancillary Objects of the Club and have paid the applicable membership fee.
 - d) **Junior Member** - Persons under the age of 18 years may make application to the club as a Junior Member. Persons granted this category of membership, will require a sporting affiliation, but shall have no voice in the management of the club and shall not be entitled to hold any office or vote at any meeting of the club, however junior membership fees when fully paid include entitlement to one family membership for immediate family. This category of member will not have the authority to sign in guests to the club. Any Junior Member on attaining the age of 18 years, wishing to remain a member of the club, shall be granted the appropriate club membership and shall pay the full subscription as set down from time to time.

- e) **Temporary Member** – A person who is on any day visiting the club as a member or an official of, or a person assisting a team that is to contest a pre-arranged event in that sport on that day; or at the invitation of a member to engage in that sport on that day; may be taken to be a person who is afforded temporary membership on that day.
- f) **Honorary Member** – Membership that may be granted to Club Patrons, Sponsors, Selected Government Officers and any other such persons as the committee may decide from time to time.
- g) **Family membership** – up to two adults & 2 children, season ticket holders and participation in the ancillary objects of the club.

6.2 Ordinary Members and Life Members shall be allowed to vote. Family membership shall include 1 vote to be executed by an adult of that membership.

7. Applying for membership

7.1 Ordinary Membership – Ordinary members are nominated through the application to participate in the primary object of the club through the registration and acceptance process of the affiliated footballing bodies or the organisation of same.

7.2 Social Membership/Family Membership- Any person desiring to become such a member of The Club shall sign an application form provided and submit to the Secretary. When the Secretary receives the application form, it shall then be presented to the Committee for consideration. The applicant will then be accepted or denied membership.

7.3

- a) Existing members at the time of adoption of this constitution shall be deemed to be Ordinary or Social Members for the purposes of this Paragraph. Football Players will be Ordinary Members.
- b) No person shall be entitled to exercise any of the privileges of a member until they have paid all subscriptions due by them.
- c) The Committee shall have the right to refuse to admit any person to membership without assigning any reason for doing so.
- d) On the election of each person, the Secretary shall notify the same to them, and they shall on payment of their subscription be enrolled as a Member of The Club, and become entitled to the privileges and be bound by its rules and by all consequences resulting from breach or non-performance thereof, and shall thereby absolve every person concerned in carrying out enforcing such rules from all personal responsibility or legal liability on such account.
- e) Life Member – A member may propose another member for Life Membership to the Committee in writing giving reasons that Life Membership should be granted. A General Meeting may, upon a 50% plus 1, majority vote, confer Life Membership on a member who has rendered special and outstanding services to The Club. The holder of a Life Membership shall be entitled to all privileges of an ordinary member, be exempt from subscriptions but shall pay any levies and capitation fees. There shall be a limit of not more than two Life Memberships granted per year.

8. Member's rights

8.1 The rights and privileges of every member shall be personal and shall not be in any manner transferable by their own act or through any other person on their behalf or by operation of law, and on any member ceasing (by death or otherwise) to be a member

- a) The Committee or approved bar staff may suspend the membership of any member at any time without notice. The approved Bar Staff is to inform the Committee at the earliest opportunity of any such suspension. Details are to be noted in an incident log to be retained behind the Bar.
- b) Honorary, Junior or Temporary Members shall not be entitled to vote at any meeting of the members of The Club, nor have any right, title or interest in or to any of the property of The Club.
- c) Employees and Volunteers—Members who are employees or Volunteers of the club are entitled to all the rights and privileges of membership.
- d) Guests – Ordinary, Social and Life Members are entitled to:
 - (i) Invite guests to the club, but the number of guests shall not exceed the maximum number approved within the facility.
 - (ii) Hold private family and business functions without limit to number of guests, providing that the event is approved by the Committee and the sale of liquor shall be:
 - (a) ancillary to a meal supplied at the club by or on behalf of the club to a member and to each of the guests of that member being guests of whose attendance was given prior notice to the club.
 - (b) to a member, for consumption by the guests of that member at a function held by or on behalf of that member at the club.

9. Member's responsibilities

- 9.1 No member shall be entitled to take any legal action against The Club (other than a claim for goods sold and delivered and services rendered) and must conform to the decisions of the Committee and in the case of an appeal, to the decision of the General meeting to which he/she may appeal.
 - a) This Constitution shall be binding on members.
 - b) No liquor shall be sold or supplied for consumption other than on The Club's premises, (package liquor) unless the member purchasing it removes such liquor from the premises of The Club.
 - c) The clubhouse and other club facilities is to be provided and maintained from the joint funds of The Club and no person shall be entitled under these rules to derive any benefit or advantage from The Club which is not shared equally by every member thereof.
- 9.2 As required under section 58(2) of the Act; the club will maintain a list of the names, addresses, and date of subscription for all classes of membership excluding only Temporary membership. The member is required to provide such information to the Secretary for inclusion in the register for the duration of the membership and to note this list is to be available for scrutiny by proper authority.

PART 4 — DISCIPLINARY ACTION, DISPUTES AND MEDIATION

10. Suspension or expulsion of members

- 10.1 Complaints: The President, Committee or Approved Manager in receiving a complaint from the Approved Manager or Approved Bar Staff, of a members behaviour which is considered a serious breach of the liquor act or unacceptable member behaviour or where police involvement is required, may suspend a member for a period of time until disciplinary action under clauses 10.3 & 10.4 can be taken.
- 10.2 Misconduct: Any member who fails in the observance of or commits any breach of any rule of The Club, or any by-law of The Club or of any order or direction of the Executive Committee or of any General Meeting, or who has been, in the sole judgement of the Executive Committee, guilty in or out of The Club's premises of any act, conducted matter or thing calculated to bring discredit on The Club or its members, or to impair or affect the enjoyment of The Club by other members may be charged with misconduct.
- 10.3 Any member under suspension or charged with misconduct as above shall be furnished with a written copy of the charge and summoned before the Executive Committee, who shall after hearing the accuser and accused and taking such evidence as they may consider proper, if they find the charge proved, inflict a penalty of suspension from all or any of the privileges of membership.
- 10.4 If the Executive Committee consider that on a charge of gross misconduct, suspension as above is insufficient, they may call on the member to resign, and if he/she neglects to resign within 10 days they may declare him/her to be expelled, but in any case the accused shall have the right of appeal to a Special General Meeting called for the purpose, whose decision shall be final as decided by the majority of the members present.
- 10.5 Any expelled or suspended member of The Club who may be aggrieved by his/her treatment by the Committee is entitled to lodge an appeal with the sum of \$50 with the secretary to defray the cost of a special general meeting.
- 10.6 The Executive Committee is required to exempt any member of that Committee from hearing a charge in which he/she has an interest.

PART 5 — COMMITTEE

11. Powers of Committee

- 11.1 The business of The Club shall be managed by the Committee, who may exercise all powers of the club except those required to be exercised by The Club at a General Meeting.
- 11.2 Subject to the Act, these rules, the by-laws (if any) and any resolution passed at a general meeting, the committee has power to do all things necessary or convenient to be done for the proper management of the affairs of the Club.

- 11.3 The committee must take all reasonable steps to ensure that the Club complies with the Act, these rules and the by-laws.
- 11.4 Without prejudice to the powers conferred by 11.1 above, the Committee shall, subject to the Rules, have power to do the following things:
- a) To purchase or otherwise acquire any books, newsletters or periodicals and dispose of them as it may see fit.
 - b) To determine from time to time the conditions on which and time when, members may use the property of The Club or any part or parts thereof, and when and under what conditions the premises of The Club or any part or parts thereof, shall be used by members.
 - c) To determine what person (if any) not being members of The Club shall be permitted to use the premises of The Club or any part or parts thereof and during what time and under what conditions and when and at what times and places and under what conditions such persons shall be supplied with refreshments and accommodation.
 - d) To appoint any other officials or servants of The Club and to remove them as occasions may require at their discretion and to define their respective duties. Persons appointed to a paid position shall be so upon resolution of the Club and be engaged under a contract, award or Registered Workplace Agreement.
 - e) To delegate (subject to such conditions as it thinks fit) any of its powers to sub committees consisting of such members of the Committee and other members of The Club co-opted for the purpose as it may determine and to make such regulations as to the proceedings of such sub committees as may be thought desirable.
 - f) To regulate and control their own meeting and the transaction of business thereat.
 - g) To pay any servant of The Club any gratuity for faithful and diligent service as deemed fit.
 - h) In accordance with the rules to suspend or expel any member.
 - i) To enter into or accept any lease or tenancy of the premises where on The Club shall conduct its affairs or of any furniture, goods and effects, which may be required for the use of The Club on such terms and on such conditions as The Club, may deem expedient.
 - j) To take and defend all legal proceedings by or on behalf of the club and to appoint all necessary Attorneys for any such purpose.
 - k) To borrow, raise or secure the payment of money, and to sell and dispose of the assets of The Club.
 - l) To make, alter and repeal Regulations not inconsistent with these Rules, for the use and management of The Club premises, the admission of members and the conduct of The Club and its affairs generally.
 - m) To do and perform any other act, matters and things in connection with or relative to the management of The Club as shall not by these Rules require to be done by The Club in General Meetings.
 - n) To appoint such number of delegates to sporting bodies and associations with which The Club may from time to time be affiliated as may be required by the rules thereof and such delegates shall hold office in accordance with the rules of such sporting bodies and associations respectively.
 - o) Every member of the Committee shall be indemnified against any loss, expenses or liability incurred by reason of any act or deed performed by him/her in good faith on behalf of the

Committee and the Committee may use the funds of The Club for any such purpose required, together with any reasonable expense's incidental to Committee activities.

- p) A member of the Committee who has any direct or indirect pecuniary interest in any matter under contemplation by the Committee, shall, as soon as he/she becomes aware of his/her interest, disclose the nature and extent of such interest to the Committee and shall not take part in any deliberations or decision of the Committee with respect to that matter.

12. Composition of Committee and duties

12.1 The committee members consist of —

- a) the Executive Committee of the Club; and
- b) at least four ordinary committee members

12.2 The President must determine the maximum number of members who may be ordinary committee members.

12.3 The following are the office holders are the Executive Committee of the Club —

- a) The President
- b) The Vice President
- c) The Secretary
- d) The Treasurer

12.4 A person may be a committee member if the person is —

- a) an individual who has reached 18 years of age; and
- b) an ordinary member.

12.5 The treasurer may not be the spouse, parent or child of any other member of the Executive Committee

12.6 A person must not hold 2 or more of the offices mentioned in sub-rule (3) at the same time.

12.7 **The President:**

- a) shall preside at all meetings of the Committee of The Club and, in his absence the Vice President. Should neither be present, the meeting shall elect a Chairperson.
- b) will consult with the secretary regarding the business to be conducted at each committee meeting and general meeting.
- c) has the powers and duties relating to convening and presiding at committee meetings and presiding at general meetings provided for in these rules.
- d) shall be authorised to speak on behalf of The Club.

12.8 **The Secretary** has the following duties:

- a) dealing with the correspondence;
- b) consulting with the chairperson regarding the business to be conducted at each committee meeting and general meeting;
- c) preparing the notices required for meetings and for the business to be conducted at meetings;
- d) unless another member is authorised by the committee to do so, maintaining on behalf of the Association the register of members, and recording in the register any changes in the membership, as required under section 53(1) of the Act;
- e) maintaining on behalf of The Club an up-to-date copy of these rules, as required under section 35(1) of the Act;
- f) unless another member is authorised by the committee to do so, maintaining on behalf of the club a record of committee members and other persons authorised to act on behalf of The Club,

as required under section 58(2) of the Act; including maintaining a list of the names, addresses, and date of subscription for all classes of membership excluding only Temporary membership. For Life and Honorary membership, the date of their election and the period of their membership shall also be included. This list is to be available for scrutiny by proper authority.

- g) ensuring the safe custody of the books of The Club, other than the financial records, financial statements and financial reports, as applicable to The Club; including for inspection by members where a request is approved by the Committee.
- h) maintaining full and accurate minutes of committee meetings and general meetings;
- i) carrying out any other duty given to the secretary under these rules or by the committee.

12.9 **The Treasurer** has the following duties:

- a) ensuring that any amounts payable to The Club are collected and issuing receipts for those amounts in the Association's name;
- b) ensuring that any amounts paid to The Club are credited to the appropriate account of the Association, as directed by the committee;
- c) ensuring that any payments to be made by The Club that have been authorised by the committee or at a general meeting are made on time;
- d) ensuring that The Club complies with the relevant requirements of Part 5 of the Act;
- e) ensuring the safe custody of The Club financial records, financial statements and financial reports, as applicable to the Association;
- f) if The Club is a tier 1 association, coordinating the preparation of the The Club's financial statements before their submission to the Association's annual general meeting;
- g) if The Club is a tier 2 association or tier 3 association, coordinating the preparation of The Club's financial report before its submission to the annual general meeting;
- h) providing any assistance required by an auditor or reviewer conducting an audit or review of the Club's financial statements or financial report under Part 5 Division 5 of the Act;
- i) carrying out any other duty given to the treasurer under these rules or by the committee.

13. Election committee members and tenure of office

13.1 The management of the club shall be vested in an Executive Committee consisting of President, Vice President, Secretary, Treasurer and at least four committee persons. The Office Bearer positions on the Executive committee shall be President, Vice President, Secretary, and Treasurer who, to ensure continuity and experience is retained, are elected for a two-year term. The election and duration of service of the President and Vice President shall be staggered by one year as shall be the election and duration of the Treasurer and Secretary. The other Committee members shall be elected each year for a period of one year the President and Vice President shall be staggered by one year as shall be the election and duration of the Treasurer and Secretary. The other Committee members shall be elected each year for a period of one year.

- a) The Treasurer and Secretary may be either Honorary or paid.
- b) The Treasurer may not be the spouse, parent or child of any other member of the Executive Committee, nor hold any other office.
- c) The Treasurer shall cause correct accounts and books to be kept showing the financial affairs of The Club and the details usually shown in books of accounts of a like nature.
- d) The quorum at all Committee meetings shall be 6 members.
- e) Committee meetings shall be held monthly. Special committee meetings maybe called by the President, Secretary or on the request of three members of the Committee.

- f) The Bar Manager of The Club may attend all Committee meetings to give his report and then leave at the discretion of the Committee.
- g) If, without satisfactory explanation, any Committee person shall absent himself from three consecutive Committee meetings, his/her office shall be terminated forthwith unless noted otherwise in the minutes of the Committee deliberations
- h) No member of the Committee shall be held to have resigned his seat until his resignation, in writing, has been accepted by the Committee.
- i) A member may be appointed to any Committee vacancy by nomination to and approval of the Committee until the next election
- j) The President shall preside at all meetings of the Committee of The Club and, in his absence the Vice President. Should neither be present, the meeting shall elect a Chairperson. All resolutions of the Committee shall be decided by a majority vote of all those present. In the case of equality of votes, the President has the final deciding vote
- k) The President or, in his absence, the Vice President shall be authorised to speak on behalf of The Club.

PART 6 — GENERAL MEETING OF ASSOCIATION

14. Annual general meeting

- 14.1 The Annual General Meeting of members shall be held every calendar year within four weeks of the closing of the financial year.
- 14.2 Members shall be notified of the meeting and a copy of the requisition shall be posted on the Club Notice Board for at least fourteen days before the date of the said meeting. Only business, of which notice shall have been given as above, or in accordance with these rules, shall be transacted at an Annual General Meeting.
- 14.3 Twelve members shall form a quorum. In the case of insufficient members to form a quorum being present after 30 minutes following the advertised start time the meeting will be automatically adjourned to re-convene at the same time seven days later and shall proceed with or without a quorum.
- 14.4 At this meeting a report shall be presented by the President or his representative on behalf of the Executive Committee, and the Treasurer shall present the clubs statement of accounts and balance sheet for the past year, to the requirements of articulated in Part 5 of the Act and articulated in Part 7 of this constitution and, other business in accordance with these rules may be transacted. The order of business at the Annual Meeting shall be as follows:
 - a) to confirm the minutes of the previous annual general meeting and of any special general meeting held since then if the minutes of that meeting have not yet been confirmed;
 - b) to receive and consider —
 - (i) the committee's annual report on the Club activities during the preceding financial year; and

- (ii) as a tier 2 association or a tier 3 association, the financial report of the Association for the preceding financial year presented under Part 5 of the Act;
- (iii) if required to be presented for consideration under Part 5 of the Act, a copy of the report of the review or auditor's report on the financial statements or financial report;
- c) to elect the office holders of the Club and other committee members;
- d) if applicable, to appoint or remove a reviewer or auditor of the Association in accordance with the Act;

15. Special general meetings

- 15.1 The Executive Committee may, at any time call a Special General Meeting by giving adequate notice on The Club notice board
- 15.2 The committee must convene a special general meeting if a request is received from at least 10 of the members
- 15.3 Members shall be notified of the meeting and a copy of the requisition shall be posted on the Club Notice Board for at least five days before the date of the said meeting. Only business, of which notice shall have been given as above, or in accordance with these rules, shall be transacted at a Special General Meeting.
- 15.4 Twelve members shall form a quorum. In the case of insufficient members to form a quorum being present after 30 minutes following the advertised start time the meeting will be automatically adjourned to re-convene at the same time seven days later and shall proceed with or without a quorum.

16. Notice of general meetings

- 16.1 The secretary or, in the case of a special general meeting convened under rule 15.2, the members convening the meeting, must give to each member —
 - a) at least 5 days' notice of a general meeting if a time constraint applies and is expressed to the members; or
 - b) at least 14 days' notice of a general meeting in any other case.
- 16.2 The notice must —
 - a) specify the date, time and place of the meeting; and
 - b) indicate the general nature of each item of business to be considered at the meeting; and
 - c) if the meeting is the annual general meeting, include the names of the members who have nominated for election to the committee under rule 13.1; and
 - d) if a special resolution is proposed —
 - (i) set out the wording of the proposed resolution as required by section 51(4) of the Act; and
 - (ii) state that the resolution is intended to be proposed as a special resolution; and

17. Proxies and alternative attendance

17.1 No proxy votes are accepted

17.2 In the event of a special resolution members unable to attend a meeting may provide a sealed vote to the Secretary for inclusion in the proceedings

17.3 Where at least three days' notice is provided of a request to attend a meeting by the use of digital technology the committee will endeavour to accommodate the request. This will be limited to use of a single digital technology platform within any meeting. This endeavour is undertaken on a 'best efforts' basis and no guarantees of effectiveness of participation or technology constraints will prevent progression of the meeting.

PART 7 — FINANCIAL MATTERS

18. Source of funds

18.1 The funds of the Club may be derived from entrance fees, annual subscriptions of memberships, donations, fund-raising activities, grants, sponsorship and any other sources approved by the committee.

19. Control of funds

- 19.1 The Club must maintain an account(s) in the name of the Mandurah City F.C. (Inc) with a financial institution from which all expenditure of the Club is made and into which all funds received by the Association are deposited.
- 19.2 Subject to any restrictions imposed at a general meeting, the committee may approve expenditure on behalf of the Club.
- 19.3 The committee may authorise the treasurer to expend funds on behalf of the Club up to a specified limit without requiring approval from the committee for each item on which the funds are expended.
- 19.4 All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments of the Club must be signed by —
- (i) 2 committee members; or
 - (ii) one committee member and a person authorised by the committee.
- 19.5 All funds of the Club must be deposited into the Association's account(s) within 5 working days after their receipt.

20. Financial statements and financial reports

- 20.1 For each financial year, the committee must ensure that the requirements imposed on the Club under Part 5 of the Act relating to the financial statements or financial report of the Association are met.
- 20.2 Without limiting sub-rule 20.1, those requirements include —
- a) if the Association is a tier 1 association, the preparation of the financial statements; and
 - b) if the Association is a tier 2 association or tier 3 association, the preparation of the financial report; and
 - c) if required, the review or auditing of the financial statements or financial report, as applicable; and
 - d) the presentation to the annual general meeting of the financial statements or financial report, as applicable; and

- e) if required, the presentation to the annual general meeting of the copy of the report of the review or auditor's report, as applicable, on the financial statements or financial report.

PART 8 — GENERAL MATTERS

21. Liquor act to be observed

- 21.1 The club shall appoint and maintain an Approved Manager for the purposes of observing liquor licensing requirements and regulations. The club shall be open for sale of liquor during such hours as the Committee shall from time to time determine and as permitted under the Liquor Act.

22. Common seal

- 22.1 The club shall have a common seal, which shall be kept in the custody of the Secretary and shall not be affixed to any document except by the authority of the committee and in the presence of one member of the committee. Any document to which the seal is affixed shall be countersigned by the Secretary or an officer appointed by the Executive committee for that purpose.

23. Dissolution of the club

- 23.1 The notice convening such Special Meeting shall state that the dissolution of the Club is to be proposed or confirmed as the case may be.
- a) If upon the dissolution of the Club there remains after satisfaction of its debts and liabilities any property whatsoever the same shall not be paid to or distributed amongst the members of the Club but shall be given or transferred to some recognised public charitable institution or purpose or to some public institution or institutions in Western Australia having objects similar to the objects of the Club and the Memorandum of Association or Constitution of which shall prohibit the distribution of its or their income and property among its or their members to an extent at least as great as is imposed on the Club.

24. By-laws

- 24.1 The Club may, by resolution at a general meeting, make, amend or revoke by-laws.
- 24.2 By-laws may —
- a) provide for the rights and obligations that apply to any classes of associate membership approved under rule 6.1; and
- b) impose restrictions on the committee's powers, including the power to dispose of the association's assets; and
- c) impose requirements relating to the financial reporting and financial accountability of the association and the auditing of the association's accounts; and
- d) provide for any other matter the association considers necessary or convenient to be dealt with in the by-laws.
- 24.3 A by-law is of no effect to the extent that it is inconsistent with the Act, the regulations or these rules.

MANDURAH CITY F.C. CONSTITUTION RULES

- 24.4 Without limiting sub-rule 24.3, a by-law made for the purposes of sub-rule 24.2 c) may only impose requirements on the Club that are additional to, and do not restrict, a requirement imposed on the Club under Part 5 of the Act.
- 24.5 At the request of a member, the Club must make a copy of the by-laws available for inspection by the member.

PRESIDENT

DATE

SECRETARY

DATE